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By: Caroline Record
Caroline Record, Esq.

BROOKFIELD CONDOMINIUM ASSOCIATION, INC.

**Amendment to the By-Laws
(Regarding Tort Immunity)**

P R E A M B L E

1. The Master Deed for Brookfield Condominium Association, Inc., a Condominium, dated April 20, 1999, as it may have thereafter been amended (collectively the "Master Deed") and the By-Laws of Brookfield Condominium Association, Inc. as thereafter amended (collectively, the "By-Laws") were recorded in the office of the Warren County Clerk on April 20, 1999, in Deed Book 1618, Page 244, et seq., and any and all amendments thereto.

2. The Board of Directors (the "Board") of the Association has recommended an amendment to the By-Laws to limit the Association's liability for bodily injury occurring to a Unit Owner on Brookfield common elements.

3. Pursuant to N.J.S.A. 2A:62A-14, this Amendment to the By-Laws has been approved by the affirmative vote of at least two-thirds (2/3) of the fully qualified-to-vote membership of the Association at a meeting of the Association duly held in accordance with the provisions of the By-Laws.

4. Pursuant to the Master Deed, the By-Laws and N.J.S.A. 2A:62A-14, this Amendment to the By-Laws was approved at a duly convened meeting of the Unit Owners.

NOW, THEREFORE, BE IT RESOLVED, this 12 day of November, 2003, as follows:

A. A new Article XVII of the By-Laws shall be created, as follows:

ARTICLE XVII

IMMUNITY

In accordance with N.J.S.A. 2A:62A-13, the Association will not be liable in any civil action brought by or on behalf of a Unit Owner to respond in damages as a result of bodily injury to the Unit Owner occurring on the Association's Common Elements if the improvement on which the injury occurs is one for which the Association has exterior maintenance responsibility. This grant of immunity from liability will not be effective if the Association


causes bodily injury to the Unit Owner on the Common Elements by its willful, wanton or grossly negligent act of commission or omission.

B. Except as expressly set forth in this Amendment (and as previously properly amended), the By-Laws of Brookfield Condominium Association, Inc. will not be otherwise deemed modified.

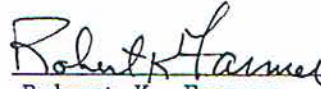
C. This Amendment to the By-Laws will be effective immediately upon adoption and execution by the President and Secretary of the Association. The Attorney for the Association is authorized to record this Amendment with the Warren County Clerk's Office immediately following the adoption of same.

ATTEST:

BROOKFIELD CONDOMINIUM
ASSOCIATION, INC.



Charles P. Duffy Secretary



Robert K. Farmer, President

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March 18, 2004

Board of Trustees
Brookfield Condominium Association
P.O. Box 52
Belvidere, New Jersey 07823

Re: Brookfield Condominium Association

Dear Board Members:

Enclosed please find a copy of the recorded Amendment to the By-Laws Regarding Tort Immunity which was filed in the Warren County Clerk's office on March 16, 2004 in Volume 1915, Page 250 with regard tot he above referenced matter.

Should you have any questions or comments, please do not hesitate to contact me.

Very truly yours,


Caroline Record

CR/jjs
Enclosure

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