
SCENIC RIDGE HOMEOWNERS' ASSOCIATION, INC.

AMENDMENT TO BY-LAWS OF SCENIC RIDGE HOMEOWNERS' ASSOCIATION, INC.

Scenic Ridge Homeowners' Association, Inc., a New York Not-For-Profit Corporation, whose business address is 1 Amber Drive, Croton-on-Hudson, New York 10520, hereby amends its By-Laws, in the following respect:

(1) A new Section 2 of Article IV of the By-Laws, regarding a restriction on use of Lots, is added to read as follows:

Section 2. The Lots may be used for residential purposes as defined in the applicable zoning ordinances, as the same may be amended from time to time, and such other accessory uses as permitted by such zoning ordinances.

Notwithstanding the foregoing, the leasing of Lots is restricted under a Rental Procedure, as follows:

- a) All Owners who desire to rent their homes must reside in their home for a minimum of five (5) years before being allowed to rent their unit. At that time an owner is allowed to rent their homes, an application must be submitted in a form approved by the corporation. A fee may be charged to submit the application.
- b) Properly completed applications shall be received on a "firstcome, first-served" basis by the Board or other person, agent or committee appointed by the Board. The names of the Owners so received will be entered on a list in consecutive order (the "Rental List").
- c) Owners that are eligible to seek a tenant shall be notified in writing by the Board (the "Eligible Owners").
- d) The Eligible Owners must submit the then prevailing and required Rental materials, including all fees, to the Board on or before forty five (45) days from the date of notification of their eligibility from the Board (the "Primary Submission"). The materials will be submitted to the Board of Directors at its next regularly scheduled meeting.
- e) If consent is granted for a rental by the Board, the Eligible Owner may then rent his or her home. Consent to a rental shall not be unreasonably withheld. However, except as set forth under sub-section (k) below, under no circumstances will the number of approvals granted under the Rental Procedure exceed five (5). An Owner with an existing rental arrangement at the adoption of this Rental Procedure may maintain the rental arrangement, subject to compliance with the Association maintenance requirements, assessment payments in good standing, rental fee payments in good standing and updating of the Board with insurance information (annually) and renter information updates, and it shall be counted towards the maximum of five (5) permitted here under.
- f) If consent is withheld by the Board, the Eligible Owner may resubmit materials within forty five (45) days of notification of disapproval (the "Alternate Submission"). If consent is granted to the Alternate Submission, the Eligible Owner may then rent the home.
- g) If the Eligible Owner fails to submit a proper Primary Submission or Alternate Submission on a timely basis, or if consent to both submissions is denied, then the Eligible Owner will be disqualified, and such Owner's name will be placed at the end of the Rental List. An Owner whose application to rent is disapproved shall be notified by the Board via first class mail.
- h) If, as stated in the preceding paragraph, one or more of the Eligible Owner(s) are disqualified, then such other Owner as is next on line in the Rental List shall be selected as the alternate Eligible Owner. The alternate Eligible Owner must submit rental materials in equivalent time periods as set forth above.

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i) Owners of record, that are fully paid up in assessments and other charges, are eligible to participate in the Rental Procedure. In all circumstances an Owner must be in ownership and residence for at least five (5) years before he or she may qualify to be placed on the Rental List. An Owner of multiple homes shall not be permitted to rent other homes if he or she already rents one home. Any Owner who does not participate at the time of adoption of this Section of the By-Laws, or persons who become Owners after the record date of adoption of this Section of the By-Laws, or Eligible Owners or Owners who currently lease their homes but whose tenants later vacate the home, may be eligible to participate thereafter, but their names will be added to the end of the Rental List on a "first-come, first-served" basis.

j) The Association is authorized to impose an administrative charge , with interest therein, upon an Owner for violations of this Rental Procedure of Section 2 of Article IV of these By-Laws. Violations may also result in litigation or other appropriate enforcement relief against the Owner. Nothing herein shall be construed to be in limitation of the Association's remedies against the Owner. The election to impose an administrative charge under this Rental Procedure shall not preclude the Association from any other remedy under the law or under the Declaration or these By-Laws. Administrative charges are payable on demand as an additional assessment under these By-Laws.

k) Notwithstanding anything stated herein to the contrary, a request for consent of the Board to a lease may be made in exceptional circumstances on a case-by-case basis. The request shall be limited to so-called "hardship cases" where special circumstances are determined to exist. One example of a type of a "hardship case" is where an Eligible Owner is temporarily relocated on business with a definite intention to return and re-occupy the home at the expiration of the proposed lease. However, a Unit Owner's difficulty or inability to sell a home will not be considered to be a "hardship case". If consent is granted pursuant to this sub-section, the number of approvals granted under the Rental Procedure may exceed five (5).

l) Notwithstanding anything stated herein to the contrary, all applicable provisions of the Declaration, By- Laws, Rules and Regulations, and other applicable rules of the corporation, remain in full force and effect.

m) For any owner renting their homes, in order to be able to continue to rent, an Owner must maintain their rented unit in compliance with Association maintenance requirements, must provide the Association with proof of adequate homeowners' insurance, provide the Association insurance information updates at least annually, pay any administrative fees required by the Association on an annual basis, must provide the Association with detailed renter information and provide any renter information updates as occupying renters are added, changed or removed.

SCENIC RIDGE HOMEOWNERS' ASSOCIATION, INC.

1 AMBER DRIVE • CROTON-ON-HUDSON, NY 10520

<http://www.scenicridgehomeowners.com>

To: All Scenic Ridge Homeowners

Subject: Rental Resolution By-Law Amendment

Date: May 25, 2014

Attached is a copy of a proposed Amendment to the Scenic Ridge Homeowners' Association's By-Laws.

This is a very important issue and we need your support. This amendment will enable us continue the high quality of living that we all enjoy, as well continuing to increase our homes' values.

We have included a ballot for you to complete and return to us by June 7, 2014.

After considerable research, the Board has determined that it is in the best interest of all homeowners to restrict the number of rental units to a total of five (5) and require that anyone renting, going forward, must have lived in the development for reasonable amount of time before being allowed to rent.

The justification for doing this is to maintain the value of all of our homes and facilitate our ability to extract needed equity from our homes when needed. For example, at the time a unit is sold, the mortgaging bank asks the Association some standard questions that directly affect whether a mortgage will be approved. One of the questions is the number or percentage of Rentals within the development. If this number rises too high, the mortgage may not be allowed. We have also experienced some off-site owners not maintaining their properties at the level we all expect in our community.

We currently have 8 rental units in the development. Units that are currently rented will be grandfathered and will be allowed to continue renting as long as they maintain the rental fees, insurance, maintain their homes and keep their renter information up to date with the Association. We will have to deny future rental requests until the current rentals have been reduced to a number that allow more to be rented under the new By-Law. Additionally, we are including terms that buyers must live in their home for 5 years before being allowed to rent. This will be the rule for any future purchasers. Once we go below 5, homeowners (that have lived in their homes for at least 5 years) would be allowed to request to rent.

At that time, homeowners that would like to rent their unit will be required to file the Rental Request form, pay an annual fee, provide updated renter information when any renter information changes, and maintain their homes to a level satisfactory to the Association. All requests will be taken on a first-come, first-served basis. Once we reach the cap of 5 units, (including current rentals) a Waiting List will be maintained; also on a first-come, first-served basis. Please note that the amendment does have a hardship clause that allows for additional rentals under special circumstances.

In order for the amendment to be passed, it requires a two-thirds majority vote. The ballots will be totaled during our next board meeting on June 9, 2014.

Please complete and sign the attached ballot and place it in our locked drop box on the corner of Robin Lane and Amber Drive by June 7, 2014. Your ballot can also be mailed to 1 Amber Drive if you prefer or given by hand to any Board member.

It is in your best interest to support this By-Law amendment!

The Scenic Ridge Board of Directors

SCENIC RIDGE HOMEOWNERS' ASSOCIATION, INC.

I/We the undersigned who is/are the owner/s of Record of the Unit and Lot known as _____, Croton-on-Hudson, NY,

(Insert Unit Address)

hereby cast my/our vote as noted below, upon the following matter:

For the purpose of amending Article IV of the Scenic Ridge Homeowners' Association By-Laws, regarding a restriction on use of Lots.

I/We understand that this ballot shall be counted as if the undersigned were present and voting at the meeting to be held on June 9, 2014. Upon completion of my/our ballot, it will be placed in the locked drop box located on the corner of Robin Lane and Amber Drive or mailed, via United States Postal Service, to the Scenic Ridge Homeowners' Association; 1 Amber Drive; Croton-on-Hudson, NY 10520, or hand delivered to a Board member.

Dated _____, _____

(Month, Day) (Year)

Homeowner(s) of Record _____

(Print Name[s])

(Signature-at least one signature required)

_____ YES, I/We approve the resolution for the amendment to limit the use of the Lots as rentals to 5 and require new homeowners live in their units for 5 years before being allowed to rent.

(mark with an X)

_____ NO, I/ We do not approve the resolution for the amendment to limit the use of the Lots as rentals to 5 and require new homeowners live in their units for 5 years before being allowed to rent.

(mark with an X)

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2) The authorizing Resolution for the amendment passed at a special meeting of and by at least two-thirds (2/3) of the Members held on the 14th day of July, 2014.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and caused this Amendment to the By-Laws to be executed by its President this 14th day of July, 2014.

Howard Millman

Howard Millman, President

I HEREBY CERTIFY that a special meeting of the Members of SCENIC RIDGE HOMEOWNERS' ASSOCIATION, INC., held on the 14th day of July, 2014, the amendment set forth at item #(1) of the foregoing Amendment, was duly approved by Resolution of and by at least two-thirds (2/3) of votes of the Members who are voting in person or by proxy.

Debra Maiorano

Debra Maiorano, Secretary

Dated: July 14, 2014

STATE OF NEW YORK)

COUNTY OF WESTCHESTER) ss.:

On the 14 day of July, in the year 2014, before me, the undersigned, personally appeared. HOWARD MILLMAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK)

COUNTY OF WESTCHESTER) ss.:

On the 13th day of February, in the year 2015, before me, the undersigned, personally appeared. Debra Maiorano, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public Louise V. Dutra

STATE OF NEW YORK)

COUNTY OF WESTCHESTER) ss.:

LOUISE V. DUTRA
NOTARY PUBLIC STATE OF NEW YORK
NO. 01DU5006316
DUTCHESS COUNTY
COMMISSION EXPIRES December 28, 2018