

Prepared by: _____
JASON N. SENA, ESQ.

**ENCLAVE AT EDISON CONDOMINIUM ASSOCIATION, INC.
RESOLUTION REGARDING PARKING, TOWING AND OPERATION OF VEHICLES**

WHEREAS, the Enclave at Edison Condominium Association, Inc. (the "Association") was established and exists as a non-profit corporation by virtue of the New Jersey Condominium Act, N.J.S.A. 46:8B-1, et seq., and by virtue of a certain Master Deed recorded in the Office of the Clerk of Middlesex County on October 17, 1988 at Deed Book 3737, Page 0437, et seq., as may be amended;

WHEREAS, at the Association's Feb 17, 2015 Board meeting, a quorum of the Association's Board of Directors (the "Board") was present and the Board passed the Policy Resolution Regarding Parking, Towing and Operation of Vehicles, which is attached hereto as Exhibit A;

WHEREAS, the Board has determined that it is in the Association's best interests to have the Resolution Regarding Parking, Towing and Operation of Vehicles and to have such Resolution recorded in the Middlesex County Clerk's Office;

NOW THEREFORE, the Association hereby submits the Resolution Regarding Parking, Towing and Operation of Vehicles, which is attached hereto and incorporated herein as Exhibit A, for recordation in the Office of the Clerk of Middlesex County.

ENCLAVE AT EDISON CONDOMINIUM
ASSOCIATION, INC.


By: , Secretary

EXHIBIT A

(Resolution Regarding Parking, Towing and Operation of Vehicles)

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**ENCLAVE AT EDISON CONDOMINIUM ASSOCIATION, INC.
RESOLUTION REGARDING PARKING, TOWING AND OEPRATION OF VEHICLES**

WHEREAS, the Enclave at Edison Condominium Association, Inc. (the "Association") was established and exists as a non-profit corporation by virtue of the New Jersey Condominium Act, N.J.S.A. 46:8B-1, et seq., and by virtue of a certain Master Deed recorded in the Office of the Clerk of Middlesex County on October 17, 1988 at Deed Book 3737, Page 0437, et seq., as may be amended;

WHEREAS, Article V, Section 1(a) of the By-Laws of the Association (the "By-Laws") provides that the Board of Directors of the Association shall have all powers granted to it or necessarily implied by law, the Certificate of Incorporation, the By-Laws or the Master Deed, including the power to do anything and everything necessary for the sound management of the Association; and

WHEREAS, Section 8(f) of the Master Deed provides that every unit owner, by acceptance of the deed to their unit, is deemed to have agreed to pay the share of common expenses of the Association associated with the ownership of their unit; and

WHEREAS, Article V, Section 1(l) of the By-Laws provides the Board with the right to enforce the obligations of unit owners and to do anything and everything necessary and proper for the sound management of the Association; and

WHEREAS, Article V, Section 1(j) of the By-Laws provides the Board with the right to establish and enforce Rules and Regulations concerning parking of vehicles by unit owners, including the assignment of parking spaces; and

WHEREAS, by Resolution dated March 17, 1998, the Board promulgated certain Rules and Regulations concerning parking of vehicles on Association property, which primarily regulates the classes of vehicles that are permitted to park on Association property; and

WHEREAS, the Board deems it advisable to pass this policy resolution containing additional Rules and Regulations concerning parking and towing of vehicles on Association property.

NOW, THEREFORE, BE IT RESOLVED that the following Rules and Regulations governing parking and the towing of vehicles in violation thereof, are hereby adopted by the Board in accordance with the Master Deed and By-Laws:

1. Unit Owners, tenants and occupants are encouraged to park all motor vehicles in the garage or driveway appurtenant to the unit in which he or she resides.
2. The speed limit on the property of the Association is 17 MPH. Speeding is dangerous and prohibited. All vehicles must observe and obey stop signs.

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3. No vehicles of any kind may be operated on grass on the property of the Association.

4. No motor vehicles may be parked along the sides of the roadways or along curbed areas of Association property not designated for parking by the Association at any time or for any reason. Parking is permitted in lined parking areas only.

5. Vehicles parked in driveways must be perpendicular to the Unit and not extend into the roadway.

6. Washing of vehicles is only permitted on Saturday and Sunday prior to noon and on weekdays during daylight hours.

7. Covers may not be placed on vehicles at any time without express written consent of the Board.

8. Any motor vehicle parked in violation of the terms of this Resolution may be towed in accordance with the terms of this Resolution. All towing fees will be responsibility of the owner of the towed vehicle. Unit Owners, tenants and occupants shall be responsible for their guests and any towing charges as a result of their guest parking in violation of this Resolution.

9. Any vehicle improperly parked in the following areas shall be towed in accordance with the provisions of this Resolution: (i) unauthorized parked in a handicapped parking space (in no event shall any vehicles properly identified as handicapped vehicles be towed if parked properly in a handicapped parking space); (ii) parked in any fire zones; (iii) parked in non designated area; (iv) parked in rights of ways; (v) parked in other areas designated "no parking"; (vi) parked in grassed areas, islands or any unpaved area; and/or (vii) parked in emergency areas.

10. Any vehicles parked in the Association on Common Elements evidencing combustible fluid leaks shall be towed in accordance with the provisions herein.

11. Any vehicles parked in the Association on Common Elements that are deemed inoperable and/or abandoned by the Board and/or the Association's managing agent, and/or unregistered vehicles and/or vehicles with expired registrations shall be towed in accordance with the provisions herein.

12. In no event shall any vehicle parked in the visitor parking area occupy more than one (1) parking space. Any vehicle occupying more than one (1) parking space may be towed in accordance with the provisions herewith.

13. In no event shall any vehicle maintenance be performed on a vehicle parked on the Association's property. However, any vehicle with a flat tire or changing a light bulb in a headlight may have maintenance performed to cure same.

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14. In no event shall the following vehicles or equipment be stored, housed or parked on the Association property: (i) trailers of any type; (iii) tractor trucks whether commercial or unregistered; (iv) Trucks or vans duly registered with commercial plates (a "van" with solid paneled sides and/or a vehicle with a cutaway cargo deck are considered commercial vehicles); (v) mobile homes; (vi) mini-bikes, ATVs or recreation vehicles; (vii) boats of any type; and (viii) abandoned, damaged, disabled or unregistered vehicles of any type.

15. Pursuant to the Predatory Towing Prevention Act, N.J.S.A. 56:13-7 et seq ("Towing Act") a company engaged by the Association shall be authorized to tow any prohibited vehicle or any vehicle that is parked improperly or in violation of this Resolution. The Association shall comply with the Towing Act.

16. Signage complaint with the Towing Act shall be posted at all vehicular ingress areas in the Association on Common Elements. All posted signage shall be no smaller than 36 inches by 36 inches and shall contain the following: a) the purpose or purposes for which parking is authorized and the times during which such parking is permitted; (b) that unauthorized parking is prohibited and unauthorized motor vehicles will be towed at the owner's expense; (c) the name, address, and telephone number of the towing company that will perform the towing; (d) the charges for the towing and storage of towed motor vehicles; (e) the street address of the storage facility where the towed vehicles can be redeemed after payment of the posted charges and the times during which the vehicle may be redeemed; and (f) such contact information for the Division of Consumer Affairs as may be required by regulation.

17. The towing company shall obtain authorization from the managing agent or a member of the Board prior to towing any vehicle.

18. Any monies due to the Association hereunder shall be collected by the Association in the same manner as assessments.

19. Notwithstanding the above, the Association may exercise all rights and remedies available to it at law, in equity and/or pursuant to the Master Deed, By-Laws, Certificate of Incorporation and Rules and Regulations of the Association.

20. If any provision herein is determined to be invalid, the remaining provisions shall remain in full force and effect.

21. Any provision contained within any previously adopted resolution of the Association that conflicts with any provisions set forth herein, shall be deemed void and the provision contained herein shall govern.

ENCLAVE AT EDISON CONDOMINIUM ASSOCIATION, INC.

Resolution Pertaining to: **RESOLUTION REGARDING PARKING, TOWING AND OPERATION OF VEHICLES**

Duly adopted at a meeting of the Board of Enclave at Edison Condominium Association, Inc. held this 21 day of February, 2015.

Officer/Director PRINT NAME	Vote:				SIGNATURE
	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	
<u>SHILPA LADDA</u>	<u>Y</u>	___	___	___	<u>Shilpa Ladda</u>
<u>Robert Sanders</u>	<u>X</u>	___	___	___	<u>Robert Sanders</u>
<u>PEGGY SHARPE</u>	<u>X</u>	___	___	___	<u>Peggy Sharpe</u>
<u>Inchung Lee</u>	<u>X</u>	___	___	___	<u>Inchung Lee</u>
<u>ROBERT PRONGAY</u>	<u>✓</u>	___	___	___	<u>Robert Prongay</u>
_____	___	___	___	___	_____
_____	___	___	___	___	_____

Attest:

Robert J. Sanders
Robert J. Sanders, President

Dated: 2/17, 2015

Shilpa Ladda
Shilpa Ladda, Secretary

Dated: 2/17, 2015

File:

Book of Minutes -
Book of Resolutions:

	Book No.	Page No.
Policy	_____	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution Effective: _____, 2015

