

Stone Ridge Association, Inc.

**Community Code No. 8**  
**Use Of and Fence Construction within Easement Areas**

**WHEREAS**, the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Stone Ridge Association, Inc. (the “Declaration”), the Articles of Amendment and Restatement of Articles of Incorporation for Stone Ridge Association, Inc. (the “Articles”) and the Amended, Restated Bylaws for Stone Ridge Association, Inc. (the “Bylaws”), as amended, and Community Codes collectively known as the Governing Documents, provide that the Lots are subject to the Governing Documents of Stone Ridge Association, Inc. (the “Association”); and

**WHEREAS**, Article IV, Section 4.1 of the Bylaws of the Association states that the business and affairs of the Association shall be managed by the Board of Directors appointed by the Declarant or elected in accordance with the Articles of Incorporation and the Bylaws; and

**WHEREAS**, Article IV, Section 4.1(c)(4) and (6) of the Bylaws permit the Board to adopt and amend any Community Codes not inconsistent with the Governing Documents, and to enforce the provisions of the Governing Documents, respectively; and

**WHEREAS**, Section 55-515 of the Virginia Property Owners’ Association Act, Code of Virginia (1950, as amended) (“POAA”), and provisions of the Declaration and Bylaws require that all Lot Owners (hereinafter “Members”) and their tenants, guests and invitees comply with the Governing Documents and all provisions of the POAA; and

**WHEREAS**, certain Deeds of Dedication and Easements were recorded in the Land Records of Loudoun County, and pertain to storm easements located on Association Property

**THEREFORE**, it is hereby RESOLVED THAT Policy Resolution No. 2007-02 (Use Of and Fence Construction within Easement Areas) is repealed in its entirety, and that the following procedures, collectively entitled Community Code No. 8, Use Of and Fence Construction within Easement Areas, are hereby adopted:

The following procedures shall apply with respect to the installation, destruction, and/or repair of fences located on Lots encumbered by recorded easements.


1. The Member whose Lot is encumbered by any storm or other type easement shall be permitted to construct a fence on his or her Lot notwithstanding the easement thereon.
2. It is the Member’s obligation to determine whether his or her Lot is encumbered with an easement to which this Community Code is applicable.
3. As further stated in the recorded easements, in the event Loudoun County, the Association, or other authorized entity requires entry onto the Member’s Lot for any purpose related to the easement thereon, such entity shall have the right to remove fences, in or near the easements conveyed, deemed to interfere with the proper and efficient construction, operation, and maintenance of the purpose for the easement (such as water main, sewer line, appurtenant facilities).
4. In the event Loudoun County, the Association, or other authorized entity requires entry onto the Member’s Lot for any purpose related to the easement thereon, and a portion or all of the Member’s fence(s) are removed, damaged, or otherwise altered as a result, it will be the Member’s responsibility to

repair and/or restore such fence and any affected area(s) disturbed by such removal, damage or alteration as necessary.

5. It is the Member's responsibility to repair/restore the fence to its original condition; any alterations or modifications to the original fence configuration or appearance must be approved by the Architectural Review Committee prior to construction.

The effective date of this Community Code shall be December 4, 2009.

STONE RIDGE ASSOCIATION, INC.

BY:   
Denise Harrover, President

**STONE RIDGE ASSOCIATION, INC.  
Resolution Action Record**

**Community Code No. 8  
USE OF and FENCE CONSTRUCTION WITHIN EASEMENT AREAS**

Resolution Type: Community Code \_\_\_\_\_ Pertaining to: Easement Areas

Duly adopted at a meeting of the Board of Directors held November 9, 2009.

Motion by: Cathy McCracken  
Seconded by: Mike Rhodes

VOTE

	YES	NO	ABSTAIN	ABSENT
<u>Ms. Harrover, President</u>	✓	_____	_____	_____
<u>Ms. McCracken, Vice President</u>	✓	_____	_____	_____
<u>Mr. McIntosh, Secretary</u>	✓	_____	_____	_____
<u>Mr. Rhodes, Treasurer</u>	✓	_____	_____	_____
<u>Ms. Conner, Director</u>	_____	_____	_____	✓
<u>Mr. Edier, Director</u>	_____	_____	_____	✓
<u>Mr. Deal, Director</u>	✓	_____	_____	_____

Resolution Effective Date: December 4, 2009

ATTEST: I hereby certify that a vote was duly taken and the Board of Directors adopted the above Resolution on the 9<sup>th</sup> day of November 2009.

Mark McIntosh  
Mark McIntosh, Secretary

11/09/09  
Date

Book of Minutes No. 1  
Meeting No. 53