Forest Hills



Van-Court Community

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VAN-COURT ASSOCIATION COMMITMENT TO MAINTAINING OUR NEIGHBORHOOD

We are fortunate to live in an area that is beautiful and desirable. The houses that line our tree shaded streets exhibit a quality that is a result of adherence to unifying principles that respect and reflect prevailing housing type, architectural style, building materials and workmanship.

The character of our neighborhood is established and governed by covenants attached to each and every homeowner deed. The Forest Hills Van-Court Association is committed to enforcing the covenants to guarantee that each home conforms to the restrictions and limitations stipulated in the covenants so that the character of the neighborhood is not altered.

All external changes to property within the Association area need to be reviewed and approved by the Association. This is a relatively quick procedure in which the Association works with the homeowner to assure that plans for change are in accordance with the covenants and in harmony with the existing character of our area. All fencing enclosures must be approved by the Association. When necessary, the Association has gone to court and had improper fencing and non-conforming alterations removed at the owner's expense.

As of 2002, the zoning in the Forest Hills Van-Court area was changed from R3-2 to R2. This means that only single-family housing is permitted in our area. It also puts the enforcement power of the city behind our efforts to maintain the area's single-family character.

To maintain the green and leafy character of the neighborhood, the Forest Hills Van-Court Association is committed to replacing dead or diseased trees and planting new trees where street frontage is available. We continually inspect our trees and report those that need pruning, removal or replacement to the Forestry Division of the NYC Department of Parks and Recreation. Currently, two members of the Association are trained as tree pruners to help maintain the street trees in our area.

The cleanliness of our neighborhood is important to us. The Forest Hills Van-Court Association has an ongoing program to fight graffiti on our lightpoles and mailboxes. Graffiti is against the law. The Police Department will arrest anyone caught defacing property.

The Association also regularly removes unsightly flyers attached to our lightpoles. Flyers are also against the law. The NYC Department of Sanitation enforces the law and can levy fines for each infraction.

Damaged curbs and signs are also monitored by the Association and reported to the Department of Transportation for repair or replacement.

Our neighborhood is one of the nicest in Queens. The Association is committed to making sure that it remains beautiful. With your support our neighborhood will continue to be one we can all be proud of for many years to come.

Annual dues per household is \$25.00.

FOREST HILLS VAN-COURT ASSOCIATION, INC.

HISTORY AND POLICY

The Forest Hills Van-Court Association, Inc. was formed on November 17, 1969 to continue the enforcement of restrictions on the properties designated as the Vanderveer Tract and the land designated as Forest Hills Court. Covenant restrictions dating back to May and July of 1923 protect each of these areas, respectively.

The Forest Hills Van-Court area is adjacent to Forest Hills Gardens and the 1923 covenant restrictions called for enforcement by the Gardens Corporation and/or any of the homeowners. In 1969 the Gardens Corporation decided to withdraw from the active enforcement of the covenant restrictions. The Forest Hills Van-Court Association was incorporated at that time to carry on with enforcement. The Association represents approximately 320 homeowners in a thirteen square block area in Forest Hills, comprised of Harrow Street from 69th Avenue to 72nd Avenue, Ingram and Juno Streets from 69th Avenue to Ascan Avenue and Kessel Street from 69th Avenue to 71st Avenue, as well as the connecting avenue properties.

The covenants call for a renewal process every twenty years, beginning in 1949. The latest renewal drive was completed in 1989 during which the owners of over 88% of the land area signed the enabling petitions. Thus the covenants continue to be binding on all property owners in the area until December 31, 2009.

Community identification signs (see last page) on all street lampposts within our boundaries identify the area as the Van-Court Community and include a statement that the community is governed by covenant restrictions. These signs alert new homeowners, as well as real estate agents, of our community's association.

The restrictions include:

- SETBACK REQUIREMENTS OF THE FRONT,
- REAR AND SIDE PROPERTY LINES,
- LIMITATIONS OF THE PROPERTY TO PRIVATE ONE FAMILY RESIDENCES, AND
- A REQUIREMENT FOR WRITTEN PLANS AND SPECIFICATIONS OF CHANGES OR ALTERATIONS TO BUILDINGS, FENCES, WALLS, PAVING, ETC.

 MUST BE SUBMITTED TO THE VAN-COURT ASSOCIATION FOR APPROVAL.

We are committed to protecting our community's quality of life and welcome your support.

CERTIFICATE OF INCORPORATION

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FOREST HILLS VAN-COURT ASSOCIATION, INC.

(Pursuant to the Membership Corporations Law)

We, the undersigned, being all persons of full age, citizens of the United States and residents of the State of New York, desiring to form a corporation pursuant to the Membership Corporations Law of the State of New York, make, sign and acknowledge this certificate stating as follows:

FIRST: The name of the proposed corporation is FOREST HILLS VAN-COURT ASSOCIATION, INC.

SECOND: The particular objects for which the corporation is to be formed are as follows:

- (a) To enforce property restrictions on the land designated as the Vanderveer Tract and the land designated as Forest Hills Court situated in Forest Hills in the County of Queens, State of New York, said restrictions having been properly recorded in the Office of the City Register, County of Queens, State of New York.
- (b) To see to the orderly improvement and maintenance of the properties situated in the said tracts within the scope of said restrictions.
- (c) To promote and to sustain, within the aforesaid lands, the living and aesthetic conditions intended by the aforesaid property restrictions, and to act as the common agency of the people within the area towards attaining these ends.
- (d) To do all things deemed by the corporation advisable for promoting and maintaining any restrictions on the above designated land and vicinity.
- (e) To enter into, make, perform, and carry out contracts of every kind and for any lawful purpose pertaining to any of the objects of the corporation or in any manner incident thereto, and to have, possess and exercise such other powers as shall be incident to the carrying out of any of the objects for which the corporation is formed or necessary or convenient to their exercise.

STATE OF NEW YORK:

COUNTY OF QUEENS:

ADELAIDE E. FEHL, JOHN W. HETHERINGTON, JOHN J. SCUDELLARI, JOHN K. HETHERINGTON and SEYMOUR ROSENBAUM, each for himself, being duly sworn deposes and says:

That the undersigned are subscribers to the foregoing certificate of incorporation and are over 21 years of age; that at least two thirds of them are citizens of the United States; that at least one of them is a resident of the State of New York; that of the persons named in the foregoing Certificate of Incorporation as Directors, at least one is a citizen of the United States and a resident of the State of New York.

That no previous application has been made to any Justice of the Supreme Court for an order approving the foregoing Certificate of Incorporation and consenting that the same be filed.

Sworn to before me this 17th day of November, 1969

s/John J. Fitzsimons Notary Pubic s/Adelaide E. Fehl

s/John W. Hetherington

s/John J. Scudellari

s/John K. Hetherington

s/Seymour Rosenbaum

APPROVAL

I, CHARLES MARGETT, a Justice of the Supreme Court of the State of New York, of the Eleventh Judicial District do hereby approve the foregoing certificate of incorporation of the FOREST HILLS VAN-COURT ASSOCIATION, INC., and consent that the same be filed.

Dated, Jamaica, N.Y., November 18, 1969

s/Charles Margett Justice of the Supreme Court Eleventh Judicial District Hon. Charles Margett THIRD: The territory in which the operations of the corporation are to be primarily conducted is Forest Hills and vicinity in the Borough and County of Queens, City and State of New York.

FOURTH: The principal office of the corporation is to be located at 70-27 Juno Street, Forest Hills, in the Borough and County of Queens, City and State of New York.

FIFTH: The number of directors of the corporation shall be not less than three nor more than ten, all of whom shall be citizens of the United States and residents of the State of New York.

SIXTH: The names and residences of the persons who shall be directors of the corporation until its first annual meeting are:

Names	Residences
Adelaide E. Fehl	70-27 Juno Street, Forest Hills, N.Y.
John W. Hetherington	90-12 70th Avenue, Forest Hills, N.Y.
John J. Scudellari	69-32 Kessel Street, Forest Hills, N.Y.

IN WITNESS WHEREOF we make, sign and acknowledge this certificate in duplicate.

Dated: New York, November 17, 1969.

s/Adelaide E. Fehl
s/John W. Hetherington
s/John J. Scudellari
s/John K. Hetherington
s/Seymour Rosenbaum

STATE OF NEW YORK: COUNTY OF QUEENS:

On this 17th day of November, 1969, before me personally came ADELAIDE E. FEHL, JOHN W. HETHERINGTON, JOHN J. SCUDELLARI, JOHN K. HETHERINGTON and SEYMOUR ROSENBAUM, to me known and known to me to be the persons described in and who executed the foregoing certificate of incorporation and they thereupon severally duly acknowledged to me that they executed same.

s/John J. Fitzsimons Notary Public

AMENDMENTS TO FOREST HILLS VAN-COURT ASSOCIATION BY-LAWS APPROVED BY MEMBERS AT ANNUAL MEETING ON NOVEMBER 13, 2011

Article Three.

Membership.

All homeowners within the land designed as the Vanderveer Tract and the land designed as Forest Hills Court shall automatically be members of the Forest Hills Van-Court Association which is charged with the enforcement of the covenants and restrictions on said lands as originally filed in the office of the City Register, County of Queens, City and State of New York and as has been renewed every twenty years by owners of at least two-thirds of the land area contained within the specified area.

Article Seven.

Officers.

Additional wording:

7. In situations when the described organizational roles or positions cannot be fulfilled, the Board of Directors will determine ways in which the Organization's business will be conducted.

Article Ten.

Dues.

The annual dues of the Association shall be determined by the Board of Directors for each year and the Board of Directors shall also establish when the same are payable. All members shall be required to pay such dues annually. Dues shall always be determined on the basis of a calendar year, but these dues may be apportioned for periods during a calendar year if so provided by the Board of Directors.

PLEASE NOTE: Annual dues per household is \$75.00.

of

FOREST HILLS VAN-COURT ASSOCIATION, INC.

Article One.

Organization.

- 1. The name of this organization is FOREST HILLS VAN-COURT ASSOCIATION, INC.
- 2. The organization seal is in the following form:

Circular in shape with the words "FOREST HILLS VAN-COURT ASSOCIATION, INC." around the circumference and the words and numerals "CORPORATE SEAL 1969 NEW YORK" set forth within.

Article Two.

Purposes.

The purposes for which this organization has been organized are the purposes set forth in Article SECOND of the Certificate of Incorporation.

Article Three.

Membership.

Membership shall be open to all persons who shall have reached the age of eighteen (18) years and are owners of real property in the areas identified as subject to restrictions in the Certificate of Incorporation, or are residents of such areas, whether or not owners of real property, and who shall have made application for membership and received a favorable vote of at least a majority of the Membership Committee at a meeting of the Committee called for the purpose of considering applications for membership.

Article Four.

Meetings.

The annual membership meeting of the Association shall be held on a Sunday in the month of April each year. The Secretary shall cause to be mailed to every member in good standing at his address as it appears on the membership role of the Association, at least ten but not more than forty days before the date of the meeting, a notice advising the time and place of such annual meeting.

^{*}Amended 5/31/98. Now reads: on a Sunday during the Fall of each year.

- Special meetings of the Association may be called by the President. Notice of such meeting shall be mailed to every member in good standing at his address as it appears on the membership roll of the Association at least ten but not more than forty days before the date of the meeting. Such notice shall specify the business to be transacted at the special meeting.
- 3. At the request of four members of the Board of Directors or five members of the Association, presented in writing and subscribed by the persons initiating the request, the President shall call a special meeting.
- 4. The presence of not less than one-third of the membership of the Association shall constitute a quorum at any meeting of the Association, except that if one-third of the membership be more than nine members, then the presence of not less than nine members shall constitute a quorum.

Article Five.

Voting.

Except for the election of directors and officers, all votes shall be taken by voice vote. The election of directors and officers, and the vote upon such other matters as the majority present at any meeting may require, shall be accomplished by written ballot.

Article Six.

Board of Directors.

- 1. The affairs of the Association shall be managed by a Board of Directors consisting of the officers of the Association and six directors elected for terms of three years in such manner that the terms of two shall expire annually. Directors shall be elected at the annual membership meeting of the Association and shall serve until their successors shall have been elected.
- 2. Meetings of the Board of Directors shall be held at the call of the Chairman and at the call of any three members of the Board of Directors. Notice of such meeting shall be given by mail to each such member not less than two days before the date of the meeting or personally, including by telephone, not less than twenty four hours prior to the meeting. By unanimous consent a meeting may be held without previous notice.
- 3. A majority of the Board of Directors shall constitute a quorum at any meeting of the Board of Directors.

- 4. Vacancies in the Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors until the next annual membership meeting.
- 5. The President of the Association, by virtue of his office, shall be the Chairman of the Board of Directors. The Secretary of the Association shall likewise be the Secretary of the Board of Directors.
- 6. The position of any Board Member who fails to attend more than two consecutive meetings without adequate cause, at the discretion of the Board, shall be declared vacant. At the request of the Board, said Board Member shall deliver to the Board all documents and other data related to said Board Member's duties as a member of the Board and the Association.

Article Seven.

Officers.

1. The Association shall have the following officers:

President Vice President Secretary Treasurer

- 2. The President shall have the following duties:
 - (a) He shall preside at all membership meetings.
 - (b) He shall have such further duties and powers as usually belong to the chief executive officer of a membership corporation.
- 3. The Vice President shall, in the event of the absence of the President or the inability of the President to perform the functions of his office, become acting President of the Association, with all of the rights, privileges and powers of the office as if he had been duly elected President.
- 4. The Secretary shall have the following duties:
 - (a) He shall keep the minutes and records of the Association and be the official custodian of the seal of the Association.
 - (b) He shall file any certificate or other document required to be filed by any statute or regulation.

- (c) He shall serve all notices to members of the Association.
- (d) He shall have such further duties and powers as usually belong to a corporate secretary.
- 5. The Treasurer shall have the following duties:
 - (a) He shall have the care and custody of all monies belonging to the Association and shall cause the same to be deposited or otherwise lawfully invested as the Board of Directors may prescribe.
 - (b) He shall render at stated periods, as the Board of Directors shall determine, a written account of the finances of the Association.
 - (c) He shall have such further duties and powers as usually belong to the office of treasurer.
- 6. No director or officer shall, for reason of his office, be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent a director or an officer from receiving any compensation from the Association for duties other than as a director or as an officer.

Article Eight.

Salaries.

The Board of Directors shall hire and fix the compensation of any employees, and shall authorize and fix the compensation of any persons other than employees, which the Board of Directors may determine to be necessary in the conduct of the business of the Association.

Article Nine.

Committees.

1. The permanent committees of the Association shall be the following:

Membership Committee Restrictions Committee

2. The members of the permanent committees shall be appointed by the Board of Directors for a term of two years unless such term is sooner terminated by action of the Board of Directors.

3. Temporary committees may be established from time to time by the Board of Directors for such periods as the Board of Directors shall determine.

Article Ten.

Dues.

The annual dues of the Association shall be determined by the Board of Directors for each year and the Board of Directors shall also establish when the same are payable. Dues shall always be determined on the basis of a calendar year, but dues may be apportioned for periods during a calendar year if so provided by the Board of Directors.

Article Eleven.

Amendments.

These By-laws may be amended by the affirmative vote of not less than two-thirds of the members present and voting thereon at any meeting of the Association provided that notice of the proposed amendment is included in the notice with respect to such meeting.

STANDARDS OF APPROVAL FOR FENCE CONSTRUCTION IN VAN-COURT AREA

Numerous requests are made to the Architectural Committee concerning standards for approval of fences referred to in Article Six of both the Vanderveer and Forest Court Covenant Agreements attached to your property deeds.

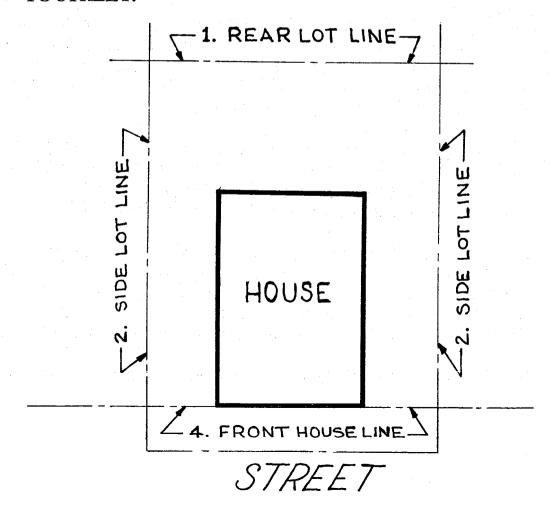
The goal of the standards is to promote a natural, verdant environment free of forbidding walls and barricades within the Community, and also allow for secure boundaries if desired by homeowners. Please note that it is an obligation of every homeowner pursuant to the deeds by which you took ownership of the premises to comply with the Vanderveer and Forest Court Covenant Agreements. Obviously the enforcement of such agreements helps to improve and maintain the neighborhood.

Uniform guidelines are provided for 40' x 100' lots (see next page) and a general guideline is provided for corner lots. Requests for construction of fences on lots larger than 40' x 100' must be considered on an individual basis.

All Van-Court residents are <u>required to submit proposed fence</u> <u>plans in writing</u> to the Architectural Committee for approval prior to construction. If approved, a permit letter from Van-Court will be promptly furnished.

The customary standards for a fence on a 40° \times 100° lot generally applied by the Architectural Committee are:

- 1. ALONG THE REAR LOT LINE: UP TO <u>SIX FEET</u> IN HEIGHT FROM GROUND TO TOP OF FENCE.
- 2. ALONG SIDE LOT LINES (UP TO FRONT HOUSE LINE): UP TO FOUR FEET IN HEIGHT FROM GROUND TO TOP. FENCE MUST BE TRANSPARENT.
- 3. MATERIALS USED IN CONSTRUCTION ARE SUBJECT TO APPROVAL AT THE SOLE DISCRETION OF THE COMMITTEE. THE TYPE OF MATERIALS TO BE USED IS TO BE IN CONFORMITY WITH THE NATURE AND APPEARANCE OF THE HOMES IN THE VAN-COURT AREA.
- 4. NO FENCES ARE PERMITTED FROM FRONT HOUSE LINE TO STREET.



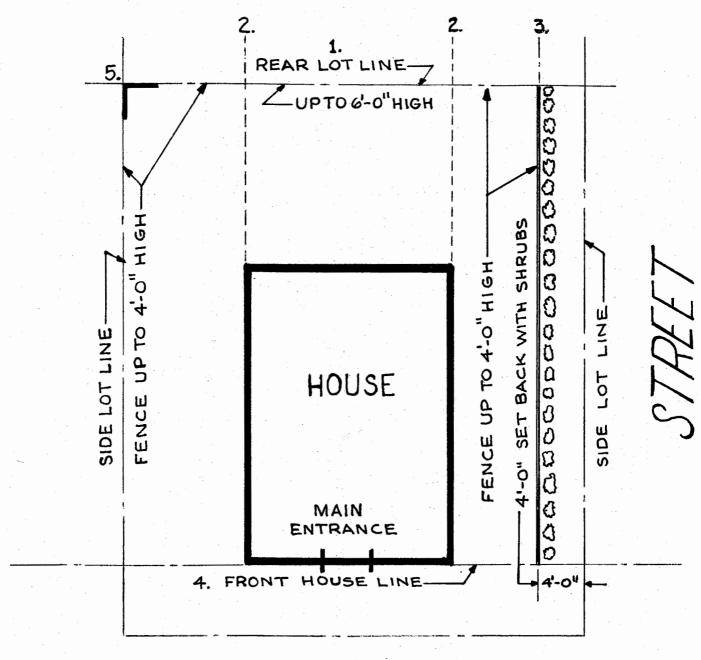
The customary standards for a fence on a 60' x 100' or 100' x 100' corner lot generally applied by the Architectural Committee are as follows (also see diagram next page):

- 1. MAIN ENTRANCE OF HOUSE IS CONSIDERED TO BE THE FRONT OF THE PROPERTY.
- 2. ALONG THE REAR LOT LINE (SIDE OPPOSITE MAIN ENTRANCE): UP TO SIX FEET IN HEIGHT FROM GROUND TO TOP OF FENCE ALONG REAR LOT LINE (#1) TO HOUSE LINE (#2). ALSO ALONG REAR LOT LINE (#1) FROM HOUSE LINE (#2) TO SIDE LOT LINES (#3 AND #5), THE FENCE CAN BE UP TO FOUR FEET IN HEIGHT.
- 3. ALONG SIDE LOT LINES (UP TO FRONT HOUSE LINE):

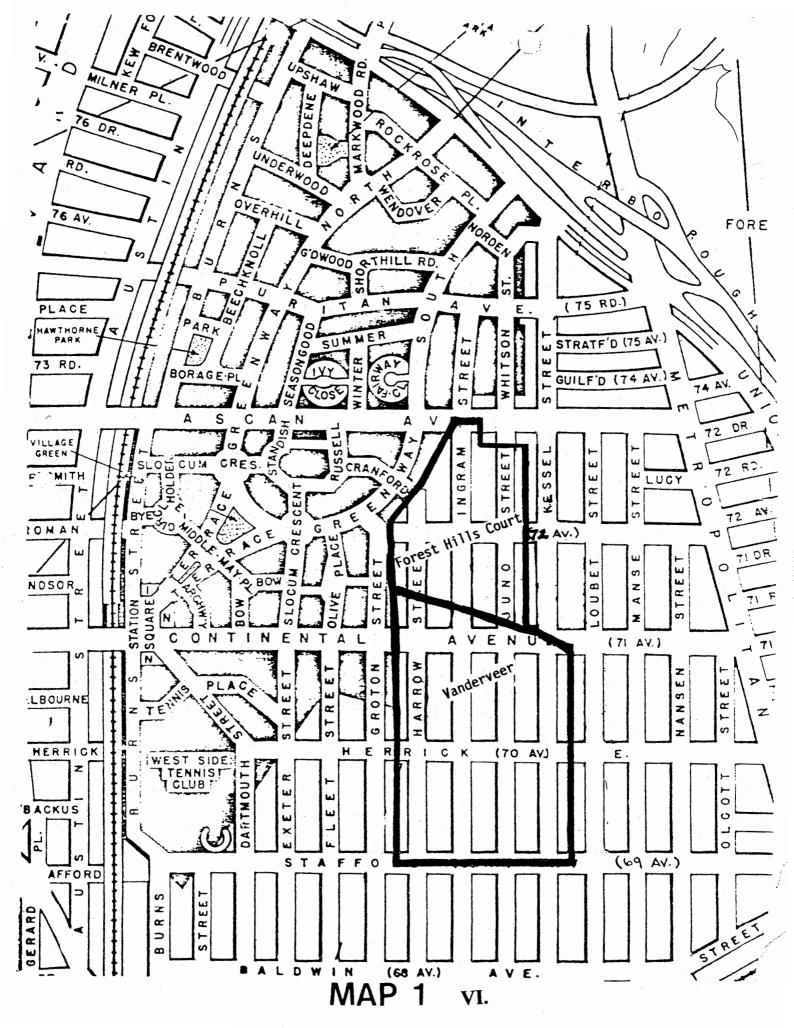
ALONG LINE #3 ON THE STREET SIDE, THE FENCE CAN BE UP TO FOUR FEET IN HEIGHT TO FRONT HOUSE LINE (#4)). FENCE MUST BE SET BACK FOUR FEET FROM SIDEWALK LINE AND MUST BE TRANSPARENT. SHRUBS MUST BE PLANTED IN FRONT OF THE FENCE SO THE FENCE IS NOT VISIBLE FROM THE STREET.

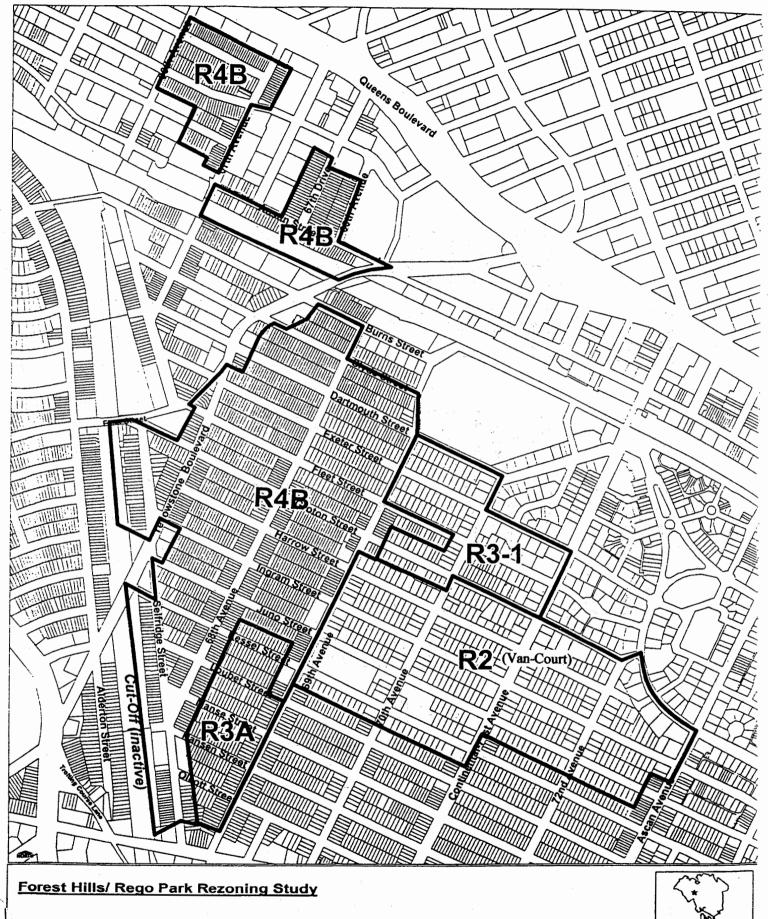
ALONG LINE #5, UP TO <u>FOUR FEET</u> IN HEIGHT (FROM REAR LOT LINE CORNER (#5) TO FRONT HOUSE LINE (#4)). <u>FENCE MUST BE TRANSPARENT</u>. SHRUBS SHOULD BE PLANTED ALONG FENCE WHEREVER POSSIBLE.

- 4. MATERIALS USED IN CONSTRUCTION ARE SUBJECT TO APPROVAL AT THE SOLE DISCRETION OF THE COMMITTEE. THE TYPE OF MATERIALS TO BE USED IS TO BE IN CONFORMITY WITH THE NATURE AND APPEARANCE OF THE HOMES IN THE VAN-COURT AREA.
- 5. NO FENCES ARE PERMITTED FROM FRONT HOUSE LINE TO STREET.



STREET





MAP 2



FOREST HILLS VAN COURT COMMUNITY

GOVERNED BY COVENANT RESTRICTIONS

Forest Hills Van Court Association, Inc.
P.O. Box 4112
Parkside Station
Forest Hills, NY 11375

Facsimile of identification sign