

FIRST AMENDMENT
TO THE BY-LAWS
FOR THE PAVILION HOMEOWNER'S ASSOCIATION, INC.

THIS First Amendment to the By-Laws for The Pavilion Homeowner's Association, Inc. is dated as of the 11TH day of NOVEMBER, 2008

WITNESSETH

WHEREAS, by that certain Master Deed for The Pavilion Homeowner's Association, Inc. recorded in the Office of the Register of Ocean County in Book 4672, Page 357 (the "Original Master Deed") created and established The Pavilion Homeowner's Association, Inc., a New Jersey not-for-profit, nonstock membership corporation formed under the Corporations and Associations Not-For-Profit Act of the State of New Jersey, comprised exclusively of both condominium townhouse dwelling units and detached single family units of The Pavilion for that property located in the Township of Brick, County of Ocean, State of New Jersey described in Exhibit C annexed to the Original Master Deed; and

WHEREAS, the Original Master Deed contained as Exhibit B the By-Laws of The Pavilion Homeowner's Association, Inc.; and

WHEREAS, the unit owners of The Pavilion Homeowner's Association, Inc. have approved an Amendment to the Original By-Laws by the affirmative vote of at least fifty-one percent (51%) of all ownership interests in The Pavilion Homeowner's Association, Inc. as required by Article XIII thereof.

NOW THEREFORE, the Original By-Laws are hereby amended as follows:

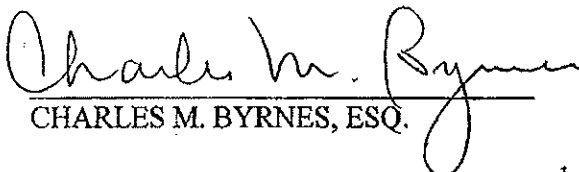
1. Article VI, Section 3 shall be modified to provide as follows:

(a) The final two sentences of Section 3.A. beginning with the words "Upon closing of title to said Unit," are deleted.

(b) Subsection C. shall be added to Section 3 which shall provide the following:

Capital Contribution; Membership Fee. Simultaneously with the acquisition of title to a condominium townhouse dwelling unit, each new purchaser shall pay to the Association, a non-refundable, non-transferable membership fee or other

Prepared by:


CHARLES M. BYRNES, ESQ.

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Charge the amount of such fee to be established from time to time at the Board's discretion, for the purpose of the maintenance of or improvements to common elements to defray common expenses or otherwise. As authorized by the New Jersey Condominium Act specifically N.J.S. 46:8B-15e the membership fee or other charge for a condominium townhouse dwelling unit may be up to 9/12 of the then current annual common expense assessment for the condominium townhouse dwelling unit. A charge of the same amount as for a townhouse unit shall be paid simultaneously with the acquisition of title to a single family detached house by the purchaser to the Association. Any unpaid Capital Contribution/Membership Fee shall be deemed a lien on the Unit in the same manner as any unpaid Common Expenses attributable to such Unit.

2. In all other respects the Original By-Laws shall remain unchanged. In the event of a conflict or contradiction of terms between the Original By-Laws and this First Amendment, the terms of this First Amendment shall control.

IN WITNESS WHEREOF, this First Amendment to By-Laws of The Pavilion Homeowner's Association, Inc. is executed as of the date first set forth above.

ATTEST:

THE PAVILION HOMEOWNER'S
ASSOCIATION, INC.

Elizabeth Deane
Secretary

By. Marie L. Doti, PRES.

STATE OF NEW JERSEY, COUNTY OF OCEAN

SS:

I certify that on the 11TH day of NOVEMBER, 2008
ELIZABETH TREACY personally came before me and this person
acknowledged under oath, and to my satisfaction, that:

(a) This person is the secretary of the corporation named in this First
Amendment to By-Laws;

(b) This person is the attesting witness to the signing of this First Amendment
to By-Laws by the proper corporate officer who is MARIE SIDOTI the
President of the Corporation;

(c) The First Amendment to By-Laws was signed and delivered by the
Corporation as its voluntary act duly authorized by a proper resolution of its Board of
Directors;

(d) This person knows the proper seal of the Corporation which was affixed to
this First Amendment to By-Laws;

(e) This person verifies the vote of the Unit Owners of The Pavilion
Homeowner's Association, Inc. to approve this First Amendment to the By-Laws of the
Pavilion Homeowner's Association, Inc. which vote of approval was made by at least
51% of the Unit Owners; and further verifies that the balance thereof or maintain with the
books and records of the Association.

Elizabeth Treacy, SEC.
Secretary

Signed and sworn to before me
on the 11TH day of NOVEMBER, 2008.

Harry Fischer
Notary Public

Harry Fischer
Notary Public of New Jersey
My Commission Expires Dec. 07, 2010