



Easement Policy

Title: Use of Easements

Purpose:

This policy is to provide the Mt. Gretna Campmeeting Association Board of Managers (MGCA BOM) a policy and a procedure for the use and issuance of easements. From time to time, the MGCA BOM has received requests from MGCA Members for the granting of easements for their sole use of Mount Gretna Campmeeting Association (MGCA) property. Therefore, we the MGCA BOM have adopted this policy and procedure to define the reasons for the granting of easements and the procedure that will be followed in granting an easement.

Policy Detail:

Note: Historically, it has been the policy of the MGCA BOM to not grant easements or to sell MGCA property.

Reasons for Granting of Easements.

The MGCA BOM believes that Campmeeting property is to be preserved and maintained for the use of all its residents and therefore the granting of easements may be approved only on a very limited basis. The MGCA BOM will consider the facts of each easement request on a case-by-case basis. Easement approvals may be considered in cases where the sale of a property is being prevented or to solve or safety problem for which there is no other reasonable alternative solution.

Examples of some reasons for which an easement may be considered on a case-by-case basis are:

1. A MGCA house is being sold and a prospective buyer cannot obtain a mortgage because a portion of the house structure extends or encroaches on Campmeeting property and the mortgage company insists that the buyer obtain an easement.
2. An MGCA Member at some time in past was given written permission by the MGCA BOM to encroach on MGCA property or permission was granted by a vote of the MGCA BOM and can be verified in the MGCA BOM meeting minutes. An easement will not be considered for permission that was granted for patios, decks, sheds, other out-buildings, driveways, etc.

Procedure:

1. An easement request must be submitted in writing to the MGCA BOM for their review and consideration. The written request must include: detailed reasons for the request, a survey of the property prepared by a PA registered surveyor and a signature of the MGCA Member(s).
2. In their review and consideration of the request, the MGCA BOM may request additional information of the MGCA Member.

3. The request will be voted on by the MGCA BOM. If the request is approved by the MGCA BOM, a written easement document will be prepared by an attorney selected by the MGCA BOM. If the request is denied, a letter will be sent to the MGCA Member from the MGCA BOM stating the reasons for the denial.
4. All MGCA BOM costs associated with the preparation of the easement such as attorney fees, surveys, legal fees, filing fees, document fees, mailing costs, printing costs, etc. shall be the responsibility of the MGCA Member.
5. The MGCA BOM will make every effort to process and vote on such requests on a timely basis. However, the MGCA BOM is a volunteer organization that normally meets once a month and requests for additional information or special meetings may delay the vote by the MGCA BOM.
6. Assessing the Cost of an Easement. A fair and reasonable cost for the granting of an easement will be assessed by the MGCA BOM. The cost will be based on the Lebanon County tax assessed value of the Campmeeting property. The cost of the easement will represent some fraction of the tax assessed per square foot value that the MGCA BOM feels is fair and reasonable but will not exceed the full assessed per square foot value.
7. If the easement application is approved by the MGCA Board of Managers, the MGCA Member will have sixty (60) days from the date of the approval vote to complete the entire easement policy including filing/recording it with Lebanon County and paying in full all agreed easement costs to the MGCA. If not completed within sixty (60) days, the easement application approval will automatically be revoked.

Discretionary Power: Board of Managers

Dates: Adoption: 03/21/2017
Revision: 11/17/2020
Rescission: