

# Upper Greenwood Lake Property Owners Association, Inc.

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## **Mandatory Easement Fees and POA Membership Explanation**

In 1984 the UGLPOA Inc. began what is known today as the Easement Fund. The easement fund is designed to collect and administer money for the basic needs of Upper Greenwood Lake, such as property taxes on Upper Greenwood Lake and its parklands, insurance, administration, security and maintenance. (i.e., weed control, dredging and dam repairs).

Upon instituting the easement fund, an opposition group was formed known as the "People against Easement." In 1988 in Passaic County Court a suit was brought by the People against Easement vs. the UGLPOA Inc. The Superior Court of Passaic County found for the UGLPOA Inc. and Judge Mandack has written the judgments in this case. **Simply put, the judgement states that all property owners having an easement right to Upper Greenwood Lake for recreational use must pay their fair share of repair and maintenance costs of the lake and parklands.**

The easement right is written into your deed. To reduce paperwork, some attorneys have not written this easement in full within your deed. To actually see the wording you may have to research your deed back to when the easement was written in its entirety.

The UGLPOA Inc., with the legal backing of the 1988 judgment has and will continue to administer the easement fund. All property owners having the lake easement right in their deed are legally obligated to pay the yearly easement amount as determined at the Annual Easement Budget meeting in November.

Property owners that are legally obligated to the easement fund and refuse to pay this obligation are turned over to our Collection Company and/or attorney for collection. Our attorney will attempt to collect from delinquent property owners before taking this matter to court. If a court appearance is required and the court finds for the UGLPOA Inc. and payment is still not received, a lien will be placed against the property in question. This amount can also include any attorney's fees incurred.

If you do have the easement in your deed, you can use the lake and parklands for recreation, boating, swimming, and fishing on a daily basis. However, you must remove your boat at the end of the day. You can find a map of the parkland areas that are available for all easement holders to enjoy on our website under the "Community" tab.

Use of the beach or having a dock space is strictly a benefit of the members of the UGLPOA of which annual dues are required in addition to the easement fee. **If you own a dock or keep a boat in the lake overnight, you MUST pay both the easement fee and POA Membership dues.** POA Membership dues pay for items such as: the annual fireworks display, beach maintenance and staffing, clubhouse maintenance, administration costs, insurance, property taxes on the beach and clubhouse, etc.

In addition to this overview of the easement fund, you may find our Bylaws and Rules & Regulations on our website under the "Governance" tab. If you require additional information, please feel free to contact the office.