

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

THIS Second Amendment to the By-Laws for The Pavilion Homeowner's Association, Inc. is dated as of the 11<sup>TH</sup> 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:

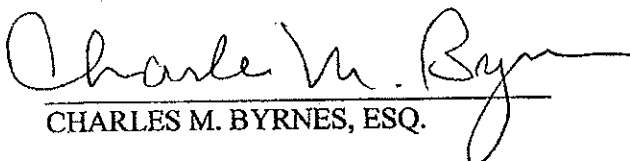
1. Article II, Section 2 shall be modified to provide as follows:

The final sentence of Section 2 wherein which is reads "...residents are 48 years or older,..." shall be replaced with "...residents are 55 years or older,..."

2. Article VI, Section 7, subsection (a) shall be modified to provide as follows:

The units shall be used as single family, private residences only, to be occupied by residents of fifty-five (55) years of age and older.

Prepared by:

  
CHARLES M. BYRNES, ESQ.

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

The final sentence of the fourth paragraph shall now read "The intention of the Association is to strictly maintain a Community providing for and meeting the needs of those people 55 years of age and older."

4. Article VIII, Section 4 shall be modified to provide as follows:

No member of the Association as defined shall be less than the age of 55 years provided, however, that, in the event a lot or living unit is owned by husband and wife as tenants by the entirety, only one owner must meet the requirements of this article. No transfer as described in Section 3 of this Article shall be made to any prospective purchaser or lessee of any person less than the age of 55 years, subject to the exception herein.

5. Article XVI, shall be modified to provide as follows:

(a) The second sentence shall be amended to read "Residents of the Pavilion must be fifty-five (55) years and older."

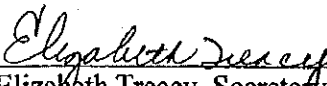
(b) The third sentence shall be amended to read "As such, notwithstanding anything to the contrary in these By-laws and the Public Offering Statement of which they are attached, a member of the Association must either be fifty-five (55) years and over or show by affidavit that said member's tenants, if a landlord/tenant relationship exists, or the permanent occupants/residents of some other type of occupancy relationship exists that all and any said residents/tenants are fifty-five (55) years or over, except a spouse or surviving spouse."

6. 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 Second Amendment, the terms of this Second Amendment shall control.

IN WITNESS WHEREOF, this Second 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 Treacy, Secretary

By.   
Marie Sidoti, President

STATE OF NEW JERSEY, COUNTY OF OCEAN

SS:

I certify that on the 11<sup>th</sup> day of NOVEMBER, 2008, Marie Sidoti 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 Second Amendment to By-Laws;

(b) This person is the attesting witness to the signing of this Second Amendment to By-Laws by the proper corporate officer who is Marie Sidoti, the President of the Corporation;

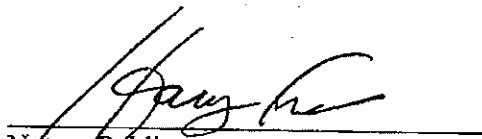
(c) The Second Amendment to By-Laws was signed and delivered by the Corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;

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

(e) This person verifies the vote of the Unit Owners of The Pavilion Homeowner's Association, Inc. to approve this Second 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, Secretary

Signed and sworn to before me  
on the 11<sup>th</sup> day of NOVEMBER, 2008.

  
Notary Public

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