

AMENDMENT TO FORRESTAL VILLAGE

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS AMENDMENT, made this 22 day of December, 1980 by and between Forrestal Village, Inc., a New Jersey corporation, having its principal office located at 105 Woodcrest Center, Post Office Box 778, Cherry Hill, New Jersey 08003, and Princeton Landing Construction Co., Inc., a New Jersey corporation having its principal office located at 1122 Clifton Avenue, Clifton, New Jersey 07013.

WHEREAS, Harold D. Sarshik for Sarshik and Edwards, Forrestal Village, Inc., and Forrestal Apartments Company executed a certain Declaration of Covenants and Restrictions, dated November 6, 1979 and recorded in the Middlesex County Clerk's Office on February 7, 1980 in Deed Book 3131, Page 93 (hereinafter referred to as "Declaration") and

WHEREAS, the definition of the term Developer set forth in Article I, Section 16 of said Declaration means and refers to Harold D. Sarshik for Sarshik and Edwards, Forrestal Village, Inc. and Forrestal Apartments Company, respectively; and

WHEREAS, Harold D. Sarshik for Sarshik and Edwards has conveyed to Princeton Landing Construction Co., Inc. all right, title and interest in certain property and improvements pursuant to a certain Deed, dated December 22, 1980, and recorded in the Middlesex County Clerk's Office in Deed Book 3177, Page 872; and

WHEREAS, Harold D. Sarshik for Sarshik and Edwards and Forrestal Village, Inc., have assigned to Princeton Landing Construction Co., Inc., and Princeton Landing Construction Co., Inc. has accepted and assumed certain rights and obligations of Developer (as said term is used and defined in the Declaration) pursuant to a certain Agreement of Assignment between the parties, dated December 22, 1980; and

WHEREAS, Forrestal Village, Inc. is the Developer (as said term is used and defined in the Declaration) of certain parcels known and described on the Plainsboro Township Tax Map as Block 3, Lots 2.01 through 2.28, inclusive, and Lots 3.01 through 3.43, inclusive; and

WHEREAS, Forrestal Apartments Company was the Developer (as said term is used and defined in the Declaration) of the parcel known and described on the Plainsboro Township Tax Map as Block 3, Lot 1.02; and

WHEREAS, the issuance by Plainsboro Township of Certificates of Occupancy for the 120 apartment units constructed by Forrestal Apartments Company resulted in automatic conversion of said Block 3, Lot 1.02 from an Assessable Land Unit to 120 Assessable Living Units and automatic change of status from Developer to Member of the Association (as said terms are defined in the Declaration); and

WHEREAS, Princeton Landing Construction Co., Inc., and Forrestal Village, Inc. desire that the definition and meaning of the term Developer set forth in Article 1, Section 16 of the Declaration be amended, modified and changed to conform to, clarify and define their respective rights, duties and obligations as Developers; and

WHEREAS, Article X, Section 2 of the Declaration provides for the amendment of such Declaration for a period of one year after the recordation of such Declaration by the Developer, but only following Registered Notice to all Owners (as those terms are defined in the Declaration); and

WHEREAS, Article IX, Section 2 of the Declaration provides that the Lead Lender (as said term is defined in the Declaration) must approve same; and

WHEREAS, the Lead Lender is Princeton Bank and Trust Company, a New Jersey banking corporation, since it is the first mortgagee holding the greatest number of first mortgages;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) Princeton Landing Construction Co., Inc. and Forrestal Village, Inc., as Developers, hereby amend the aforesaid Declaration of Covenants and Restrictions, dated November 6, 1979 and recorded in the Middlesex County Clerk's Office on

February 7, 1980 in Deed Book 3131, Page 93, after having given Registered Notice to all owners as of the date hereof (all as provided for and defined in the Declaration) and having secured the approval of said Princeton Bank and Trust Company as Lead Lender, as follows:

ARTICLE I, SECTION 16. The entire text of said section is hereby deleted and the following paragraph is substituted in its place and stead:

" "Developer" shall mean and refer to Princeton Landing Construction Co., Inc., a New Jersey corporation, and Forrestal Village, Inc., a New Jersey corporation, their successors and assigns; provided, however, that the rights and obligations of said Forrestal Village, Inc. as Developer, anything herein to the contrary notwithstanding, shall apply only to the lands known and described on the Plainsboro Township Tax Map as Block 3, Lots 2.01 through 2.28, inclusive, and Lots 3.01 through 3.43, inclusive, and to no other lands on the Development Plan; and provided further, however, that no successor or assignee of Developer shall have any rights or obligations of the Developer hereunder unless such rights and obligations are specifically set forth in the instrument of succession or assignment or which pass by operation of law. The rights and obligations set forth herein of Developer shall cease when new Living Unit construction anticipated by the Development Plan is substantially completed or after five (5) years have elapsed since the filing of the last Supplementary Declaration establishing a Parcel with Living Units."

All other terms, covenants and conditions of said Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

ATTEST:

FORRESTAL VILLAGE, INC.

s/ Frances Sarshik, Secretary

By: s/ Harold D. Sarshik, President

ATTEST:

PRINCETON LANDING CONSTRUCTION CO., INC.

s/ Samuel L. Wolff, Secretary

By: s/ Andrew Abramson, President

Amendment approved this 2nd day of February, 1981

PRINCETON BANK AND TRUST COMPANY

s/ Agnes Constance, Secretary

By: s/ James Stewart III, President

Prepared by: Gregory B. Montgomery, Esq.

STATE OF NEW JERSEY)

) ss:

COUNTY OF)

BE IT REMEMBERED, that on December 22, 1980, before me, the subscriber, a Notary Public of New Jersey personally appeared Frances Sarshik, who being by me duly sworn on her oath, deposes and makes proof to my satisfaction, that she is the Secretary of Forrestal Village, Inc., the corporation named in the within instrument; that Harold D. Sarshik is the President of said corporation; that the execution, as well as the making of this instrument, has been duly authorized by a proper resolution of the Board of Directors of said corporation; that deponent well knows the corporate seal of said corporation; and that the seal affixed to said instrument is the proper corporate seal and was thereto affixed for the voluntary act and deed of said corporation, in presence of deponent, who thereupon subscribed her name thereunto as attesting witness.

Sworn and subscribed before me, the date aforesaid.

S/ Ruth Pastor,
Notary Public of New Jersey

s/ Frances Sarshik, Secretary

My Commission Expires September 2, 1985

STATE OF NEW JERSEY)
) ss:
COUNTY OF MIDDLESEX)

BE IT REMEMBERED, that on December 22, 1980 before me, the subscriber, an attorney at law of New Jersey, personally appeared Samuel L. Wolff, who being by me duly sworn on his oath, deposes and makes proof to my satisfaction that he is the Secretary of Princeton Landing, Inc., the corporation named in the within instrument; that Andrew Abramson is the President of said corporation; that the execution, as well as the making of this instrument, has been duly authorized by a proper resolution of the Board of Directors of said corporation; that deponent well knows the corporate seal of said corporation; and that the seal affixed to said instrument is the proper corporate seal and was thereto affixed for the voluntary act and deed of said corporation, in the presence of deponent, who thereupon subscribed his name thereunto as attesting witness.

Sworn and subscribed before me, the date aforesaid.

s/ Saul Cohen, Attorney-at-Law
of New Jersey

s/ Samuel L. Wolff, Secretary

STATE OF NEW JERSEY)
) ss:
COUNTY OF MERCER)

BE IT REMEMBERED, that on February 2, 1981, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared James Stewart, III, who being by me duly sworn on his oath, deposes and makes proof to my satisfaction, that he is the President of said corporation; that the execution, as well as the making of this instrument, has been duly authorized by a proper resolution of the Board of Directors of said corporation; that deponent well knows the corporate seal of said corporation; and that the seal affixed to said instrument is the proper corporate seal and was thereto affixed and said instrument was signed and delivered by said President as and for the voluntary act and deed of said corporation, in the presence of deponent, who thereupon subscribed his name thereunto as attesting witness.

Sworn to and subscribed before me, the date aforesaid.

s/ Edwin F. Lowe
Notary Public of New Jersey
My Commission Expires May 3, 1981

s/ James Stewart, III, President

Recorded in Book 3177, Pages 872 - 879
at Middlesex County Court House,
New Brunswick, NJ (Date Unknown)