

STONE RIDGE ASSOCIATION, INC.

Community Code No. 6A
COLLECTION OF ASSESSMENTS FROM LOTS
SUBJECT TO SUB-ASSOCIATIONS

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") the Amended and Restated Bylaws for Stone Ridge Association, Inc. (the "Bylaws"), and the 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 and Article IV, Section 4.1(c)(4) of the "Bylaws establish that the business and affairs of the Association shall be managed by the Board of Directors ("Board"), and grants the Board all of the powers and duties necessary for the administration of the affairs of the Association, including the power to adopt and amend Community Codes and reasonable rules and regulations not inconsistent with the Governing Documents; and

WHEREAS, Article V of the Declaration establishes the obligation for payment of Assessments, and grants the Board the power to collect Assessments, as such term is defined in Appendix One of the Declaration; and

WHEREAS, Article V, Section 5.1 of the Declaration grants the Board the power to collect certain Assessments directly from Sub-Associations, as such term is defined in Appendix One of the Declaration; and

WHEREAS, Section 55-515 of the Virginia Property Owners' Association Act, Code of Virginia (1950, as amended), (the "POAA") requires that all Lot Owners and those entitled to occupy a Lot comply with the Declaration; and

WHEREAS, it is the intent of the Board to adopt this Community Code requiring that certain Assessments be collected directly from the Sub-Associations, rather than directly from the individual Owners of Lots that are subject to a Sub-Association, in accordance with Article V, Section 5.1 of the Declaration; and

WHEREAS, it is the intent of the Board to appoint each respective Sub-Association as the Board's designee pursuant to Article XVI, Section 16.2(g) of the Declaration for purposes of suspending the rights of delinquent owners subject to such respective Sub-Association.

NOW THEREFORE, it is hereby RESOLVED THAT Community Code No. 6 (Collection of Assessments from Lots Subject to Sub-Associations) is repealed in its entirety, and is replaced with the following Assessment collection procedures, collectively entitled Community Code No. 6A, Collection of Assessments from Lots Subject to Sub-Associations, which are hereby adopted by the Board:

- 1) With respect to any of the Assessments described in Article V of the Declaration that are payable by Owners of Lots who are also Members of a Sub-Association, the Board shall collect such Assessments directly from the Sub-Association that

also governs such Lots. The payment and collection of such Assessments shall be governed by the provisions of Article V of the Declaration, as further set forth in the numbered paragraphs herein.

- 2) The payment of such Assessments shall be an obligation of such Sub-Association, but each Owner shall remain personally liable for the Assessment against such Owner's Lot and each such Lot shall remain subject to a lien for Assessments.
- 3) The Sub-Association is obligated to timely pay to the Association such Assessments for all Lots within the Sub-Association, regardless of any delay or failure in payment by an Owner of a Lot to the Sub-Association. Failure of a Sub-Association to timely pay Assessments for all Lots within the Sub-Association shall constitute a default by the Sub-Association in its obligations under Article V of the Declaration and may result in collection action by the Association in accordance with the provisions of Article VI of the Declaration and Community Code No. 3, including the suspension of privileges as further described in this Community Code.
- 4) All notices regarding Assessments against such Lots shall be sent to such Sub-Association, but notices of any intention to file a lien on an Owner's Lot shall also be sent to the Owner of the Lot.
- 5) This Community Code shall not limit or waive any of the Association's remedies for nonpayment of Assessments.
- 6) Any Owner of a Lot within a Sub-Association that did not pay the Assessment levied against such Sub-Association hereunder shall have the right to pay the portion of that Assessment attributable to such Owner's Lot directly to the Association, and such Owner's Lot shall not be subject to further Assessment or Lien by the Association or the Sub-Association with respect to such Assessment.
- 7) The term "Assessment" as referenced in this Community Code shall include all meanings set forth in Article V, Appendix One of the Declaration, and any and all relevant sections of the Virginia Code, including the POAA. The term "Assessment" as referenced in this Community Code shall also include all other charges levied by the Association and/or the Board.
- 8) In any collection activity, including but not limited to the filing of liens and/or lawsuits, taken by a Sub-Association to collect Association Assessments from a Member, this Community Code shall be deemed an assignment to the Sub-Association of the Association's rights to collect said Assessments, including any and all related costs and attorney's fees as provided by Virginia law and the governing documents of the respective associations. This assignment is nonexclusive and shall not be deemed to preclude the Association from collecting said Assessments directly from the delinquent Owners if the sums remain past due and owing.
- 9) Suspension of Delinquent Owner's Privileges and Right to Use Stone Ridge Association Inc.'s Facilities and Services

- a. **Authority:** Pursuant to Virginia law and the Governing Documents the Association and/or relevant Sub-Association as the Association's designee shall have the right to suspend privileges of a Member (and of members of his/her household, guests, tenants, visitors, licensees, or invitees), after notice and an opportunity to be heard, if such Member is more than sixty (60) days past due in payment of assessments to the relevant Sub-Association. Privileges provided by the Association to Members may be suspended upon the provision by the relevant Sub-Association to the Association of certain information and documentation verifying that the relevant Member's privileges have been suspended due to their delinquency and that such Member has been afforded notice and an opportunity to be heard by the relevant Sub-Association.
- b. **Privileges:** The term "privileges" shall mean the following:
- (i) The right to utilize parking areas within the Stone Ridge Association, Inc. community;
 - (ii) The right to utilize recreational facilities, including the clubhouse, swimming pool, fitness amenities, and other common area facilities within Stone Ridge Association, Inc.;
 - (iii) The right to vote as to certain actions of Stone Ridge Association, Inc., including the election of Directors onto the Board of Directors;
 - (iv) The right to receive any other services provided directly by the Association.

10) **Delinquency:** For the purposes of this Community Code, a delinquent assessment is deemed to include any assessment owed by a Member of a Sub-Association to Stone Ridge Association, Inc., whether such assessment is paid directly to Stone Ridge Association, Inc. or is paid through the relevant Sub-Association. Suspension of privileges shall be permitted in accordance with applicable Virginia law, and the Governing Documents of Stone Ridge Association, Inc. and the relevant Sub-Association.

The effective date of this Community Code shall be May 1, 2014.

STONE RIDGE ASSOCIATION, INC.


Denise Harrover, President

STONE RIDGE ASSOCIATION, INC.
Community Code Action Record

Amended and Restated Community Code No. 6
Sub-Association Assessment Collection

Resolution Type: Community Code Pertaining to: Sub-Association Assessment Collection

Duly adopted at a meeting of the Board of Directors held April 15, 2014.

Motion by: Mr. Gorli

Seconded by: Mr. Deal

VOTE

	YES	NO	ABSTAIN	ABSENT
<u>Ms. Harrover, President</u>	<u>X</u>	_____	_____	_____
<u>Mr. Deal, Vice President</u>	<u>X</u>	_____	_____	_____
<u>Ms. Conner, Secretary</u>	_____	_____	_____	<u>X</u>
<u>Mr. Rhodes, Treasurer</u>	_____	_____	_____	<u>X</u>
<u>Mr. McIntosh, Director</u>	<u>X</u>	_____	_____	_____
<u>Mr. Gorli, Director</u>	<u>X</u>	_____	_____	_____
<u>Mr. Yeloushan, Director</u>	<u>X</u>	_____	_____	_____

Resolution Effective Date: May 1, 2014

ATTEST: I hereby certify that a vote was duly taken and the Board of Directors adopted the above Resolution on the 15TH day of April.

Beverley Conner
 Beverley Conner, Secretary

4/23/14
 Date

Book of Minutes No. 2

Meeting No. 101