

Hideaway residents file lawsuit against club, church

By *Terry Cannon*
Staff Writer

Hideaway residents Lanty and Patricia Wylie have filed a lawsuit against Hide-A-Way Lake Club Inc. and Hideaway Community Church, charging HAWL and the church entered into an agreement which violates deed restrictions spelled out in the couple's lease with HAWL.

According to the couple's lawyer, Keith Mayo of Tyler, the suit is due in court on July 12.

The church is involved in the suit, said Mayo, because it is leasing the property in question

from HAWL Inc. The land is being used for an emergency dam spillway.

Prior to the current litigation, the Wylies were in dispute with HAWL Inc. and the church over the church's decision to build a school on HAWL property. The church then agreed to use the property for church purposes only.

"We feel as though we have a pretty straightforward argument that (the agreement) violates deed restrictions," Mayo said.

Deed restrictions are those which place limitations on the use of the property and are usually initiated by the developers. These restrictions usually can't be changed or removed by subsequent owners.

According to Mayo, some of the things installed in the dam are a permanent elevator shaft, a ramp leading up to the church and an aerobic septic system.

Mayo said the parties were near a resolution to the impasse, but realized that the church had to be brought into the action

because it was leasing the property from HAWL.

"The Wylies were careful about not wanting to involve the church in a lawsuit," Mayo said. "But the church has to be a party to the lawsuit because they are leasing the spillway property from Hideaway Lake Inc."

Jadd Masso of Strasburger Price law firm in Dallas represents HAWL in the matter. "I really can't comment on it because we are in pending litigation," Masso said. "But we feel we've acted in accordance with the deed restrictions."

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