

The Shore Owners Association of Chase's Lake, Inc.

A Short History of the Restrictions and Bylaws

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On December 14, 1923, Lingerlong Estates Corporation ("Corporation") filed a Map dated August 10, 1923 and entitled Lingerlong Subdivision No. 1, in the Lewis County Clerk's Office in Book 4 of Maps at page 16. The President of the Corporation was William D. Hough. The Map included plans for a golf course, hotel and many lots around Chase's Lake.

The first lots sold along the Lake were Lots #38 and #39 on West Shore Road to Arthur Tucker and William Tucker (relationship unknown) in late October 1933. Sadly, Arthur Tucker died within 3 months of purchasing the camp. Immediately prior to selling these first lots, the Corporation filed the Chase's Lake Subdivision Restrictions. The Restrictions were filed in with the Map of Lingerlong Estates Subdivision No. 1 in Book 4 of Maps at page 16 on October 17, 1933.

In our deeds, you will most likely see the conveyance of our lots made subject to these filed Restrictions. Alternatively, you may see a reference to the same Restrictions as being recorded on March 31, 1964 in Book 8 of Miscellaneous Records at page 185. On that date in 1964, the exact same pages of the 1933 filed Restrictions were recorded in Miscellaneous Records. This sometimes leads to confusion that there are two different Restrictions or sets of Restrictions. However, this is not the case. The exact same papers, literally, were filed in 1933 and then recorded in 1964.

Interestingly, just as the original Restrictions were filed immediately prior to the first deed of a lot, the March 31, 1964 recording of the same Restrictions occurred immediately prior to the formation of The Shore Owners Association of Chase's Lake, Inc. ("SOACLI"). SOACLI's filing of its Certificate with the New York Department of State on April 17, 1964 is its date of incorporation.

Not long thereafter, in an Agreement dated January 7, 1965, Mr. Hough conveyed to SOACLI "the waters of the lake and the bed of the lake" and "the roadways and highways adjoining the lots fronting on the shores of Chase's Lake or the inlet thereof". This Agreement was recorded January 29, 1965 in Book 284 of Deeds at page 18. The choice of titling the document as an "Agreement" without anything more descriptive as part of the title was unfortunate. It has made it difficult for anyone to easily see that the essence and purpose of the document was to convey the lake and roads to SOACLI. Many a title examiner, lawyer and surveyor have not recognized that this Agreement is really a deed. The result has been conflicting and inaccurate survey maps and deed descriptions.

Over time, the Corporation and Mr. Hough filed other subdivision maps along North Shore Road and West Shore Road. For example, the West Shore Road subdivision was filed as Map No. 311 on June 28, 1933, at about the same time as the Restrictions were first filed. They also filed many “re-subdivisions” of the original Lingerlong Subdivision No. 1. Thus, as the plans for the Hotel along East Shore Road did not develop, different areas along this Road were revised by the “re-subdivisions”. The area that was developed most closely to the original Lingerlong Subdivision No. 1 is along East Shore Road between Sand Pond Road and Hitchings Pond Road, and to a slightly lesser extent, the area along East Shore Road between Hitchings Pond Road and Parsons Pond Road.

A corporation like SOACLI is operated according to rules known as its Bylaws. Over the years, SOACLI’s Bylaws have been amended several times. The Restrictions seem to have been included in the Bylaws from the beginning. This is a bit unusual, because the Restrictions govern the use of the land and lake while the Bylaws govern the running of the corporation. Nonetheless, the historical presence of the Restrictions in the Bylaws emphasizes them and demonstrates their importance to us. As part of the periodic amendments to the Bylaws, the Article containing the Restrictions was also amended and was titled “Land and Lake Restrictions”. Along the way, in 1985 and 1990, the then current Bylaws were filed or recorded in the Lewis County Clerk’s Office. They both contained, in Article VI, the “Land and Lake Restrictions”. These “Land and Lake Restrictions” are similar, but not exactly the same, as the original Restrictions that were filed and recorded in the Lewis County Clerk’s Office in 1933 and 1964, respectively. The “Land and Lake Restrictions” in Article VI were last amended as of August 24, 1996.

Subsequently, the next set of Bylaws (amended as of April 4, 2007) omitted the Article VI “Land and Lake Restrictions”. However, they continue as a separate document. These Land and Lake Restrictions, last amended as of August 24, 1996, were recently recorded in the Lewis County Clerk’s Office on September 26, 2012 as Instrument #2012- 004881. They officially modified and replaced the earlier versions. They guide our conduct and the stewardship envisioned by Mr. Hough, in ways beyond our public laws. The Town and County zoning, building and health ordinances, as well as Adirondack Park Agency land use regulations, are all enforceable by governmental authorities. Similarly, our Land and Lake Restrictions are legally enforceable by SOACLI and the Trustees. Fortunately, there has been little need to do so, a testament to our collective belief in the values that underlie them.

The last and current Bylaws are dated June 15, 2014.

The above documents are listed below in chronological order, together with their locations in the public records. That would be either the Lewis County Clerk’s Office or the NYS Department of State (“DOS”).

CHRONOLOGY OF SOACLI DOCUMENTS

*The currently effective Restrictions and Bylaws are in **bold**.*

<u>Document</u>	<u>Dated</u>	<u>Filed or Recorded</u>	<u>Location</u>
Map of Lingerlong Subdivision No. 1	08-10-1923	F 12-14-1923	4 Maps 16
Chase's Lake Subdivision Restrictions (original)	undated	F 10-17-1933 R 03-31-1964	4 Maps 16 8 Misc.Rec. 185
SOACLI Certificate of Incorporation	03-06-1964	F 04-17-1964 F 04-29-1964	NYS DOS LCCO
Agreement (Hough conveys lake & roads to SOACLI)	01-07-1965	R 01-29-1965	284 Deeds 18
SOACLI Bylaws (original) with Art. VI Land & Lake Restrictions (original)	08-01-1967?	Not located in any public records	
SOACLI Bylaws (original) with Art. VI Land & Lake Restrictions (1 st revision)	09- ? -1984	F 07-10-1985	LCCO
SOACLI Bylaws (1 st revision) with Art. VI Land & Lake Restrictions (2 nd revision)	08-18-1990	R 10-12-1990	527 Deeds 262
SOACLI Bylaws (2 nd revision) with Art. VI Land & Lake Restrictions (3 rd revision)	07-15-1993	Not located in any public records	
SOACLI Bylaws (3 rd revision) with Art. VI Land & Lake Restrictions (4 th revision)	08-24-1996	Not located in any public records	

<u>Document</u>	<u>Dated</u>	<u>Filed or Recorded</u>	<u>Location</u>
Amendment of Restrictions of Chase's Lake Subdivision Land & Lake Restrictions (4th revision, current, formerly in Bylaws as Article VI)	08-24-1996	R 09-26-2012	2012-004881
SOACLI Certificate of Amendment (1st) of the Certificate of Incorporation	09-26-2006	F 09-28-2006 R 12-13-2006	NYS DOS CI 2006-00032
SOACLI Bylaws (4 th revision, without Art. VI Land and Lake Restrictions)	04-04-2007	Not located in any public records	
SOACLI Restated Certificate of Incorporation	10-13-2013	F 07-11-2014	NYS DOS
SOACLI Bylaws (5th revision, current, without Art. VI Land and Lake Restrictions)	06-15-2014	Not located in any public records	