

Minutes for the July 19, 2018
Gerald Park Association Special Meeting
Held at the Gerald Park Beach

John Petrovits called the meeting to order at 7:08 pm. A quorum was established. Board of Directors members present were Steve Belanger, Lisa Catanese, Jim Cropley, Sharon Morel, John Petrovits, Ray Shedrick. Approximately 20 Association members were also present.

- John Petrovits stated that the purpose of the special meeting was to discuss and vote on a motion to turn over property on Avery Shores, where the Association owns a piece of property abutting the paved portion of Avery Shores and the deeded properties of Association members on Avery Shores.
- An Association member questioned whether the turnover would have any impact on current efforts to turn the Avery Shores road over to the town. John Petrovits said he was told by town officials that it would have no impact; the town would maintain a five-foot easement on either side of the road as it does with the other roads in town.
- An Association member suggested that the turnover offer be made in writing to the 17 property owners whose property abuts land still held by the Gerald Park Association, and that these letters be sent via special mail to ensure delivery. After some discussion, it was agreed that the letters would be sent priority mail. A proposed addition to the motion that stated these terms was approved by a vote of 13-6.
- An Association member suggested a change to item #3 in the motion that would add an extra sentence that would make the turnover offer void if an agreement was reached with the town to turn over the Avery Shores road, to avoid any legal issues that might complicate the turnover. This change was approved unanimously.
- An Association member stated a concern that in one case, the turnover would result in the ownership of a portion of a culvert, which is primarily on his property, moving from the Association to his neighbor. He said part of the culvert is in need of repairs. It was pointed out that the Association still owns the portion in need of repairs, and he was advised to bring the issue up at the next regular Board meeting.
- Other items discussed, but not voted upon, included what would happen if property owners don't take the turnover offer and the road then eventually reverts to the town, and whether the homeowners taking advantage of this opportunity may want to make a donation to support improvements to the Association beach in return.
- Seeing no further requests for comments, John Petrovits called for a vote on the motion. The motion was passed 17-1 and reads as follows:

I would like to entertain a motion to allow the turnover of property on Avery Shores where the association owns a piece of property abutting the paved portion of Avery Shores and the deeded properties of association members on Avery Shores.

There are several conditions which a property turnover would have to meet for the turnover to take place.

1. Citing a similar property turnover that took place many years ago it was noted that on each quit claim deed 8 items were included on each deed and should be included on any future similar deed as follows:

"Said property is subject to":

1. Any and all provisions of any ordinance, municipal regulation, public or private law.
 2. Any facts which an accurate survey or personal inspection of the premises would disclose.
 3. Easements and restrictions as of record appear.
 4. Taxes due the Town of Coventry on the list as of October 1, 20___, which the Grantees assume and agree to pay.
 5. Rights of way as set forth in an instrument recorded in Volume 66 at Page 91 of the Coventry Land Records.
 6. The right of the Grantor and the owners of the property, shown on a map entitled "Map of Gerald Park and Vicinity Lake Wamgumbaug So. Coventry Conn. By J.H. FitzGerald C.E." which map is on file in the Coventry Town Clerks Office, to pass and repass over the property herein conveyed.
 7. The Grantor reserves the right to enter the property for road maintenance and improvement and drainage maintenance and improvement.
 8. The Grantees agree that by the acceptance and recording of this deed that the parcel described herein shall be merged with the Grantee's adjoining land known as ___ Avery Shores and shall not be conveyed separately from the conveyance of the adjoining property. The Grantees further agree that no structures shall be built, enlarged or extended within the area of the property conveyed.
2. Those parties interested in obtaining said property will be responsible for all costs associated with the transfer of any property. Pending a successful outcome of the vote, an attorney will be contacted to represent the association and the attorney costs will be equally divided between those parties seeking to obtain said property.
 3. The vote to allow said property to be turned over will be open ended so a property owner seeking to obtain similar property on Avery Shores in the future can do so under the same conditions outlined above. This offer becomes null and void at such time that there is an agreement with the town to turn over Avery Shores road.
 4. This offer will be made in writing, and sent by priority mail to the address of record, to all owners of property eligible to receive such abutting property.

The meeting was adjourned at 8:15 pm. The next Board meeting will be held on Thursday, August 16, at 7 pm at the Association beach, and the Gerald Park Association annual meeting will be held on Thursday, September 20, at 7 pm at the Coventry High School Lecture Hall.