



# RESORT NEWSLETTER

November 2023

## FROM YOUR GENERAL MANAGER

### Out with the old in with the New!

IT'S HAPPENING! Fall is upon us and thus begins our long (and patiently awaited) Resort Refurbishment Plan! This project has been delayed for a full year due to inflation and supply chain issues created by the pandemic. Your Refurbishment Committee has not given up! They have continued to work diligently over the past two and a half years and are excited to finally begin! We have again selected Hospitality Resources & Design of Orlando, Florida for design and procurement along with CommStruct from Charlotte, North Carolina as our contracted installer. Starting with the first floor of the resort, all suites are to be completed by April 2024, then onto Townhouses. The project will take a total of four years to complete and will cost over 9.1 million dollars.

Who doesn't appreciate something new? Your Refurbishment Committee has created a design that is sure to please by refreshing our current units with trendy styles and fabrics along with upgraded cabinets in the wet bar area, backlit bathroom vanity mirrors, and larger living room TV's.

We are in the initial stages of liquidating the existing furnishings at very reasonable prices. Go to our website to view photos and prices, and please pass the word to anyone who could benefit from contract-grade furniture at low prices.

Go to the following two links below for digital presentations of the interior unit design:

[coveatarmouth.com/wp-content/uploads/Cove-Renovations.pdf](https://coveatarmouth.com/wp-content/uploads/Cove-Renovations.pdf)  
[coveatarmouth.com/owners/](https://coveatarmouth.com/owners/)

The 2024 maintenance fee which was recently mailed has a substantial increase after many years of nominal increases. We are all experiencing the soaring costs of insurance, utilities, products and services in our daily lives. The Cove is likewise subjected to increased costs on everything from payroll, contracted services, utilities, to cleaning and guest supplies. Vendors are passing along their increased costs to us and, in spite of all our efforts to be more efficient, we must now do the same. We understand that some owners face financial challenges during the holidays so feel free to contact the resort and arrange a payment plan agreement.

Finally, working in the hospitality industry is no easy task, but our greatest reward is knowing that our commitment and effort makes a difference in your vacation experience and we are grateful for the opportunity to serve you. I want to thank the Board of Trustees and Vacation Resorts International for their continued guidance and support. To all the owners, thank you for your continued ownership and support. Thank you to all of you offering comments and suggestions that have improved your resort and everyone's overall vacation experience. Also thank you to those who pop in my door just to say, "Hi" and "keep up the good work".

Our continued commitment to quality and excellence makes The Cove at Yarmouth the best resort to own, vacation and work.

From all of us, we wish you and your families many Happy vacations.

Sincerely,

Michael J. Edwards  
General Manager

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# ANNUAL MEETING NOTICE

The Cove at Yarmouth Resort Hotel Condominiums Trust 2024 Annual Meeting will be on Saturday, April 6, 2024, 10:00 a.m. at The Cove at Yarmouth.

Below is a more detailed explanation drafted and reviewed by the resort's general counsel to the Board of Trustees regarding our condominium documents' termination or "sunset" clause, the steps necessary to amend this clause as well as a proxy ballot to exercise your vote.

Article 14 of the Master Deed essentially states that the rights associated with Interval Ownership shall terminate on January 20, 2025, if not otherwise extended. Many Vacation Ownership properties throughout the country included similar Sunset clauses when they were created decades ago presumably to enable the ownership to decide whether to continue the timeshare regime after 30-40 years.

We trust that you would like The Cove to continue.

## AMENDMENT LETTER

Dear Owners,

Presented with this notice is a proposed amendment to Section 14 to the Interval Ownership provisions contained in the Master Deed of the Condominium (attached as Exhibit C to the Master Deed). The current language in Section 14 contains a so-called "sunset" provision where the right for interval ownership will automatically terminate on January 20, 2025, unless appropriate action is taken beforehand. The proposed amendment is that appropriate action.

The proposed amendment, if it passes, effectively removes this sunset provision, and allows the Condominium to continue to operate, as it does today, into the foreseeable future. The amendment also contains a vote requirement for the interval ownership to be terminated, but that is simply stating the current statutory threshold requirement to terminate and is not creating any new or different rights.

The meeting to vote on the amendment is scheduled for April 6, 2024. Formal notice of the meeting will be issued prior to the meeting. That meeting notice will also contain a directed proxy form that can be filled out and used to cast your vote in lieu of attending the meeting on the amendment. Additional information for the directed proxy form will also be sent with the meeting notice.

This is a very important issue, and the Board is looking for as much participation as possible to ensure the amendment passes. The Board also wants to make you aware of this issue now so that any issues, concerns, or questions can be asked and answered well before the meeting is held to ensure maximum participation.

Thank you.

Sincerely,

The Cove at Yarmouth Resort Hotel Condominium Trust  
Board of Trustees

# ELECTION RESULTS

The following is the final tabulation of mail-in ballots and in-person for our Trustee Election. The following is a list of all candidates on the ballot together with the number of votes each candidate received:

Venita Amidon	1397.5	Denise Egan	21.5
Ingrid Dooling	1389.0	John P. Hart	43.0
Rodrigo E. Orozco-Silva	1421.0	Kenneth J. Laferriere	28.0
Patrick R. Curtain	40.0	Gregory A. Lukos	76.0

The three (3) candidates who received the most votes are Venita Amidon, Ingrid Dooling, and Rodrigo E. Orozco-Silva and they will serve six (6) year terms that began on April 1, 2023.

A special thank you to all candidates who submitted their nomination to serve on the Board of Trustees. Your interest in the Resort is appreciated. Additionally, thank you to all the owners who participated in this important election process by completing and returning your election ballot.

## Attention Float Owners

Now is the time to reserve your  
2024 and 2025 Use Weeks!

Act now to make your reservations for best availability.  
Go to [account.vriresorts.com](http://account.vriresorts.com) to view available weeks and  
make your reservation online, or call 833-535-0798.

## Scam Update

We wanted to again remind owners about the latest “scam” being perpetrated on timeshare owners and Homeowner Associations. This fraud is known by several names, Timeshare Relief or Timeshare Rescue. Owners are typically contacted by phone or mailing but also by email. Many times you are asked to attend a meeting and presented with an opportunity to sell or give away your timeshare. We have seen owners pay as much as \$3,000 - \$5,000 to transfer their week to a company or individual. The problem that we have identified is that these companies or individuals do not pay maintenance fees and the remaining owners are left to pick up the tab. And worst of all, even after you have paid, you may continue to be liable for your maintenance fees if the transfer is not accepted, so please check with us first.

Individuals and companies involved in these scams are very cunning and very often change their tactics but here are a few warning signs to look out for, some or all of these may apply:

- Were you solicited by this company by mail, phone or email?
- Are you asked to attend a presentation?
- Are you asked to “pay” money for the opportunity to get out of your timeshare?
- Are you asked to sign a Power of Attorney to complete the transfer?

If you are talking with a company and you recognize any of these warning signs or simply have questions, call us first. Your Association is taking steps to combat these fraudulent transfers and protect our Association and owners by implementing new transfer policies and we may be able to help. Please CALL US FIRST!

## BONUS TIME BONANZA

That's right, from now until May 2024,  
The Cove at Yarmouth rooms are available at the  
Bonus Time rate of \$89.00 per night\*, plus tax.

**\$89.00**

*per night plus tax\**

For a limited time only, this offer is also available  
to Family and Friends\*

**Call Today!**

**Call (508) 771-3666  
and Dial “0”**

*Managed by Vacation Resorts International  
“Perfecting the Art of Hospitality”*

\*Reservations can only be made up to  
45 days in advance and are based on resort  
availability. Some restrictions apply.

Vacation periods and holiday weekends  
have limited availability.





PRSRT FIRST  
US POSTAGE  
PAID  
PERMIT 58  
HYANNIS, MA

c/o VRI Americas  
Post Office Box 399  
Hyannis, MA 02601-0399

ADDRESS SERVICE REQUESTED

## IMPORTANT NUMBERS

*The Cove at Yarmouth  
and*

*VRI Americas (VRI) Services*

**The Cove at Yarmouth** (508) 771-3666  
Fax (508) 771-9410  
Business Hours 9:00 a.m. - 5:00 p.m.  
Website: [www.coveatyarmouth.com](http://www.coveatyarmouth.com)

**Exchange Information**  
RCI (877) 874-3334  
RCI Points (877) 968-7476  
Interval International (800) 828-8200  
Trading Places (800) 365-7617

**Vacation Owner Services**  
Assessment Billing & Collection (800) 999-7141  
(949) 855-8004  
Hours: Monday - Friday 11:00 a.m. - 8:00 p.m. ET

**Reservations**  
Bonus Time/Vacation Tyme® (833) 535-0798  
Rentals/VIP Reservations (833) 535-0798  
Information and Assistance (833) 535-0798  
Hours: Monday - Friday 9:00 a.m. - 8:00 p.m. ET

**Still Need Assistance?**  
VRI Corporate Services (949) 587-2299  
VRI Fax (949) 315-3753

**Publication** - The Cove at Yarmouth News publication is intended solely as a vehicle of communication for Owners and the Board of Trustees. The purpose of this newsletter is to relate membership information, correspondence, stories, facts and news as deemed appropriate or relevant to the interest of owners.

*Managed by VRI Americas  
Perfecting the Art of Hospitality  
[www.vriresorts.com](http://www.vriresorts.com)*



## **EXHIBIT B**

### **THE COVE AT YARMOUTH RESORT HOTEL CONDOMINIUM (Yarmouth, MA)**

Proposed Amendment to Exhibit “C” of the Master Deed  
“Interval Ownership Supplement” Section 14. Termination

Delete existing Section 14 in its entirety and replace same with:

14. Termination: All occupancy rights associated with Interval ownership (deeded and licensed) may be terminated only by agreement of the Owners holding at least eighty percent of the total Intervals, or as otherwise dictated by M.G.L. c. 183B, Section 15. The agreement to terminate all Interval ownership shall be evidenced by the execution, in the same manner as a deed, of a termination agreement, or ratifications thereof, by the requisite number and percentage of Interval owners. The termination agreement shall specify a date after which it shall be void unless it is recorded on or before said date. A termination agreement and all ratifications thereof shall be recorded in the Barnstable County Registry of Deeds and shall be effective only upon such recording.

[End]

For comparison, here is the Existing Language to be deleted:

14. Termination. All occupancy rights associated with Use Periods created under this Interval Ownership Supplement shall terminate on January 20, 2025, if not extended as hereinafter provided, provided that, excepting only the provisions for partition as hereinafter set forth, nothing in this Paragraph shall serve to terminate the fee simple interest of Interval owners. Upon such termination, all occupancy rights associated with Interval ownership shall cease, provided that the Board of Trustees of the Trust shall, not less than thirty (30) days, nor more than sixty (60) days prior to said Termination Date, call a meeting of all owners of Intervals in Units committed to Interval Ownership. At such meeting a vote shall be taken to decide the disposition of the Units committed to Interval Ownership. A quorum at such meeting shall be a majority of the total outstanding votes of all owners of Intervals in Units committed to Interval ownership. At such meeting, the owners, by a majority vote, may vote to continue their Intervals, in which case the provisions of this Time Share Supplement shall be adopted as covenants running with the land for a period of ten (10) years. The Board of Trustees of the Trust shall, no less than thirty (30) days, nor more than sixty (60) days prior to the actual expiration of said ten-year period, call a meeting of all owners of Intervals in Unit committed to Interval Ownership. A quorum at such meeting shall be a majority of the total outstanding votes of all owners of Intervals in Units committed to Interval ownership. The owners may then vote to continue the Intervals for an additional ten-year period. This process shall be repeated as the end of such successive ten-year period approaches. Should less than a majority of the Owners vote to continue the Intervals at such meeting, then the Board of Directors of the Trust shall file suit in a Court of competent jurisdiction in Barnstable County, Massachusetts for partition of the Unit(s).

[End]

See Reverse Side for Proxy and Ballot

**EXHIBIT C**

**THE COVE AT YARMOUTH RESORT HOTEL CONDOMINIUM**  
(Yarmouth, MA)

Directed Proxy and Ballot

For: Amendment to Master Deed Exhibit "C" "Interval Ownership Supplement" – Section 14

The undersigned, being the record owner(s) of below listed Unit Number and Interval Number(s) of The Cove at Yarmouth Resort Hotel Condominium, having received a copy of the proposed amendment to The Cove at Yarmouth Resort Hotel Condominium Master Deed ("Master Deed") regarding Master Deed Exhibit "C" "Interval Ownership Supplement" Section 14 therein, and the continuation of Use Periods, hereby grant(s) this Directed Proxy and Ballot ("Proxy") to the person listed below to vote my/our interest for the proposed amendment to said Section 14 as directed below. This Proxy is valid only for the singular purpose presented herein and shall remain valid for any meeting called or re-called to vote on the proposed amendment to said Section 14 at any time through January 15, 2025. This Proxy may be revoked at any time in writing and shall automatically terminate upon the sale/transfer of our interest in the below listed Unit and Interval Number(s), or on January 16, 2025, whichever occurs first. This Proxy does not assign any other right nor permission to vote for any other matter now or in the future and only assigns the right to vote on the above listed amendment.

The undersigned state(s) he/she/they received and reviewed a copy of the proposed amendment which generally sets forth (a) the deletion and elimination of the automatic termination on January 20, 2025, of the Use Periods created under Exhibit "C", The interval Ownership Supplement to the Master Deed ("Supplement"), Section 14 therein, and (b) the replacement of such termination with a new provision providing for the termination of all time- share (interval) interests at any time by agreement of the time-share (interval) owners having at least eighty per cent of the time-shares or as otherwise dictated by the requirements of the Massachusetts Time Share Act, M.G.L. chapter 183B, Section 15.

**Yes/Approve**  
Amendment to Sec. 14

**No/Reject**  
Amendment to Sec. 14

**Vote** (check one box):

Proxy Holder \_\_\_\_\_, for Unit \_\_\_\_\_ and  
(Print Name)  
Interval(s) \_\_\_\_\_.

**To be counted the Directed Proxy and Ballot must be completely filled out and signed and dated below by the owner(s) of the above listed Unit and corresponding Interval(s):**

Signed by my (our) hands and seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(Day) (Month) (Year)

\_\_\_\_\_  
Owner – Print Name

\_\_\_\_\_  
Owner – Signature

\_\_\_\_\_  
Co-Owner – Print Name

\_\_\_\_\_  
Co-Owner – Signature

\_\_\_\_\_  
Co-Owner – Print Name

\_\_\_\_\_  
Co-Owner – Signature

\_\_\_\_\_  
Co-Owner – Print Name

\_\_\_\_\_  
Co-Owner – Signature