

Town can charge for dues

Ramapo Lakes can also place liens on homes

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OAKLAND — Ramapo Mountain Lakes is a common interest community that can assess its 1,645 homeowners for dues and place liens on properties that aren't paid up, ruled a State Superior Court judge.

The ruling comes two years after the lake group sued residents of the 700-acre former summer vacation community for failure to pay dues for five years. Many owners said they were unaware they were members of the organization.

Five attorneys argued on behalf of residents, title companies and other interested parties in the suit.

"We respectfully disagree with the

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Dues

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Court's ruling and will be taking appropriate legal action," said Jason Finkelstein of Cole Schotz, one of the attorneys present. The partial summary judgement came Dec. 24 just three days following the arguments.

Ramapo Mountain Lakes began to send out dues statements to its members in 2011 when memberships and volunteer donations to its private Crystal Lake Beach Club were no longer covering annual costs. Annual fees now range from \$390 for 64 of the Crystal Lake lakefront properties, \$95 for 37 of the Mirror Lake lakefront properties, and \$47.75 for the remaining 1,544 non-lakefront properties.

The first round of assessments were met by protest from residents whose deeds and title searches indicated no signs that they were members of any resort community. Mayor Linda Schwager attempted to attend the board's annual meeting to find out more on behalf of residents, but was refused admission since she no longer lives in the membership area.

Even more disturbing for owners were liens placed on several properties for sale within the enclave during this time period for back dues, forcing residents to pay up or risk the loss of the sale on their home.

At issue is how the deeds were recorded in the days before the Municipal Lane Use Law was passed. The developer filed a series of maps attached to conditions of membership, and issued stock certificates to buyers. However, there was nothing in the deeds to indicate the property was part of a community with rules and obligations, say residents and lawyers.

Because title companies do not typically search back more than two owners, the original deeds and obligations went largely unnoticed during transfers of ownership.

Ramapo Mountain Lakes attorney Eileen Born presented 12 random title searches as part of her argument, all



Crystal Lake, once reserved for RML residents, now welcomes memberships from the general public. It is one of two lakes in the common interest property. MARSHA STOLTZ

showed connection to the original seven maps and attached conditions of membership filed by the developer.

Judge Christine Farrington was unmoved by resident and attorney claims that the title chain was deficient. "The court finds defendants have no credible claim of lack of notice that their properties were part of Ramapo Mountain Lakes and a planned real estate development," Farrington said in her ruling.

Born said the ruling supports the lake group's claim that it can issue bills for dues, and place liens on properties that do not pay.

History

Industrialist Edward Page bought the 700-acre property called the Vygeberg Estate in 1900 and made it into a dairy farm. He built the Stream House in 1902 on Franklin Avenue next to the Van Allen House straddling a stream to provide natural cooling for his dairy products.

The Page mansion — De Tweelingen — was built at the intersection of Hiawatha Boulevard and Mountain Lakes Road. Page died in 1918 and the property passed through several owners. The main house burned to the ground in 1925.

National House and Farm Association bought the land in 1937 and developed it as a summer home community in seven stages between 1946 and 1948. The buyers were issued shares of stock

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Attorney with Cole Schotz, one of the attorneys present

and agreed to become "part owner" of the common areas. These included exclusive access to two lakes on the site — Crystal and Mirror — and to the year-round Ramapo Mountain Lakes Country Club constructed from the servant quarters of De Tweelingen.

The developer deeded all the common properties to Ramapo Mountain Lakes in December 1951. In 1954, the developer entered into a Tripartite Agreement with Ramapo Mountain Lakes and the country club. Ramapo Mountain Lakes was designated the "property owner's corporation" which would take title to the common properties such as the club for the benefit of "all such present and future property owners."

A deed from the developer to the original purchaser of each lot identified each property as "a plot, tract or parcel of land...shown on a certain map of Ramapo Mountain Lakes" in Oakland. These first property owners were still being referred to as "the original stockholders" as late as 1977 club literature.

The Crystal Lake Beach Club offered a summer meeting place exclusive to the member residents, but it was the year-round county club that provided the enclave's real social "glue," that bonded the residents together until the club burned to the ground in the 1980s.

Without the club, residents were no longer so quick to advise newcomers of their membership's unique advantages and obligations. Crystal Lake memberships declined to 60 out of 1,700 households by 2006, forcing Ramapo Mountain lakes officials to offer beach passes to the general public. Residents can determine if their specific property is involved by viewing a list of affected homes by address and lot/block number at <https://www.crystallakebeachclubnj.com/ramapo-mountain-lakes-inc-rml/properties-info>.