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This amendment is prepared  
without benefit of title examination.

Prepared by and return to:  
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**AMENDED AND RESTATED  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR VILLAGE AT HARVEST RIDGE**

**THIS AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS** is made and dated this 18<sup>th</sup> day of September, 2023 by VILLAGE AT HARVEST RIDGE HOMEOWNERS ASSOCIATION, INC. ("the Association"), both Grantor and Grantee for indexing purposes.

WHEREAS, Greystone Developers, Inc., as the Declarant for the Village at Harvest Ridge development ("the Development" or "Village at Harvest Ridge"), subjected Lots 1 through 6 and certain Common Area within Village at Harvest Ridge Section 1, to certain covenants, conditions, restrictions and easements as contained in the Deed of Dedication recorded in the land records of Frederick County, Virginia ("County Land Records") on September 22, 2004, as Instrument No. 040019308 ("Section 1 Deed of Dedication");

WHEREAS, the Declarant subjected Lots 7 through 24 and certain Common Area within Section 2 of the Development to the Deed of Dedication recorded in the County Land Records on September 22, 2004, as Instrument No. 040019309 and in the land records of the City of Winchester ("City Land Records") as Instrument No. 040004355, and as subsequently corrected by the Deed of Correction recorded in the County Land Records on October 18, 2004, as Instrument No. 040021120 (collectively, the "Section 2 Deed of Dedication");

WHEREAS, the Declarant subjected Lots 25 through 37 and 71 through 82 and certain Common Area within Section 3 of the Development to the Deeds of Dedication recorded in the County Land Records on November 15, 2005, as Instrument No. 050026767 and on February 3, 2012, at Instrument No. 120001002 (collectively, the "Section 3 Deed of Dedication");

WHEREAS, the Declarant subjected Lots 38 through 41 and 64 through 70 and certain Common Area within Section 4A of the Development to the Deed of Dedication recorded in the County Land Records on March 19, 2013, as Instrument No. 130003230 and as re-dated and

recorded on May 10, 2013, at Instrument No. 130005460 (collectively, the "Section 4A Deed of Dedication");

WHEREAS, the Declarant subjected Lots 42 through 63 and certain Common Area within Section 4B of the Development to the Deed of Dedication recorded in the County Land Records on May 7, 2014, as Instrument No. 140003349 ("Section 4B Deed of Dedication"); and

WHEREAS, the Owners of Lots within the various sections of the Development desire to amend and restate the above-referenced deeds of dedication into one consolidated instrument, and the requisite percentage of Owners have approved this Amended and Restated Declaration of Covenants, Conditions and Restrictions, as evidenced by the certification and signatures at the end of this instrument, all in accordance with the provisions of the above-referenced deeds of dedication;

NOW, THEREFORE, Section 1 Deed of Dedication, Section 2 Deed of Dedication, Section 3 Deed of Dedication, Section 4A Deed of Dedication and the Section 4B Deed of Dedication, all as may have been previously amended from time to time, are as set forth below hereby superseded and amended and restated in their entirety (other than the subdivision plats and the provisions of such deeds of dedication that subdivided and dedicated the land within the Development, which remain in effect), such that all of the Property as defined below will be held, sold and conveyed subjected to this Amended and Restated Declaration of Covenants, Conditions and Restrictions ("this Declaration"); this Declaration is for the purpose of protecting the value, aesthetics and desirability of the Property and runs with the land and is binding on all parties having any right, title or interest in the Property, or any part thereof, and on their heirs, successors and assigns, and inure to the benefit of each owner thereof.

## ARTICLE I

### DEFINITIONS

Each of following capitalized words when used in this Declaration shall be defined and interpreted as having the following meaning:

Section 1. "Association" means and refers to Village at Harvest Ridge Homeowners Association, Inc., a nonstock Virginia Corporation, its successors and assigns.

Section 2. "Board of Directors" or "Board" means and refers to the Association's Board of Directors.

Section 3. "Common Area" means and refers to that certain real property described as open space in the various sections of the Village at Harvest Ridge and is otherwise owned by the Association for the common use and enjoyment of the Members, and such additions thereto as may hereafter be brought with the jurisdiction of the Association.

Section 4. "Dwelling" means and refers to the dwelling located on a Lot.

Section 5. "Governing Documents" means and refers to this Declaration, the Association's Bylaws, the Association's Articles of Incorporation and the Rules and Regulations.

Section 6. "Lot" means and refers to any of the numbered lots subjected to this Declaration (specifically, lots 1 through 82, inclusive, designated upon the final plats of Village at Harvest Ridge, Sections 1, 2, 3, 4A and 4B), with the exception of the Common Area.

Section 7. "Member" means and refers to every person or entity that holds membership in the Association as described in Article II of this Declaration.

Section 8. "Owner" means and refers to the record owner, whether one or more persons or entities, of a fee simple title to any Lot, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 9. "POA Act" means and refers to the Virginia Property Owners' Association Act.

Section 10. "Property" means and refers to the Lots and Common Area within Sections 1, 2, 3, 4A and 4B of Village at Harvest Ridge that were previously subjected to the recorded deeds of dedication described above.

Section 11. "Resident" means and refers to each individual residing on, staying overnight at, or otherwise occupying a Lot for more than sixty (60) days in a consecutive twelve (12) month period.

(a) "Age-Qualified Resident" means and refers to a Resident who is 55 years of age or older.

(b) "Exempted Resident" means and refers to a Resident who (i) is at least 40 years of age but under 55 years of age, and (ii) meets the requirements specified in, and has been approved by the Board of Directors in accordance with, Article VI, Section 1 of this Declaration.

(c) "Permitted Resident" means and refers to a Resident who (i) is at least 40 years of age but under 55 years of age, and (ii) is occupying a Dwelling with an Age-Qualified Resident or an Exempted Resident so long as the Age-Qualified Resident or Exempted Resident continues to occupy that Dwelling as his or her primary residence with that Permitted Resident.

Section 12. "Rules and Regulations" means and refers to the Association's rules and regulations as adopted by the Board of Directors.

Section 13. "This Declaration" means and refers to this Declaration of Covenants, Conditions and Restrictions, which constitutes the "declaration" for the Property for purposes of the Virginia Property Owners' Association Act, which is applicable to the Property and the Association.

Section 14. "Shall" as used in this Declaration and other Governing Documents is to be interpreted as imposing a mandatory restriction, condition or obligation on the applicable party(s).

## ARTICLE II

### MEMBERSHIP

There is only one class of membership in the Association. Every Owner is automatically a Member. When a Lot is owned by more than one individual or entity, then all the co-owners of that Lot are jointly considered the Member associated with that Lot – i.e., there is only one membership shall be accorded per Lot. Membership shall be appurtenant to and may not be separated from ownership of any Lot that is subject to assessment by the Association. Ownership of such Lot shall be sole qualification for membership.

### ARTICLE III

#### VOTING RIGHTS

Each Member is entitled to one vote per Lot for each Lot owned by that Member, in all proceedings in which action is taken by Members. The vote of any Member of a Lot where the Owner is comprised of two or more individuals or entities shall be as those co-owners among themselves may determine, but in no event shall all such co-owners cast in the aggregate more than one vote per Lot for each Lot jointly owned by them. A Member's voting rights in the Association may be suspended as provided in the Association's Bylaws.

#### BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of Directors of not less than five (5), but no more than nine (9) directors, who must be Members who are eligible to serve on the Board as provided in the Association's Bylaws. The Board of Directors shall be elected by the Membership as determined in the Association's Bylaws.

### ARTICLE IV

#### PROPERTY RIGHTS IN COMMON PROPERTIES

Section 1. Members' Easements of Enjoyment: Every Member shall have a right and easement of enjoyment in and to the Common Area, specifically including but not limited to the rights of ingress and egress across the Common Area and such easement shall be appurtenant to and shall pass with the title to every assessed Lot, subject to the following provisions:

(a) The rights of the Association, in accordance with its Articles and Bylaws, to borrow money for the purpose of improving the Common Areas. The Association is further empowered, with the consent of at least two-thirds (2/3) of the Members, to mortgage the Common Area to secure any such borrowed funds, but such mortgage shall be subordinate to the rights of the Owners under this Declaration. In computing the required vote of the Members in connection with any such proposed mortgage of the Common Area, the Owners shall be given notice of any such proposed mortgage of the Common Area as set forth in Paragraph (c), infra.

(b) The rights of the Association to suspend the voting rights and the right to the use of the Common Area by a Member for any period during which any assessment against

that Member's Lot remains unpaid; and for a period not to exceed thirty (30) days for any infraction of the Rules and Regulations.

(c) The rights of the Association to dedicate or transfer all or part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the Members. No such dedication or transfer shall be effective unless an instrument signed by Members entitled to cast two-thirds (2/3) of the votes has been recorded agreeing to such dedication or transfer, and unless written notice of the proposed action is sent to every Member not less than thirty (30) days nor more than sixty (60) days in advance.

(d) Any and all other rights or privileges conferred upon the Association by the laws of the Commonwealth of Virginia.

Section 2. Delegation of Use: Any Member may delegate, in accordance with the Rules and Regulations, his right of enjoyment to the Common Area to the members of that Member's family, the tenants, or contract purchasers who reside in that Member's Dwelling.

## ARTICLE V

### COVENANTS FOR MAINTENANCE

#### ASSESSMENT FOR THE ASSOCIATION

Section 1. Assessments: Each Owner, for each Lot owned, and whether or not it shall be so expressed in any deed or other conveyance of the Lot, is deemed to covenant and agrees to pay the Association (1) annual assessments or charges, and (2) special assessments for capital improvement, such assessments to be fixed, established and collected from time to time as hereinafter provided. The annual assessments and special assessments, together with such interest thereon and costs of collection thereof, as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with such interest, costs and reasonable attorney's fee, shall also be the personal obligation of the person who was the Owner of such property at the time the assessment fee was due. The personal obligation shall not pass to the Owner's

successors in title unless expressly assumed by them, but shall continue as a lien upon said Lot as set forth hereinabove.

Section 2. Purpose of Assessments: The assessments levied by the Association shall be used exclusively for the following purposes, to-wit: improvements and maintenance of the Common Area including the private streets and rights of way, and for otherwise carrying out the Association's responsibilities under the Governing Documents, specifically including, but not limited to, payment of real estate taxes, repairs, removal of snow from Association-owned and maintained parking areas and streets within the Development, maintenance and repair of any drainage and retention facilities, maintenance of street lights and payment of all utility charges therefor, maintenance and repair of utility and drainage easements, maintenance, and services and facilities devoted to the aforesaid purposes and expenses related to the use of and enjoyment of the Common Area, as well expenses incurred to enforce the Governing Documents (such as expenses related to the enforcement of the covenants, restrictions, architectural controls, maintenance standards and provisions of the Governing Documents applicable to the Lots and Dwellings); and further, for the purpose of promoting the recreation, health, safety and welfare of the Residents in the Common Area of Village at Harvest Ridge. Nothing in this Declaration shall be interpreted to prevent assessment funds from being used to pay the contractual or other legal obligations of the Association incurred for purposes of carrying out any of the responsibilities and authority of the Association pertaining to the Common Area or the Lots, whether acting through its Board, officers, directors, managements or other agents.

Section 3. Basis and Maximum Annual Assessments: The current maximum annual assessment is \$2,400.00 per Lot.

(a) The maximum annual assessment per Lot may be increased above that set forth hereinabove the next succeeding year and at the end of each year's period, for each succeeding period of one year, provided that any such change shall be approved by a majority vote of those Members present in person or by proxy at a meeting of the Members duly called for this purpose, written notice of which shall be sent to all Members not less than 30 days or more than 60 days in advance of the meeting, setting forth the purpose of the meeting. The limitations hereof do not apply to any change in the maximum and basis of the assessments

undertaken as an incident to a merger or consolidation in which is authorized to participate under its Articles of Incorporation.

(b) Each year, after consideration of current maintenance costs and future needs of the Association, the Board of Directors shall adopt the Association's annual budget and fix the annual assessment based on the adopted budget in an amount not in excess of the then current maximum annual assessment.

Section 4. Special Assessments for Capital Improvements: In addition to the annual assessments authorized above, the Association may levy in any assessment year a special assessment applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of a described capital improvement upon the Common Area, specifically including but not limited to maintenance, repair and improvement of any Association-owned parking areas and streets within the Development, including the necessary fixtures and personal property related thereto, provided that any such assessment shall be levied in accordance with the procedures required by the Code of Virginia §55.1-1825, at a meeting duly called for this purpose, written notice of which shall be sent to all Members not less than 30 days nor more than 60 days in advance of the meeting, setting forth the purposes of the meeting.

Section 5. Quorum for any Action Authorized Under Sections 3 and 4. At the first meeting called, as provided in Sections 3 and 4 hereof, the presence at the meeting of Members or proxies entitled to cast 51% of all votes shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirement set forth in Sections 3 and 4 and the required quorum at any such subsequent meeting shall be 1/2 of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than 60 days following the preceding meeting,

Section 6. Date of Commencement of Annual Assessments – Due Date: The Board of Directors shall fix the amount of the annual assessment against each Lot at least 30 days in advance of each annual assessment period. Written notice of the annual assessment shall be sent to every Owner. The due dates shall be established by the Board of Directors. The Association shall, upon demand at any time, furnish a certificate in writing signed by an officer of the



Association, setting forth whether the assessments on a specified Lot have been paid. A reasonable charge may be made by the Board for the issuance of these certificates. Such certificates shall be conclusive evidence of payment of any assessment therein stated to have been paid.

Section 7. Effect of Non-Payment of Assessments: Remedies of the Association: If payment of an assessment (or assessment installment) is not paid so that it is received by the Association within thirty (30) days after the applicable due date, then a late fee may be assessed against the applicable Owner's account in the amount of \$10.00 (or such other reasonable amount as may be established by the Board through the Rules and Regulation). In addition, if an Owner's assessment account becomes more than 30 days past due, then the Owner's total unpaid principal balance (not including interest, attorney's fees and court costs) may bear interest at the rate of twelve percent (12%) per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same, and/or file a Notice of Lien among the land records and foreclose said lien against property, and interest, costs and reasonable attorney's fees on any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of that Owner's Lot.

Section 8. Subordination of the Lien to Mortgages: The lien assessments provided herein shall be subordinated to the lien of any mortgage or mortgages now or hereafter encumbering any Lot. Sale or transfer of any Lot shall not affect the assessment lien. However, the sale or transfer of any Lot which is subject to any mortgage, pursuant to a decree of foreclosure thereof, shall extinguish the lien of such assessments as to payments thereof which become due prior to such sale or transfer. No sale or transfers shall relieve such Lot from liability for any assessments thereafter becoming due from the lien thereof.

Section 9. Lot Transfer Fee: Every Lot is subject to a Lot Transfer Fee. Upon the sale of any Lot, the purchaser of such Lot shall pay to the Association a transfer fee equal to the equivalent of twelve months of the then current annual assessment. Such fee shall be paid to the Association at the closing or settlement of the Lot.

Section 10. Exempt Property: Any property subject to this Declaration that is owned by the Association is exempt from the assessments created herein.

Section 11. Failure to Maintain Common Area: In the event that the Association, or its successors, shall fail to maintain the Common Area in reasonable order and condition, the County of Frederick may take such action as authorized by the County Zoning Ordinance. The County of Frederick Zoning Ordinance and any and all amendments thereto is by this reference made a part hereof as if set out in full.

Section 12. Dissolution of the Association: Upon dissolution of the Association, other than the incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which the association was created or for general welfare of the Residents of the Village At Harvest Ridge. In the event that such dedication is refused acceptance, such assets shall be deemed vested in the Members as tenants in common.

## ARTICLE VI

### COVENANTS AND RESTRICTIONS

The Lots are subject to the following covenants and restrictions which shall be considered real and running with the land and shall be binding on all parties and persons claiming under them and shall be for the benefit of and constitute limitations upon all current and future Owners of said Lots:

1. Age-Restricted Community. The Lots have been and remain intended to serve as housing for occupancy by older persons in accordance with the federal Fair Housing Act and the related exemption regarding discrimination based on familial status as provided under the federal Housing for Older Persons Act of 1995, as well as the Virginia Fair Housing Law, and any regulations adopted pursuant to the foregoing and any amendment to the foregoing as now or may hereafter be in effect (collectively, the "Fair Housing Laws"). For this purpose, and in accordance with this Section 1 as described below, only Age-Qualified Residents, Permitted Residents and Exempted Residents are allowed to be Residents within the Village at Harvest

Ridge. However, nothing in this Section 1 is intended to restrict the ownership of or transfer of title to any Lot.

(a) *Age Restriction.* Except as otherwise provided in subsection (b) below, each and every Dwelling must be occupied by at least one Age-Qualified Resident, and all other Residents of that Dwelling must be Age-Qualified Residents or Permitted Residents. Any person under the age of 40 (whether social guests, family members, etc.) may only occupy, reside in or stay overnight at a Lot or Dwelling for 60 or fewer total days in any calendar year, subject to compliance with all other provisions of this Declaration and the Rules and Regulations.

(b) *Age Exemptions.* If a Resident loses his or her status as a Permitted Resident of a Dwelling and wishes to continue to occupy that Dwelling because he or she meets the below-listed requirements, that Resident must promptly submit a written request to be approved as an Exempted Resident in accordance with the following:

1) The Resident must submit the written request so that it is received by the Board of Directors (c/o the Association's management agent, if applicable) within 30 days after the Resident loses his or her status as a Permitted Resident;

2) The Resident's written request must include supporting information or documentation that demonstrates that the Resident currently meets one of the following requirements:

(i) The Resident occupied the Dwelling with an Age-Qualified Resident prior to and when that Age-Qualified Resident died; or

(ii) The Resident occupied the Dwelling with an Age-Qualified Resident prior to and when that Age-Qualified Resident moved into a bona fide facility for the care of the infirm, elderly or the disabled (such as assisted-living facility or nursing home) as his or her new primary residence.

3) After the Board of Directors receives a Resident's written request to be approved as an Exempted Resident, the Board must approve or deny the Resident's request within 60 days after receiving that request and then promptly send the Resident written notice of the Board's decision;

4) The Board of Directors must approve the Resident's timely-submitted written request *if all of the following apply* (and must reject the request if one or more of the following do not apply):

(i) If the Resident's request is approved, at least 90% of all Lots would still be occupied by at least one Age-Qualified Resident;

(ii) The Resident's request sufficiently demonstrates that the Resident meets one of the requirements specified in subsection (b)(2) above;

(iii) The Board is aware of nothing credible indicating that the information contained in the request is or may be inaccurate; and

(iv) The Resident was not a housekeeper, employee, contractor or in-home nurse or other healthcare provider who was unrelated by blood, marriage or adoption to the Age-Qualified Resident.

5) *If a Resident is approved* as an Exempted Resident, then that Exempted Resident may continue to occupy that same Dwelling as their primary residence even though the Exempted Resident is under the age of 55.

6) *If a Resident fails to timely submit a request for approval or if the Resident's request is denied by the Board in accordance with this Section 1*, that Resident must vacate the Dwelling within 60 days after the Resident lost his or her status as a Permitted Resident or, if applicable, within 60 days after the Resident's request was denied by the Board, so that the person no longer falls within the definition of a "Resident."

(c) In any lease, occupancy agreement, contract for sale, and sale or rental listing applicable to the Lot, the Lot's Owner must include a conspicuous statement that the Lot is intended for the housing of persons 55 years of age or older pursuant to this Article VI, Section 1. Every lease or other occupancy agreement applicable to a Lot must provide that failure to comply with this Section 1 constitutes a material default under that lease or occupancy agreement.

(d) Within 10 days after (i) a change in ownership of a Lot or (ii) there is a change in any Resident of a Lot, the applicable Owner must submit to the Board (c/o the Association's management agent, if applicable) a fully completed, accurate, signed and dated

form (available from the Association) to verify or update the current Residents of that Lot and their ages.

(e) The Board of Directors may enforce this Section by using any remedy available under the Governing Documents and/or applicable law, including all remedies available under the POA Act. The Board may also adopt and enforce Rules and Regulations regarding compliance with this Section 1 and applicable Fair Housing Laws. The Board may in its discretion act on a Resident's untimely request (by denying or approving the request per subsection (b) above) if the Board determines that the late submission was due to unforeseen circumstances beyond the Resident's reasonable control or for other demonstrated good cause.

2. All Lots shall be used for single-family residential purposes only.
3. No detached garage, carport, utility or other outbuilding shall be permitted on any Lot.
4. All business, commercial, trade, manufacturing, home occupation, home-based child care services, and other non-residential use or activity of any kind is prohibited from being conducted in or on any part of a Lot regardless of whether applicable laws allow such use. However, this provision shall not be construed to prohibit an authorized Resident from using his/her Dwelling for telecommuting or a home office, provided there is no detrimental external impact on the Association, other Residents or Lots contrary to the Governing Documents.
5. No signs or advertising of any nature shall be erected or maintained on any Lot except "For Sale" signs for said Lot which signs will not exceed five (5) square feet in area. No "For Rent" signs shall be allowed or displayed on any Lot.
6. No exterior antennas or satellite dishes shall be permitted on any Lot except for those antennas and dishes that are covered by the 1996 Federal Communications Commission's Over-the-Air Reception Devices ("OTARD") rule, as amended.
7. No boats, mobile homes, motor homes, campers, buses, trailers of any type, tractors, trucks or other motor vehicles (other than automobiles, motorcycles, pickup trucks, and 3/4 ton or less vans) shall be permitted on any Lot or Common Area except during the course of construction, but then only with the prior written approval of the Board. No motor vehicle or

material portion thereof which does not have a current license and current Virginia inspection sticker (if required by law) shall be permitted on any Lot or Common Area.

8. No animals of any kind (including livestock, poultry or birds) shall be permitted on any Lot, except dogs, cats and other usual household pets may be kept, provided they are not kept, bred or maintained for commercial or charitable purposes or in unusual numbers.

9. No fence nor hedge shall be constructed nor planted along the front (street) boundary of any Lot; and no such fence or hedge shall be constructed or placed closer to the street than the rear corner of the main structure placed on the Lot. No fence shall be constructed within 25' of any street bounding the side of any corner Lot. No fence or hedge shall exceed six (6) feet in height. Prior to the installation of any fence or hedge, the Lot's Owner shall first obtain the written approval of the Architectural Review Committee as to the placement and materials to be used. All hedges must be kept neatly trimmed.

10. No noxious or offensive activities shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

11. In the event that a Dwelling is destroyed, the Owner of the Dwelling within thirty (30) days from the said destruction, shall clear away the debris and remaining portion of the Dwelling and maintain the Lot in a neat and orderly condition. No structure other than one substantially similar to the original structure, having the same dimensions and similar architecture as the Dwelling destroyed shall be constructed in the place of the original structure.

12. All Dwellings shall be kept in good repair and order. In the event a Dwelling is damaged, or has materially deteriorated, the Owner of the Dwelling shall immediately repair the damage or deterioration.

13. No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers. No refuse or any container for same shall be placed or stored in front of any house, except on the date of garbage pickup, and should be placed in sanitary containers.

14. No exterior clothesline or hanging device shall be permitted on any Lot.

15. No ground-level solar panels or other solar-energy collection devices are permitted (however, this term does not include solar panels and related components that are manufactured as an integral part of either an exterior light fixture or deck or yard furniture or related accessories).

16. The color of the paint on the exterior of every building on each Lot shall be the same as the original color unless a different color from the original color has been approved by the Architectural Review Committee.

17. No building, structure, addition nor exterior alteration or improvements of any character shall be constructed upon any Lot or Dwelling located thereon, except as exterior painting is permitted by the prior paragraph, unless the plan of construction or installation, including quality of workmanship, design, colors and materials, shall have been approved in writing by the Architectural Review Committee (or "ARC") as being in harmony with the general design scheme and aesthetics of the Village at Harvest Ridge and as being consistent with this Declaration and any applicable Board-adopted design standards or other Rules and Regulations.

(a) The Board has the authority to appoint and remove the ARC members. In addition, the Board may adopt a committee charter for the ARC and procedures regarding the ARC's operation and the information required to be submitted by Owners in their applications for approval. The ARC, under the supervision of the Board, has the authority and responsibility to review and approve or disapprove all exterior alterations or modifications to Lots. The ARC must operate in accordance with this Declaration, the Bylaws and any applicable committee charter and related procedures as adopted by the Board of Directors. In the absence of an ARC (e.g., due to lack of volunteers), the Board is responsible for carrying out the ARC's responsibilities.

18. No trees shall be planted nor other digging undertaken without first securing the approval of the local utility companies and without first being advised as to the location of all underground utilities.

19. The Association shall be responsible for providing certain maintenance services, including mowing of front and rear lawns, mulching of plant beds on the front and sides of Dwellings, spring clean-up, fall clean-up, and snow removal from Members' driveways and

Association-owned sidewalks. The maintenance of any fenced-in area on any Lot or any area that has been made inaccessible to the maintenance crew due to actions of an Owner (or the occupants of or visitors to that Owner's Lot) shall be the responsibility of that Owner.

20. Leasing. Lots must not be used for hotel-like or other transient use or occupancy. No Lot shall be leased unless such lease (i) is for the entire Lot, (ii) is in writing, (iii) is for a minimum twelve-month initial term, (iv) contains the age-restricted language required by Section 1(c) of this Article VI, and (v) states that the renter's right to occupy the premises is subject to complying with the provisions of the Governing Documents, and that any failure by the renter or other occupant of the leased Lot to comply with the terms of the Governing Documents shall be a material default under the lease. The Rules and Regulations may require the use of a Board-approved standard lease addendum for all new leases entered into after the effective date of this Declaration.

## ARTICLE VII

### EASEMENTS

Section 1. Public Utility and Drainage Easements: The Property is subject to those certain easements or rights of way designated as Drainage Easements, Water & Sewer Easements, Sanitary Sewer Easements, Access and Utilities Easements, and Utilities Easements on the aforesaid plats of Village at Harvest Ridge. Frederick County, Virginia, or other agency having jurisdiction thereof, has a perpetual right of way or easement for the construction, reconstruction, maintenance and repair of the aforesaid easements and any related facility designated on the aforesaid plats as Utility Easements.

Section 2. Maintenance of Drainage Easements: All drainage easements located within the Development shall be maintained by the Association and in the event that said Association does not maintain said area, and keep the same in good repair, then the Grantor and/or Frederick County, as the case may be, may come upon said property and make necessary repairs and perform whatever maintenance is necessary with the cost of the same to be borne by the Association and in the event that said Association does not pay for said repairs and/or



maintenance when billed, then said charge shall become a lien upon the property belonging to the Association.

Section 3. Driveway Easements: The Common Area shall be subject to easements for ingress and egress from the Lots to the streets located within the Village at Harvest Ridge.

Section 4. Streets: Every Member shall have the right of ingress and egress to their respective Lots over the streets or areas marked for ingress/egress as designated on the previously-recorded Final Subdivision Plats of the Village at Harvest Ridge.

## ARTICLE VIII

### GENERAL PROVISIONS

Section 1. Enforcement: The Association or any Owner shall have the right to enforce, by a proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges, now or hereafter, imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restrictions herein contained shall in no event be deemed a waiver of the right to do so thereafter. The cost of enforcement efforts taken by the Association to enforce the Governing Documents, together with reasonable attorney's fees incurred by the Association, shall constitute a lien for assessments against the responsible Owner's Lot and the personal obligation of the responsible Owner. Each Owner is responsible for his/her own violations of the Governing Documents and for violations by such Owner's family members, tenants, guests, contractors and agents. In addition, the substantially prevailing party (as determined by the court) in any litigation to enforce the Governing Documents shall be entitled to an award of its costs and reasonable attorney's fees.

(a) In addition to, or instead of, enforcing the Governing Documents through legal action, the Association may enforce the Governing Documents through other means available under the Governing Documents or applicable law. The available means of enforcement include, but are not necessarily limited to, (i) the right of the Association to tow non-complaint vehicles from the Common Area at the vehicle owner's risk and expense, (ii) the right to suspend the use of Association-provided facilities and services in accordance with this Declaration and/or the POA Act, and (iii) the right to assess violation charges against Owners for

violations of the Declaration or the Rules and Regulations (other than for nonpayment of assessments, which charges and remedies are addressed in other provisions of the Declaration) in accordance with the POA Act and any related Board-adopted enforcement procedures.

Section 2. Severability: Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision which shall remain in full force and effect.

Section 3. Amendment: This Declaration shall run with the land and bind the land, and shall inure to the benefit of and be enforceable by the Association or the Owner. This Declaration may be amended at any time by agreement of at least two-thirds of the Owners, as evidenced by their execution of the amendment or ratifications thereof. Such amendment shall be effective when it is recorded in the Office of the Clerk of the Circuit Court of Frederick County, Virginia along with a certification signed by the principal officer of the Association that the requisite number of Owners signed the amendment or ratifications thereof.

Section 4. Dissolution: Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which the Association was created. In the event such dedication is refused acceptance, such assets shall be granted, conveyed or assigned to any non-profit organization, for similar purposes.

WITNESS the following signatures and seals:

[SIGNATURES FOLLOW]

IN WITNESS WHEREOF, the President of Village at Harvest Ridge Homeowners Association, Inc. has executed this Amended and Restated Declaration on behalf of the Association, and hereby certifies that this Amended and Restated Declaration was duly adopted by the required percentage of Owners pursuant to the previously-referenced Deeds of Dedication (as reflected in the attached signed approval forms).

SIGNED: Douglas C. Adams

BY: DOUGLAS C. ADAMS  
President/Director [printed name]

Date: 9-18, 2023.

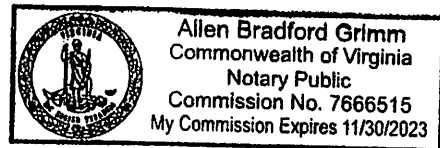
COMMONWEALTH OF VIRGINIA  
CITY / COUNTY OF FREDERICK :

I, the undersigned, a Notary Public in and for the aforesaid jurisdiction, do hereby certify that Douglas Adams, whose name is signed as President of Village at Harvest Ridge Homeowners Association, Inc. to the foregoing Amended and Restated Declaration, has acknowledged the same before me on this 18<sup>th</sup> day of SEPTEMBER, 2023, and acknowledged the writing was signed pursuant to due and proper authority on behalf of the Association.

Allen Bradford Grimm  
Notary Public (SEAL)

My Notary Registration No. is: 7666515

My Commission Expires: 11/30/23



ATTACHMENTS

OWNER APPROVAL FORMS  
(as required by the original covenants applicable to  
the Village at Harvest Ridge development)

TAX MAP NUMBERS  
(for lots and common area parcels)

**Tax Map Numbers:**

**63 9 1 1 through 63 9 1 6A**

**63 9 2 7 through 63 9 2 24A**

**63 9 3 25 through 63 9 3 37A**

**63 9 3 71 through 63 9 3 82B**

**63 9 4 38 through 63 9 4 41**

**63 9 4 64 through 63 9 4 70A**

**63 94B 42 through 93 94B 63A**

0027

**AREA SUMMARY**

AREA IN LOTS:	171,919 SQ. FT.	3.9467 ACRES
AREA IN PRIVATE STREET:	59,865 SQ. FT.	1.3743 ACRES
AREA IN OPEN SPACE:	122,982 SQ. FT.	2.8233 ACRES
SECTION 4B AREA:	354,766 SQ. FT.	8.1443 ACRES
NUMBER OF LOTS:	22	
AVERAGE LOT SIZE:	7,814 SQ. FT.	
SMALLEST LOT SIZE:	6,393 SQ. FT.	

PARENT TRACTS: PIN 63-A-2 (0.1767 AC.) & PIN 63-A-3 (7.9676 AC.)  
 ZONED: RP

**MINIMUM SETBACK REQUIREMENTS**

FRONT = 20' FROM PRIVATE STREET  
 REAR = 15'  
 SIDE = 5'  
 MINIMUM LOT AREA = 6,000 SQ. FT.

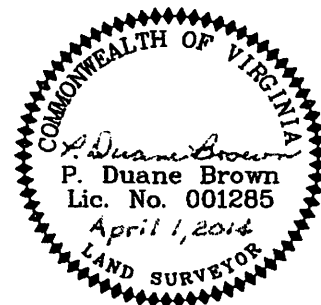
**NOTES:**

1. NO TITLE REPORT FURNISHED. EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
2. ALL LOTS ARE SINGLE FAMILY SMALL LOT.
3. DETACHED ACCESSORY BUILDINGS ARE PERMITTED PER § 165-402.09F OF THE FREDERICK COUNTY ZONING ORDINANCE.
4. WITH REFERENCE TO THE PROFFERED GENERAL DEVELOPMENT PLAN (GDP), NUMBERED PARAGRAPH 8 (TRAILS & SIDEWALKS); THE SUBDIVISION DEVELOPMENT PLAN, "VILLAGE AT HARVEST RIDGE, PHASE 1, 2 & 3" FREDERICK COUNTY FILE APPLICATION No. SDP 20-03 SHOWS A PROJECT WIDE SIDEWALK SYSTEM (SHEETS 3, 4 AND OTHERS) THAT MEETS THE REQUIREMENTS OF GDP, PARAGRAPH 8. THE SIDEWALK SYSTEM AS PROPOSED IS CONTAINED WHOLLY WITHIN THE VARIABLE WIDTH INGRESS-EGRESS, DRAINAGE AND UTILITY EASEMENT SHOWN HEREIN.
5. MIKEY COURT, AS SHOWN HEREIN, IS A VARIABLE WIDTH PRIVATE STREET, INGRESS-EGRESS, DRAINAGE AND UTILITY EASEMENT.

CURVE	RADIUS	ARC	CH. BEARING	CHORD	TANGENT	DELTA
C1	482.00'	54.69'	N 79°25'22" W	54.66'	27.37'	08°30'02"
C2	482.00'	18.31'	N 75°05'03" W	18.31'	9.16'	02°10'36"
C3	518.00'	37.56'	N 76°04'22" W	37.55'	18.79'	04°09'15"
C4	518.00'	6.15'	N 78°29'24" W	6.15'	3.08'	00°40'50"
C5	90.00'	21.71'	N 71°55'09" W	21.66'	10.91'	13°49'21"
C6	90.00'	27.51'	S 56°15'00" E	27.41'	13.86'	17°30'58"
C7	518.00'	56.53'	S 50°37'07" E	56.50'	28.29'	06°15'10"
C8	518.00'	55.11'	S 58°47'35" E	55.09'	27.58'	08°05'48"
C9	518.00'	43.33'	S 62°14'16" E	43.32'	21.68'	04°47'35"
C10	182.00'	74.49'	S 52°54'33" E	73.97'	37.77'	23°27'01"
C11	182.00'	60.28'	S 31°41'43" E	60.01'	30.42'	18°58'40"
C12	90.00'	30.15'	S 12°38'30" E	30.01'	15.22'	19°11'46"
C13	90.00'	29.12'	N 06°15'32" E	28.99'	14.69'	18°32'18"
C14	218.00'	25.44'	N 12°11'05" E	25.43'	12.74'	08°41'12"
C15	218.00'	62.29'	N 00°39'20" E	62.08'	31.36'	16°22'18"
C16	218.00'	19.71'	N 10°07'13" W	19.70'	9.86'	05°10'49"
C17	182.00'	18.46'	N 09°48'17" W	18.45'	9.24'	05°48'42"

LINE	BEARING	DISTANCE
L1	S 79°02'14" E	7.50'
L2	S 79°02'14" E	5.00'
L3	N 82°40'23" W	5.36'
L4	OMITTED	
L5	N 65°00'28" W	34.82'
L6	S 48°42'52" W	26.49'
L7	S 28°57'08" E	19.95'
L8	S 65°00'28" E	25.33'
L9	S 47°29'32" E	11.33'
L10	S 47°29'32" E	1.37'
L11	S 03°00'37" E	17.16'
L12	S 53°32'27" E	23.74'
L13	N 53°13'41" E	21.26'
L14	N 03°00'37" W	19.60'
L15	N 12°42'38" W	29.01'
L16	N 04°13'54" E	54.42'
L17	S 65°00'28" E	29.90'
L18	S 76°09'27" E	28.27'
L19	S 48°56'55" W	106.47'
L20	S 47°13'43" W	123.07'

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
 SECTION 4B  
 GAINESBORO MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA



DATE: 04/01/2014

SHEET 2 OF 10



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

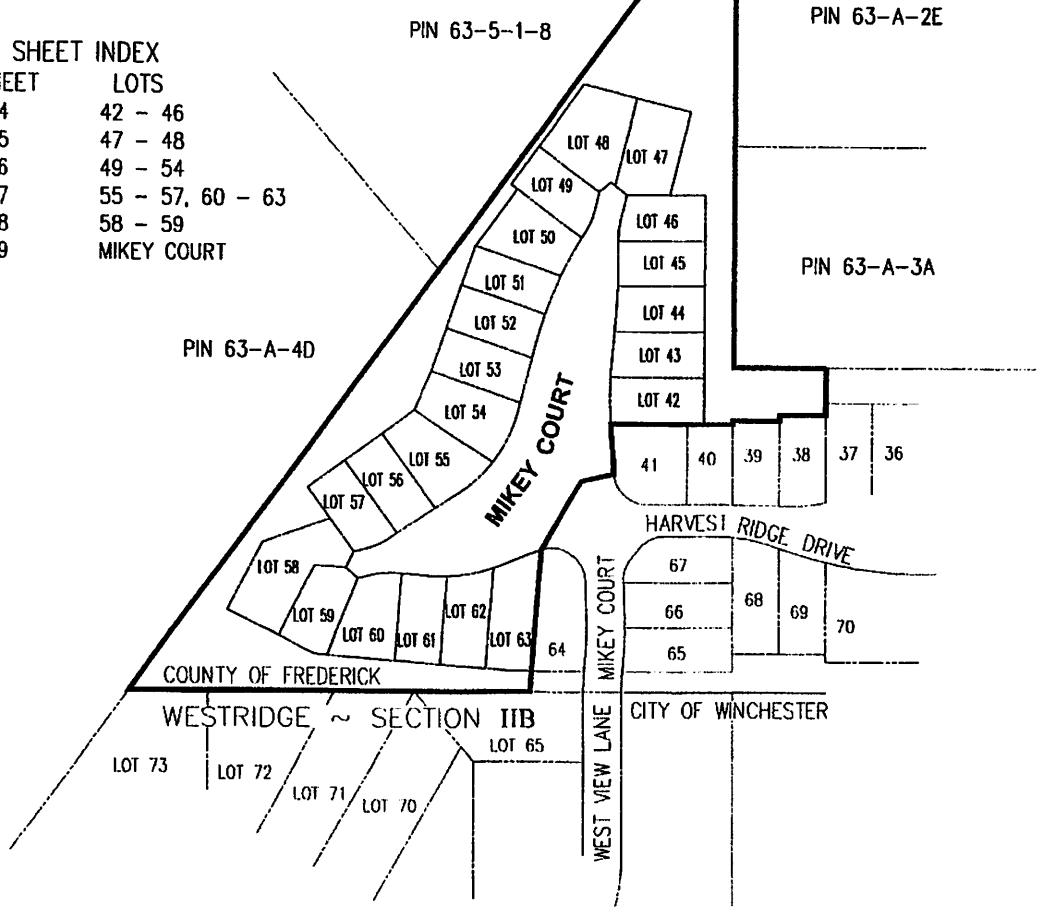
ID9631-SECT 4B

0023

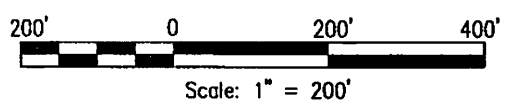


SHEET INDEX

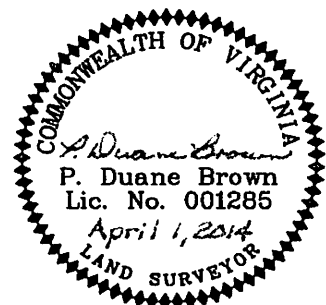
SHEET	LOTS
4	42 - 46
5	47 - 48
6	49 - 54
7	55 - 57, 60 - 63
8	58 - 59
9	MIKEY COURT



### KEY MAP



FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
 SECTION 4B  
 GAINESBORO MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA



DATE: 04/01/2014      SCALE: 1" = 200'      SHEET 3 OF 10



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

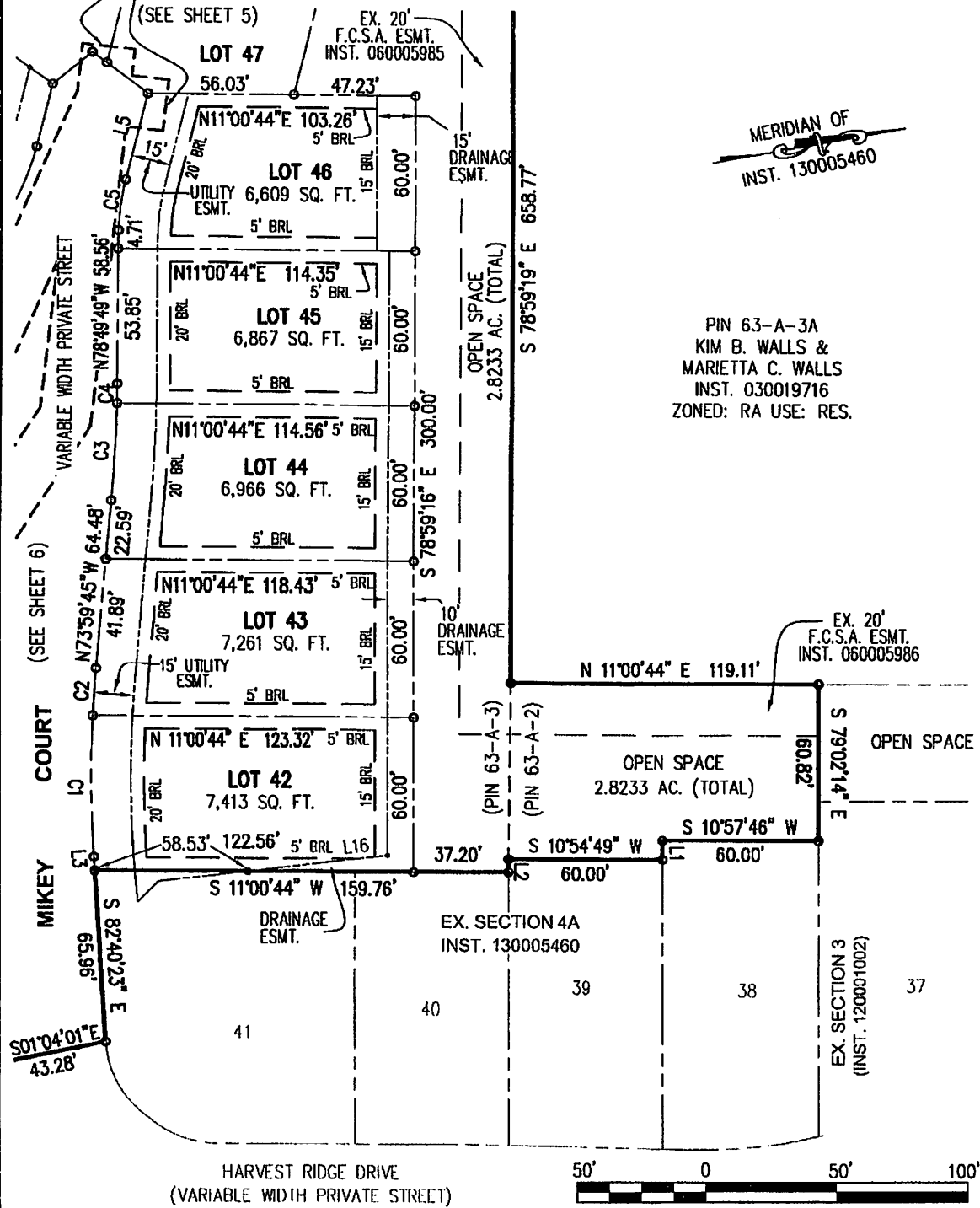
PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

ID9631-SECT 4B

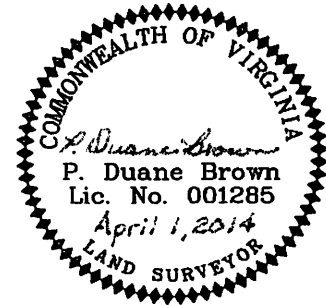
CITY OF WINCHESTER SANITARY SEWER AND WATER EASEMENTS - SEE SHEET 9

LEGEND  
BRL = BUILDING RESTRICTION LINE



PIN 63-A-3A  
KIM B. WALLS &  
MARIETTA C. WALLS  
INST. 030019716  
ZONED: RA USE: RES.

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
 SECTION 4B  
 GAINESBORO MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA



DATE: 04/01/2014      SCALE: 1" = 50'      SHEET 4 OF 10

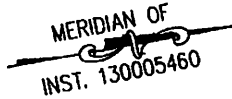
**Marsh & Legge Land Surveyors, P.L.C.**  
 560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601  
 PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK  
 ID9631-SECT 4B

0025



**LEGEND**  
BRL = BUILDING RESTRICTION LINE



PIN 63-5-1-8  
WILLIE MCLAURIN, JR. &  
ANNA H. MCLAURIN  
D.B. 701 PG. 20  
ZONED: RA USE: RESIDENTIAL

CLAY HILL FARM  
SECTION 1  
LOT 8

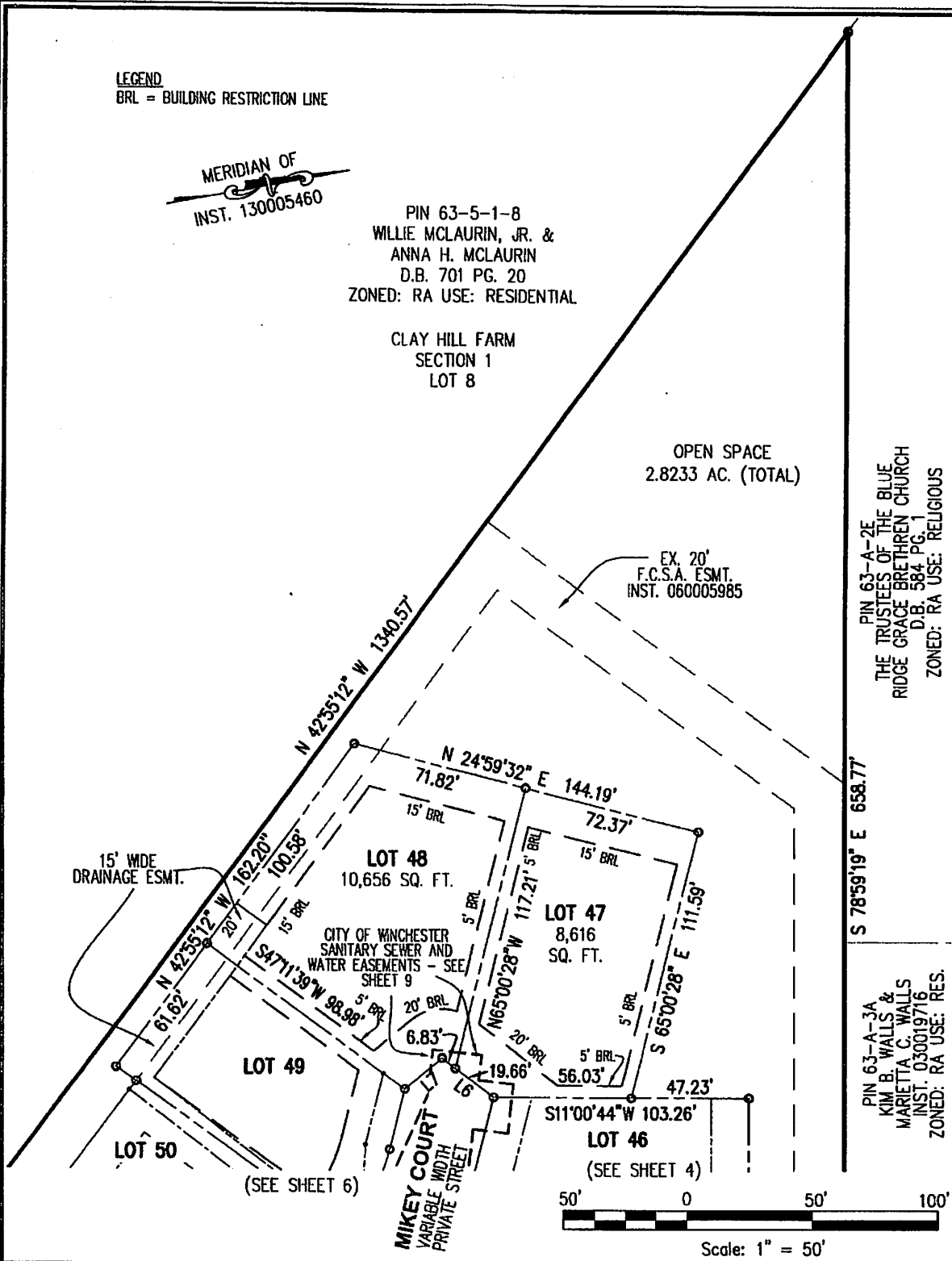
OPEN SPACE  
2.8233 AC. (TOTAL)

EX. 20'  
F.C.S.A. ESMT.  
INST. 060005985

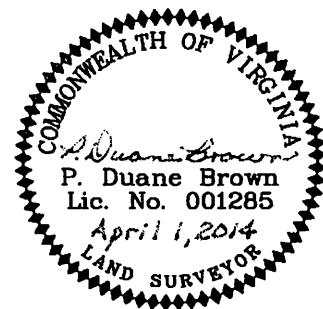
PIN 63-A-2E  
THE TRUSTEES OF THE BLUE  
RIDGE GRACE BRETHREN CHURCH  
D.B. 584 PG. 1  
ZONED: RA USE: RELIGIOUS

S 78°59'19" E 658.77'

PIN 63-A-3A  
KIM B. WALLS &  
MARETTA C. WALLS  
INST. 030019716  
ZONED: RA USE: RES.



FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
SECTION 4B  
GAINESBORO MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



DATE: 04/01/2014

SCALE: 1" = 50'

SHEET 5 OF 10



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

ID9631-SECT 4B







PIN 63-A-4D  
 TRUSTEES OF THE WINCHESTER  
 CHURCH OF THE NAZARENE  
 D.B. 822 PG. 1157  
 ZONED: RA USE: RELIGIOUS

N 42°35'12" W 1340.57'

N 52°24'37" W 100.50'  
 5' BRL

LOT 58  
 11,858 SQ. FT.

N 08°21'49" W 93.99'  
 5' BRL

N14°38'22"E  
 41.26'

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

5' BRL

LOT 57

LOT 59  
 7,163 SQ. FT.

LOT 60

LOT 56

MIKEY COURT  
 VARIABLE WIDTH  
 PRIVATE STREET

CITY OF WINCHESTER  
 SANITARY SEWER  
 AND WATER  
 EASEMENTS - SEE  
 SHEET 9

OPEN SPACE  
 2.8233 AC. (TOTAL)

S 11°00'20" W 523.14'  
 WESTRIDGE ~ SECTION IIB  
 DB 273 PG. 493

LOT 73

LOT 72

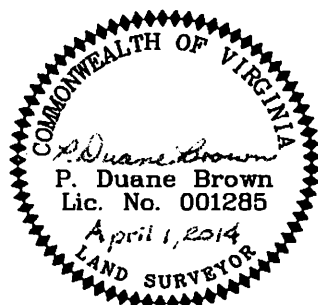
LOT 71

LEGEND  
 BRL = BUILDING RESTRICTION LINE



Scale: 1" = 50'

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
 SECTION 4B  
 GAINESBORO MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA



DATE: 04/01/2014      SCALE: 1" = 50'      SHEET 8 OF 10



**Marsh & Legge Land Surveyors, P.L.C.**

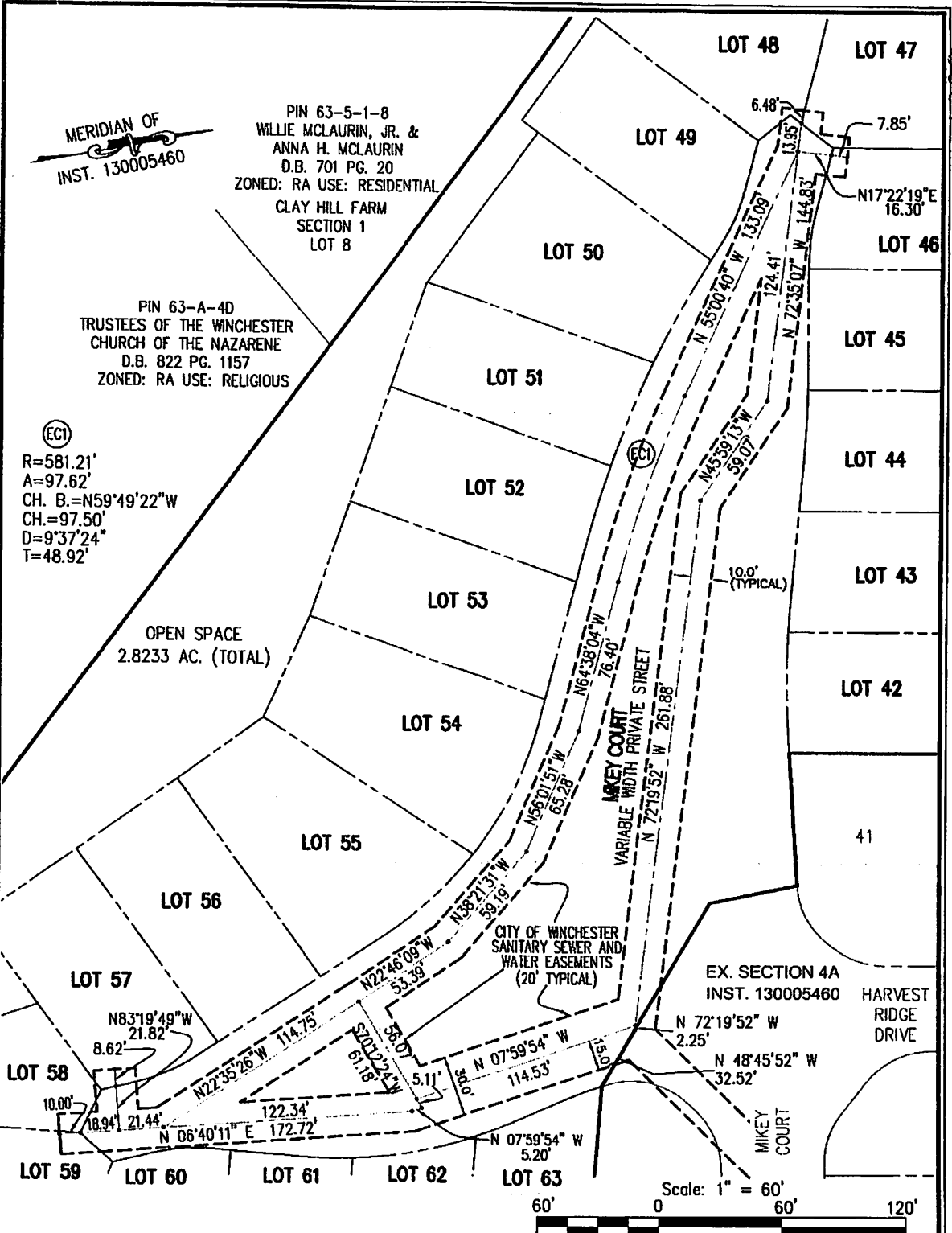
560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HKB

ID9631-SECT 4B

0000



MERIDIAN OF  
INST. 130005460

PIN 63-5-1-8  
WILLIE MCLAURIN, JR. &  
ANNA H. MCLAURIN  
D.B. 701 PG. 20  
ZONED: RA USE: RESIDENTIAL  
CLAY HILL FARM  
SECTION 1  
LOT 8

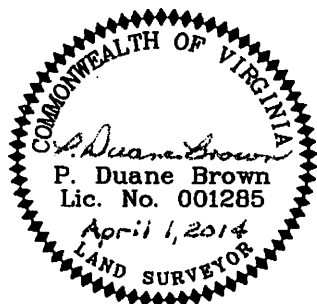
PIN 63-A-4D  
TRUSTEES OF THE WINCHESTER  
CHURCH OF THE NAZARENE  
D.B. 822 PG. 1157  
ZONED: RA USE: RELIGIOUS

(EC1)  
R=581.21'  
A=97.62°  
CH. B.=N59°49'22"W  
CH.=97.50'  
D=9°37'24"  
T=48.92'

OPEN SPACE  
2.8233 AC. (TOTAL)

Scale: 1" = 60'  
0      60'      120'

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
SECTION 4B  
GAINESBORO MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



DATE: 04/01/2014      SCALE: 1" = 60'      SHEET 9 OF 10



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

ID9631-SECT 4B

REZONING REQUEST PROFFER  
Property Identification Number 63-A-2  
Back Creek Magisterial District

## VILLAGE AT HARVEST RIDGE

### Preliminary Matters

Pursuant to Section 15.2-2296 et. Seq., of the code of Virginia 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to condition rezoning, the undersigned applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #10-02 for the rezoning of 16.92 acres from Rural Area (RA) to Residential Performance (RP) and the rezoning with revised proffer of 9.82 acres from RP (single family) to RP (small lot-age restricted). Development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Frederick County Board of Supervisors in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and of no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns. The approval of these proffers shall eliminate and void any pre-existing statement controlling development of the lands involved.

### Monetary Contribution

The undersigned, who own the above described property, hereby voluntarily proffer that if the Board of Supervisors for the County of Frederick, Virginia approves the rezoning for the 26.74 acres, with frontage along Cedar Creek Grade in the Back Creek Magisterial District of Frederick County, Virginia to RP (small lot-age restricted), the undersigned will pay to Frederick County at the time the first building permit is applied for the sum of \$1,539.00 per residential building lot.

### General Development Plan

Voluntarily proffered is the attached Generalized Development Plan which includes the following conditions:

1. All housing within the 26.74 acre tract shall be single family small lot in accordance with the County zoning ordinance. A maximum of 90 single family lot units shall be constructed on the property.
2. All streets shall be private with approved connection to two City maintained interparcel connector streets. Terms of city streets to have approved turn around for vehicular traffic.
3. The 26.74 acre tract shall be designated by deed to be "age restricted" under the U.S. Fair Housing Act. Stipulations shall require at least 80% of the occupied housing units have an occupant who is 55 or older and that no unit shall be occupied by a child under the age of 19 as a permanent resident. The intent is to provide a project for retirement housing that does not generate an impact of the Frederick County School system.
4. An emergency only private road connection shall be made to Cedar Creek Grade in the County in the location shown.
5. A landscape screen shall be installed along the west property line between areas of preserved vegetation.
6. Existing trees and vegetation in designated open space areas to be cleaned up, protected and preserved. This preserved vegetation shall serve as a landscape screen against adjacent uses. Some clearing may be necessary for utilities and stormwater management in which case the vegetative screen shall be supplemented with new planting in order to achieve the purpose of a landscape screen.
7. Side and rear lot lines of small lot development adjacent to the existing or proposed City single family housing shall be located a minimum of 25' from the project boundary line and the resulting open space shall have an interior landscape screen or preserved natural vegetation.
8. Trails and/or sidewalks at least 4' in width shall connect each lot in the development. The walkways to be continuous to allow a pedestrian to walk to all parts of the project without leaving the walkway system. The system is to connect to city sidewalks at "2" in both locations. Walkways to be either in front or rear of dwelling units.

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in interest of the Applicant and Owner. In the event the Frederick County Board of Supervisors grant said rezoning and accepts these conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
SECTION 4B  
GAINESBORO MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

DATE: 04/01/2014

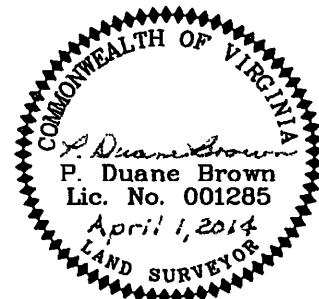
SHEET 10 OF 10



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com



DRAWN BY: HBK

ID9631-SECT 4B

VIRGINIA: FREDERICK COUNTY.SCI.

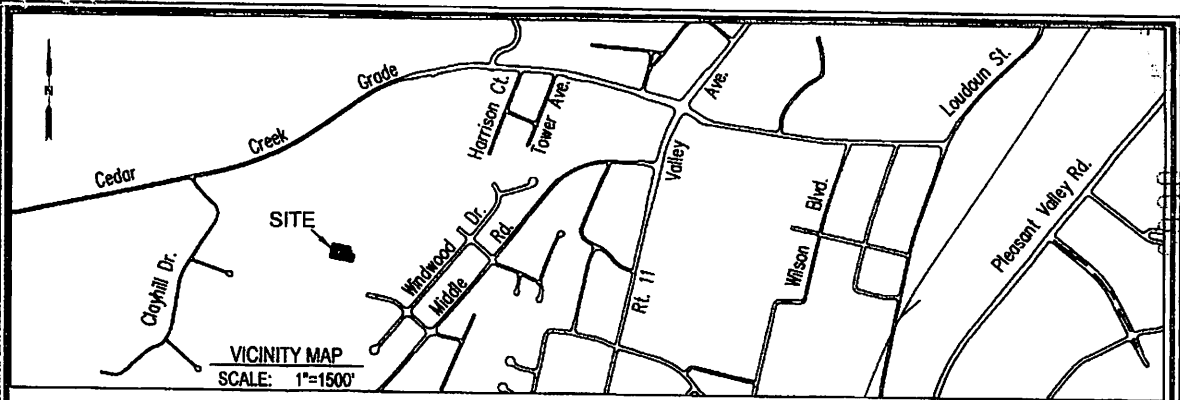
This instrument of writing was produced to me on

5-7-2014 at 10:37 A.M

and with certificate acknowledgement thereto annexed  
was admitted to record. Tax imposed by Sec. 58.1-802 of

\$ NA, and 58.1-801 have been paid, if assessable.

*Rebecca P. Hogan*, Clerk



VICINITY MAP  
SCALE: 1"=1500'

APPROVED BY

*[Signature]*  
FREDERICK COUNTY SUBDIVISION ADMINISTRATOR

*1/13/12*  
DATE

WINCHESTER DEPARTMENT OF PUBLIC UTILITIES

*1/13/12*  
DATE

OWNER'S CERTIFICATE

THE ABOVE AND FOREGOING SUBDIVISION OF VILLAGE AT HARVEST RIDGE, SECTION 3, AS APPEARS IN THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

*[Signature]* President  
ON BEHALF OF GREYSTONE DEVELOPERS, INC.

*1/13/12*  
DATE

NOTARY PUBLIC

STATE OF Virginia  
CITY/COUNTY OF Fredricks

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13<sup>TH</sup> DAY OF January, 2012 BY James R. Wilkins, III ON BEHALF OF GREYSTONE DEVELOPERS, INC.

*[Signature]*  
NOTARY PUBLIC

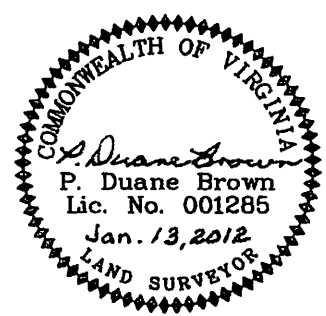
CINDY GROVE  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #184054

MY COMMISSION EXPIRES Nov. 30, 2012

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PROPERTY CONTAINED IN THIS FINAL SUBDIVISION IS A PORTION OF THE SAME PROPERTY CONVEYED TO GREYSTONE DEVELOPERS, INC. BY DEED DATED AUGUST 10, 2004 AND CORRECTED BY DEED DATED AUGUST 10, 2004, SAID DEEDS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF FREDERICK COUNTY, VIRGINIA AS INSTRUMENT 040015981 AND INSTRUMENT 040017913, RESPECTIVELY.

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
SECTION 3  
GAINESBORO MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



DATE: 01/13/12      COVER SHEET      SHEET 1 OF 4



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

ID9110-3A-SUB



0006

AREA SUMMARY

AREA IN LOTS:	14,419 SQ. FT.	0.3310 ACRES
AREA IN PRIVATE STREET:	3,496 SQ. FT.	0.0803 ACRES
AREA IN OPEN SPACE:	5,432 SQ. FT.	0.1247 ACRES
SECTION 3A AREA:	23,347 SQ. FT.	0.5360 ACRES
NUMBER OF LOTS: 2		
AVERAGE LOT SIZE: 7,210 SQ. FT.		
SMALLEST LOT SIZE: 6,973 SQ. FT.		

PARENT TRACT: PIN 63-A-2  
ZONED: RP

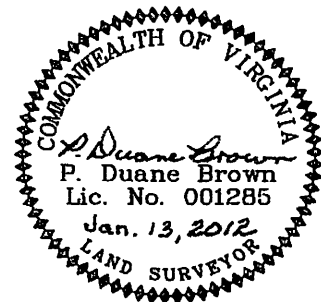
MINIMUM SETBACK REQUIREMENTS

FRONT = 20' FROM PRIVATE STREET  
REAR = 15'  
SIDE = 5'  
MINIMUM LOT AREA = 6,000 SQ. FT.

NOTES:

1. NO TITLE REPORT FURNISHED. EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
2. ALL LOTS ARE SINGLE FAMILY SMALL LOT.
3. DETACHED ACCESSORY BUILDINGS ARE PERMITTED PER § 165-402.09F OF THE FREDERICK COUNTY ZONING ORDINANCE.
4. WITH REFERENCE TO THE PROFFERED GENERAL DEVELOPMENT PLAN (GDP), NUMBERED PARAGRAPH 8 (TRAILS & SIDEWALKS); THE SUBDIVISION DEVELOPMENT PLAN, "VILLAGE AT HARVEST RIDGE, PHASE 1, 2 & 3" FREDERICK COUNTY FILE APPLICATION No. SDP 20-03 SHOWS A PROJECT WIDE SIDEWALK SYSTEM (SHEETS 3, 4 AND OTHERS) THAT MEETS THE REQUIREMENTS OF GDP, PARAGRAPH 8. THE SIDEWALK SYSTEM AS PROPOSED IS CONTAINED WHOLLY WITHIN THE VARIABLE WIDTH INGRESS-EGRESS, DRAINAGE AND UTILITY EASEMENT SHOWN HEREIN.

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
SECTION 3  
GAINESBORO MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



DATE: 01/13/12

SHEET 2 OF 4



**Marsh & Legge Land Surveyors, P.L.C.**

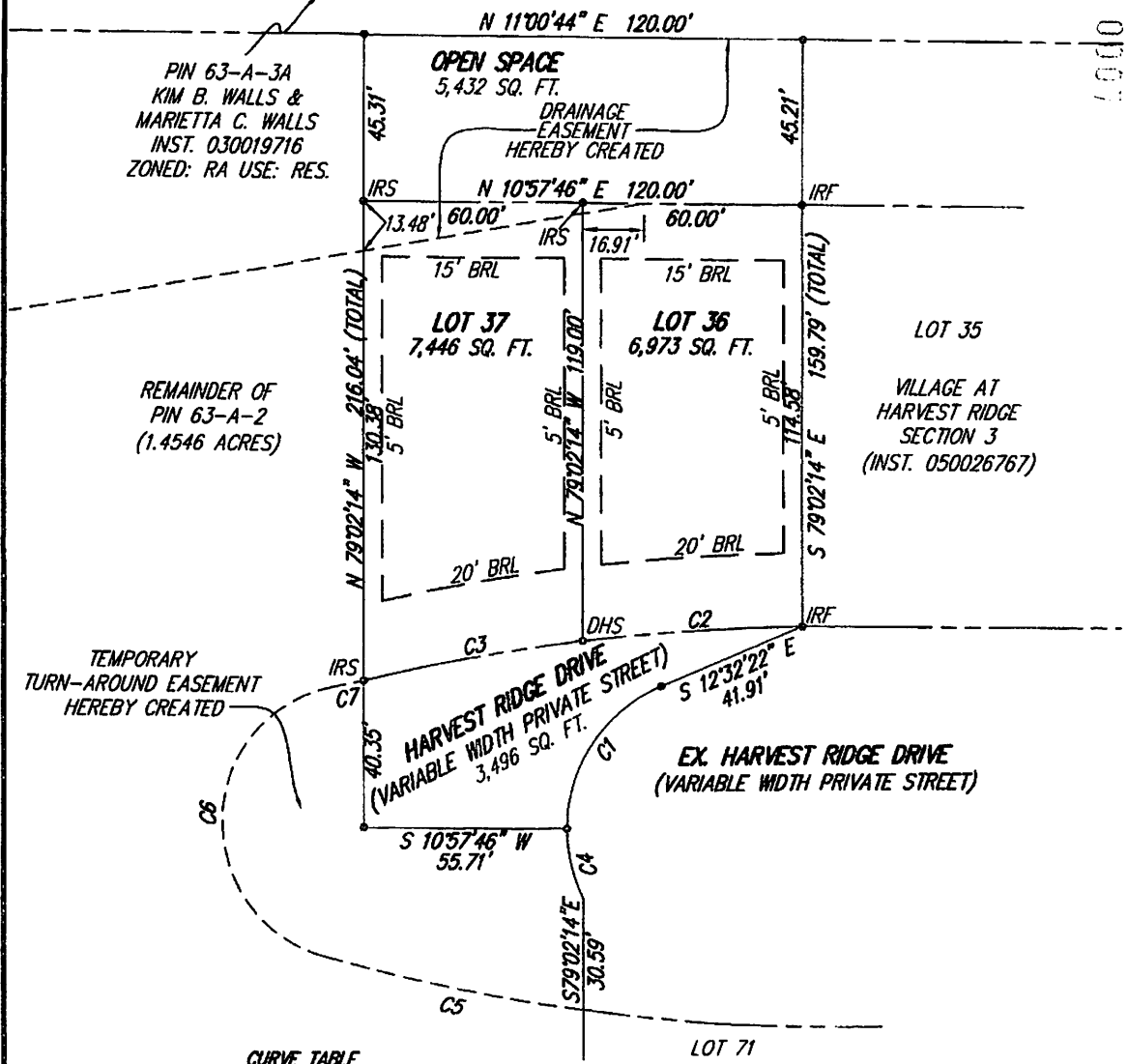
560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

ID9110-3A-SUB

MERIDIAN OF  
INST. #050026767



PIN 63-A-3A  
KIM B. WALLS &  
MARIETTA C. WALLS  
INST. 030019716  
ZONED: RA USE: RES.

REMAINDER OF  
PIN 63-A-2  
(1.4546 ACRES)

TEMPORARY  
TURN-AROUND EASEMENT  
HEREBY CREATED

OPEN SPACE  
5,432 SQ. FT.

DRAINAGE  
EASEMENT  
HEREBY CREATED

N 79°02'14" W 216.04' (TOTAL)

N 10°57'46" E 120.00'

13.48' 60.00'

LOT 37  
7,446 SQ. FT.

16.91' 60.00'

LOT 36  
6,973 SQ. FT.

45.21' 159.79' (TOTAL)

LOT 35  
VILLAGE AT  
HARVEST RIDGE  
SECTION 3  
(INST. 050026767)

IRS

C7

HARVEST RIDGE DRIVE  
(VARIABLE WIDTH PRIVATE STREET)  
3,496 SQ. FT.

EX. HARVEST RIDGE DRIVE  
(VARIABLE WIDTH PRIVATE STREET)

S 10°57'46" W 55.71'

S 12°32'22" E 41.91'

S 79°02'14" E 30.59'

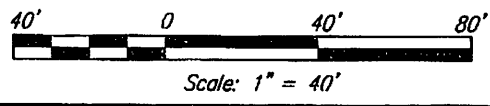
CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CH. BEARING	DELTA	TAN
C1	43.00'	49.91'	47.15'	S 45°47'17" E	66°29'54"	28.19'
C2	533.50'	60.19'	60.16'	S 06°44'41" W	06°27'53"	30.13'
C3	533.50'	61.10'	61.07'	S 00°13'53" W	06°33'43"	30.58'
C4	43.00'	19.46'	19.30'	N 87°59'50" E	25°55'52"	9.90'
C5	518.72'	72.16'	72.10'	S 22°13'50" W	07°58'14"	36.14'
C6	38.00'	102.07'	74.04'	N 76°49'56" W	153°54'14"	163.97'
C7	190.79'	8.00'	8.00'	N 01°04'52" W	02°24'05"	4.00'

LEGEND

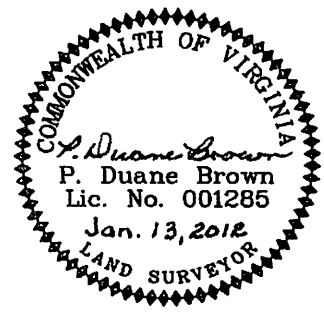
- IRF - IRON ROD FOUND
- IRS - IRON ROD SET
- DHS - DRILL HOLE SET
- BRL - BUILDING RESTRICTION LINE

NOTE: HARVEST RIDGE DRIVE, AS SHOWN HEREON, IS A VARIABLE WIDTH PRIVATE STREET, INGRESS-EGRESS, DRAINAGE AND UTILITY EASEMENT (SEE NOTE 4 ON SHEET 2).



FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 3

GAINESBORO MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



DATE: 01/13/12

SCALE: 1" = 40'

SHEET 3 OF 4



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

ID9110-3A-SUB

0000

**VILLAGE AT HARVEST RIDGE**

Preliminary Matters

Pursuant to Section 15.2-2296 et. Seq. of the code of Virginia 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to condition rezoning, the undersigned applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #10-02 for the rezoning of 16.92 acres from Rural Area (RA) to Residential Performance (RP) and the rezoning with revised proffer of 9.82 acres from RP (single family) to RP (small lot-age restricted). Development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Frederick County Board of Supervisors in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and of no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns. The approval of these proffers shall eliminate and void any pre-existing statement controlling development of the lands involved.

Monetary Contribution

The undersigned, who own the above described property, hereby voluntarily proffer that if the Board of Supervisors for the County of Frederick, Virginia approves the rezoning for the 26.74 acres, with frontage along Cedar Creek Grade in the Back Creek Magisterial District of Frederick County, Virginia to RP (small lot-age restricted), the undersigned will pay to Frederick County at the time the first building permit is applied for the sum of \$1,539.00 per residential building lot.

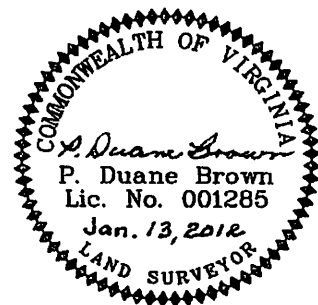
General Development Plan

Voluntarily proffered is the attached Generalized Development Plan which includes the following conditions:

1. All housing within the 26.74 acre tract shall be single family small lot in accordance with the County zoning ordinance. A maximum of 90 single family lot units shall be constructed on the property.
2. All streets shall be private with approved connection to two City maintained interparcel connector streets. Terms of city streets to have approved turn around for vehicular traffic.
3. The 26.74 acre tract shall be designated by deed to be "age restricted" under the U.S. Fair Housing Act. Stipulations shall require at least 80% of the occupied housing units have an occupant who is 55 or older and that no unit shall be occupied by a child under the age of 19 as a permanent resident. The intent is to provide a project for retirement housing that does not generate an impact of the Frederick County School system.
4. An emergency only private road connection shall be made to Cedar Creek Grade in the County in the location shown.
5. A landscape screen shall be installed along the west property line between areas of preserved vegetation.
6. Existing trees and vegetation in designated open space areas to be cleaned up, protected and preserved. This preserved vegetation shall serve as a landscape screen against adjacent uses. Some clearing may be necessary for utilities and stormwater management in which case the vegetative screen shall be supplemented with new planting in order to achieve the purpose of a landscape screen.
7. Side and rear lot lines of small lot development adjacent to the existing or proposed City single family housing shall be located a minimum of 25' from the project boundary line and the resulting open space shall have an interior landscape screen or preserved natural vegetation.
8. Trails and/or sidewalks at least 4' in width shall connect each lot in the development. The walkways to be continuous to allow a pedestrian to walk to all parts of the project without leaving the walkway system. The system is to connect to city sidewalks at "2" in both locations. Walkways to be either in front or rear of dwelling units.

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in interest of the Applicant and Owner. In the event the Frederick County Board of Supervisors grant said rezoning and accepts these conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
SECTION 3  
GAINESBORO MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



DATE: 01/13/12

SHEET 4 OF 4



**Marsh & Legge Land Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601

PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com

DRAWN BY: HBK

ID9110-3A-SUB

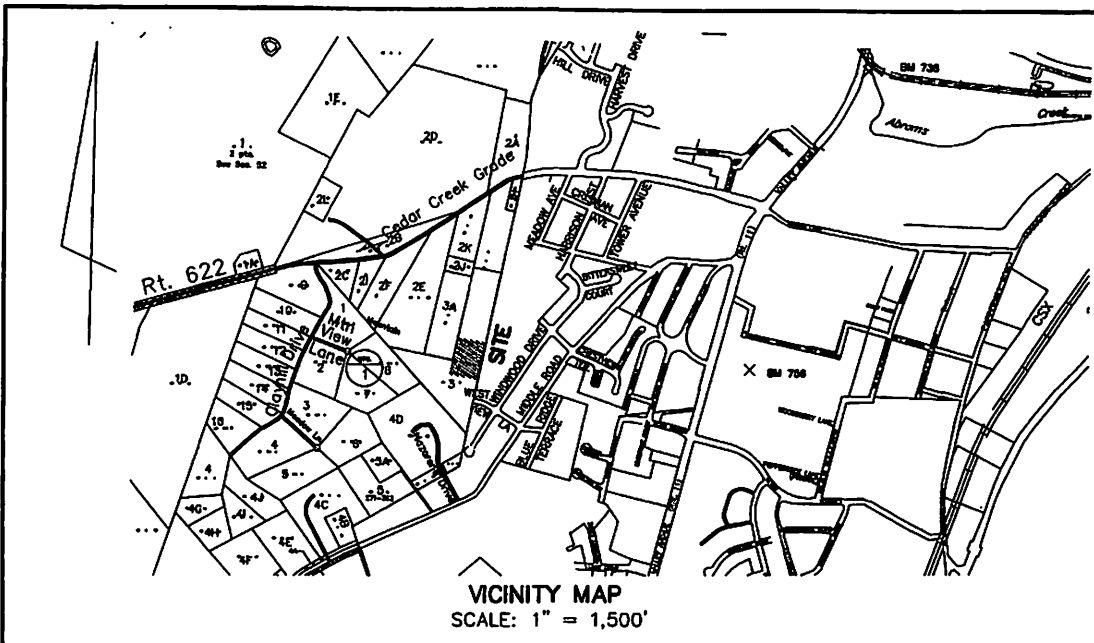
VIRGINIA: FREDERICK COUNTY.SCT.

This instrument of writing was produced to me on

2-3-12 at 9:36 Am  
and with certificate acknowledgement thereto annexed  
was admitted to record. Tax imposed by Sec. 58.1-802 of

\$ N/A , and 58.1-801 have been paid, if assessable.

*Rebecca P. Hogan* , Clerk



APPROVED BY:

FREDERICK COUNTY SUBDIVISION ADMINISTRATOR [Signature] DATE 7 May 13

WINCHESTER DEPARTMENT OF PUBLIC UTILITIES [Signature] DATE 5/2/13

**OWNER'S CONSENT:**

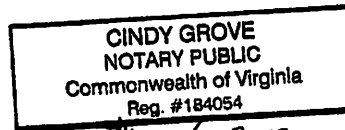
THE ABOVE AND FOREGOING SUBDIVISION OF VILLAGE AT HARVEST RIDGE, SECTION 4A, AS APPEARS ON THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

[Signature] President  
FOR GREYSTONE DEVELOPERS, INC.

5/6/13  
(DATE)

**NOTARY PUBLIC**

STATE OF Virginia  
CITY/COUNTY OF Winchester



THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON May 6, 2013 BY James R. Wilkins, III

[Signature]  
(NOTARY PUBLIC)

MY COMMISSION EXPIRES Nov. 30, 2014  
(DATE)

**SURVEYOR'S CERTIFICATE**

I, JEFFREY A. SMERALDO, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PROPERTY CONTAINED IN THIS SUBDIVISION IS THE SAME PROPERTY CONVEYED TO GREYSTONE DEVELOPERS, INC. BY DEED RECORDED AT INSTRUMENT #190005459, ALL AMONG THE LAND RECORDS OF FREDERICK COUNTY, VIRGINIA.



PLAT OF CORRECTION  
FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 4A**

GAINESBORO DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: 1"=50' DATE: MARCH 11, 2013

*Pennoni Associates Inc.*

Engineers. Surveyors. Planners. Landscape Architects.

208 Church Street SE Leesburg, VA 20175-3006

T 703.777.3616 F 703.777.3725

File #12159-3-0 Sec4A Subd

SHEET 1 OF 8

**AREA SUMMARY**

TOTAL DEVELOPMENT AREA: 3.1264 ACRES  
AREA IN LOTS: 2.0399 ACRES  
R/W DEDICATION: 0.7656 ACRES  
NUMBER OF LOTS: 11  
AREA IN OPEN SPACE: 0.3209 ACRES  
AVERAGE LOT SIZE: 8077 SQ. FT.  
SMALLEST LOT SIZE: 6,326 SQ. FT.

PARENT PARCEL: 63--((A))--2 AND 63--((A))--3  
ZONED: RP

**MINIMUM SETBACK REQUIREMENTS**

FRONT = 20' TO PRIVATE ROAD  
REAR = 15'  
SIDE = 5'  
MINIMUM LOT AREA = 3,750 SQ. FT.

**NOTES**

1. ALL LOTS ARE SINGLE FAMILY SMALL LOT.
2. PERMANENT MONUMENTATION WILL BE SET AT ALL LOT CORNERS IN COMPLIANCE WITH LOCAL ORDINANCES.
3. PLAT PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
4. THE CITY OF WINCHESTER/FREDERICK COUNTY CORPORATE LIMIT LINE DEPICTED HEREIN IS AS SHOWN ON THE FINAL PLAT OF SUBDIVISION FOR HARVEST RIDGE, SECTION 2 RECORDED AT INST. #030002732 AND THE FINAL PLAT FOR WESTRIDGE, SECTION IIB RECORDED AT D.B. 273, PG. 493. SAID LIMITS ARE APPROXIMATE AND ARE NOT BASED ON A FIELD RUN SURVEY.
5. WITH REFERENCE TO THE PROFFERED GENERAL DEVELOPMENT PLAN (GDP), NUMBERED PARAGRAPH 8 (TRAILS & SIDEWALKS); THE SUBDIVISION DEVELOPMENT PLAN, "VILLAGE AT HARVEST RIDGE, PHASE 1, 2 & 3" FREDERICK COUNTY FILE APPLICATION No. SDP 20-03 SHOWS A PROJECT WIDE SIDEWALK SYSTEM (SHEETS 3, 4 AND OTHERS) THAT MEETS THE REQUIREMENTS OF GDP, PARAGRAPH 8. THE SIDEWALK SYSTEM AS PROPOSED IS CONTAINED WHOLLY WITHIN THE VARIABLE WIDTH ACCESS, DRAINAGE AND UTILITY EASEMENT SHOWN HEREIN.



PLAT OF CORRECTION  
FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 4A**

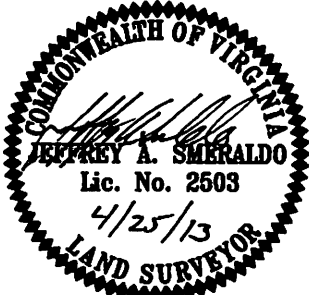
GAINESBORO DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: 1"=50'    DATE: MARCH 11, 2013

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208 Church Street SE Leesburg, VA 20175-3006  
T 703.777.3616 F 703.777.3725

CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	TANGENT	BEARING	CHORD
C1	518.72	11°07'01"	100.65	50.48	S23°48'13"W	100.48
C2	190.58	13°33'48"	45.12	22.67	S22°34'18"W	45.01
C3	188.32	4°47'46"	15.76	7.69	S13°23'31"W	15.76
C4	40.00	52°34'13"	36.70	19.76	S15°14'34"E	35.43
C5	40.00	39°18'06"	27.44	14.28	S81°10'43"E	26.90
C6	375.00	7°21'38"	48.17	24.12	S77°08'57"E	48.14
C7	325.00	5°31'38"	31.35	15.69	S78°13'57"E	31.34
C8	518.72	6°44'51"	61.09	30.58	N21°37'08"E	61.05
C9	518.72	4°22'10"	39.58	19.79	N27°10'39"E	39.55
C10	375.00	1°23'41"	9.13	4.56	N80°07'55"W	9.13
C11	325.00	1°34'06"	10.79	5.39	N74°25'11"W	10.79
C12	325.00	3°37'33"	20.57	10.29	S77°11'00"E	20.58
C13	190.79	14°31'37"	48.37	24.32	N04°58'54"E	48.24
C14	40.00	37°27'46"	26.15	13.56	N29°44'13"E	25.69
C15	39.23	49°52'39"	34.15	18.24	N72°53'52"E	33.09
C16	2064.31	0°08'58"	5.39	2.69	S78°59'46"E	5.39
C17	395.00	6°18'17"	43.47	21.75	S75°46'09"E	43.44
C18	325.00	7°21'38"	41.75	20.90	N77°08'57"W	41.72
C19	40.00	43°55'53"	30.67	16.13	S77°12'17"W	29.92
C20	40.00	61°09'50"	42.70	23.64	S24°39'28"W	40.70
C21	395.00	2°58'14"	20.59	10.30	S77°25'40"E	20.59
C22	395.00	3°19'03"	22.87	11.44	S74°16'32"E	22.87
C23	182.00	0°58'27"	3.09	1.55	S08°24'43"E	3.09
C24	43.00	25°55'51"	19.46	9.90	N87°59'50"E	19.30
C25	375.00	5°57'57"	39.05	19.54	N76°27'06"W	39.03

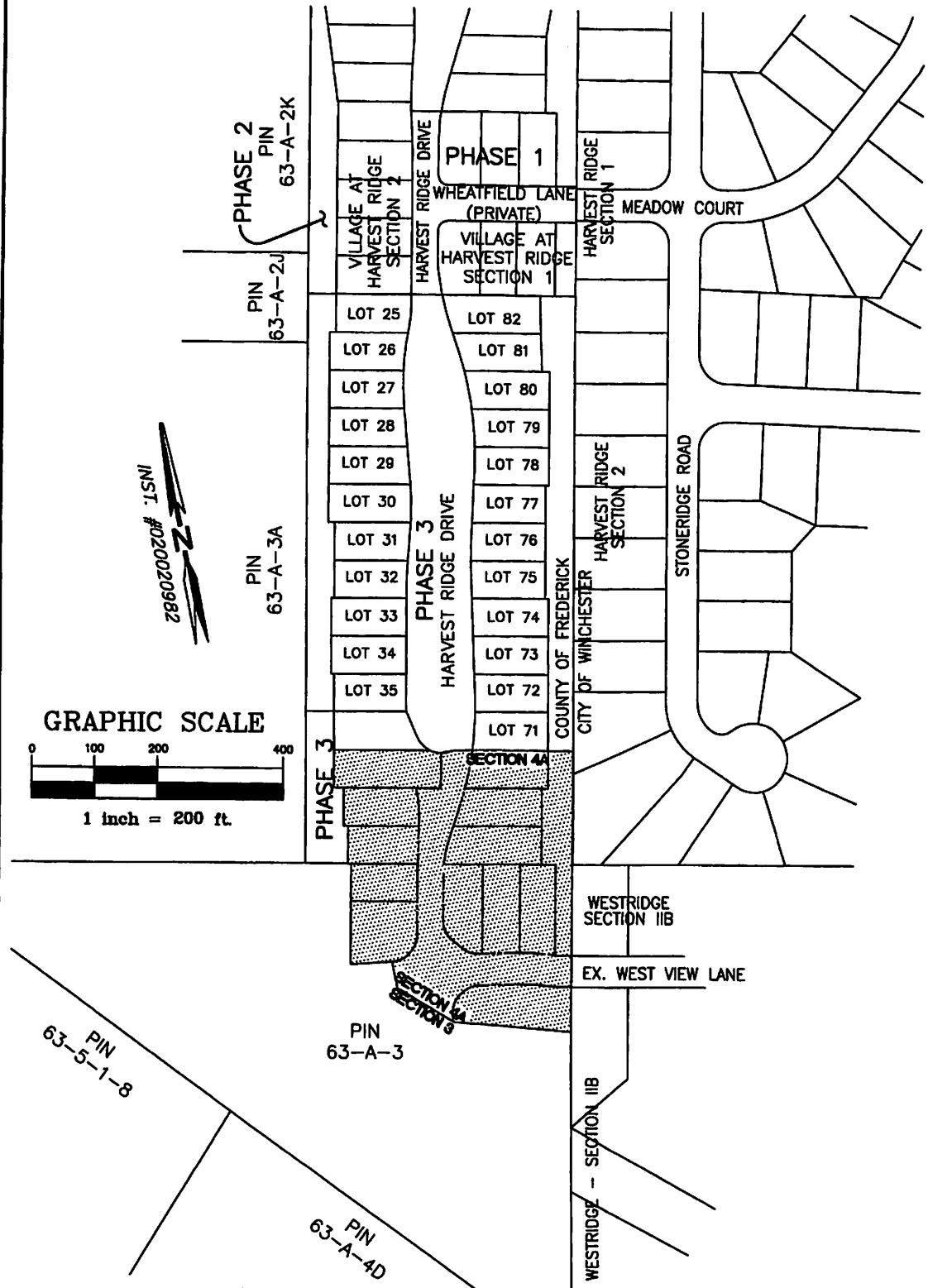
LINE TABLE		
LINE	BEARING	LENGTH
L1	S73°28'08"E	7.29'
L2	S78°39'46"E	5.39'
L3	S55°14'21"W	5.37'
L4	S48°28'08"W	3.54'
L5	N60°34'01"E	6.22'
L6	N11°00'20"E	48.66'
L7	N00°58'14"E	10.92'
L8	N09°22'00"E	2.21'
L9	N33°12'19"W	36.85'



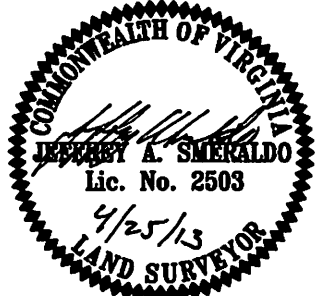
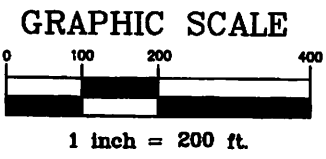
PLAT OF CORRECTION  
 FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 4A**  
 GAINESBORO DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE: 1"=50'    DATE: MARCH 11, 2013  
*Pennoni Associates Inc.*  
 Engineers. Surveyors. Planners. Landscape Architects.  
 208 Church Street SE Leesburg, VA 20175-3006  
 T 703.777.3616    F 703.777.3725

# KEY SHEET

0072

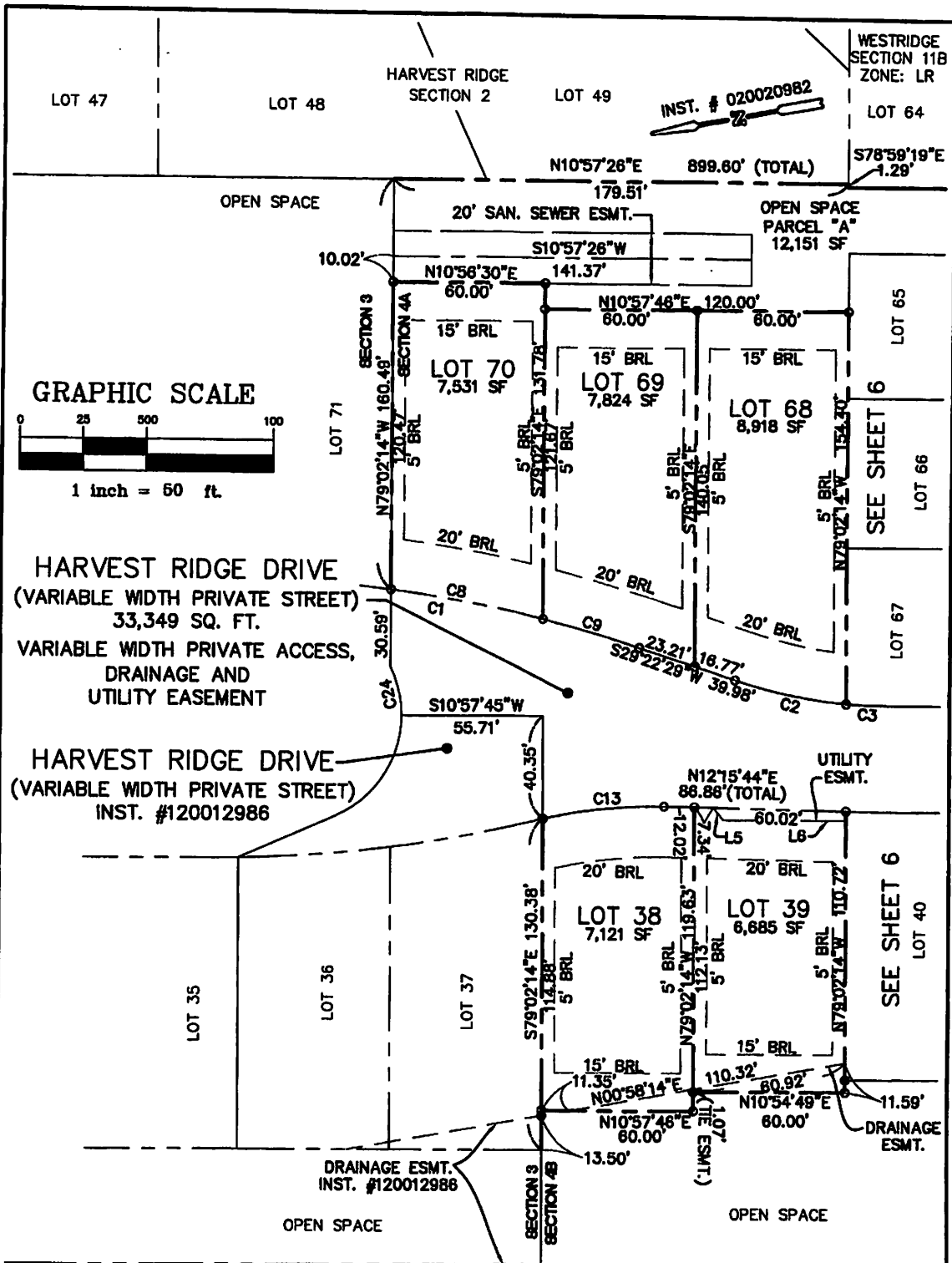


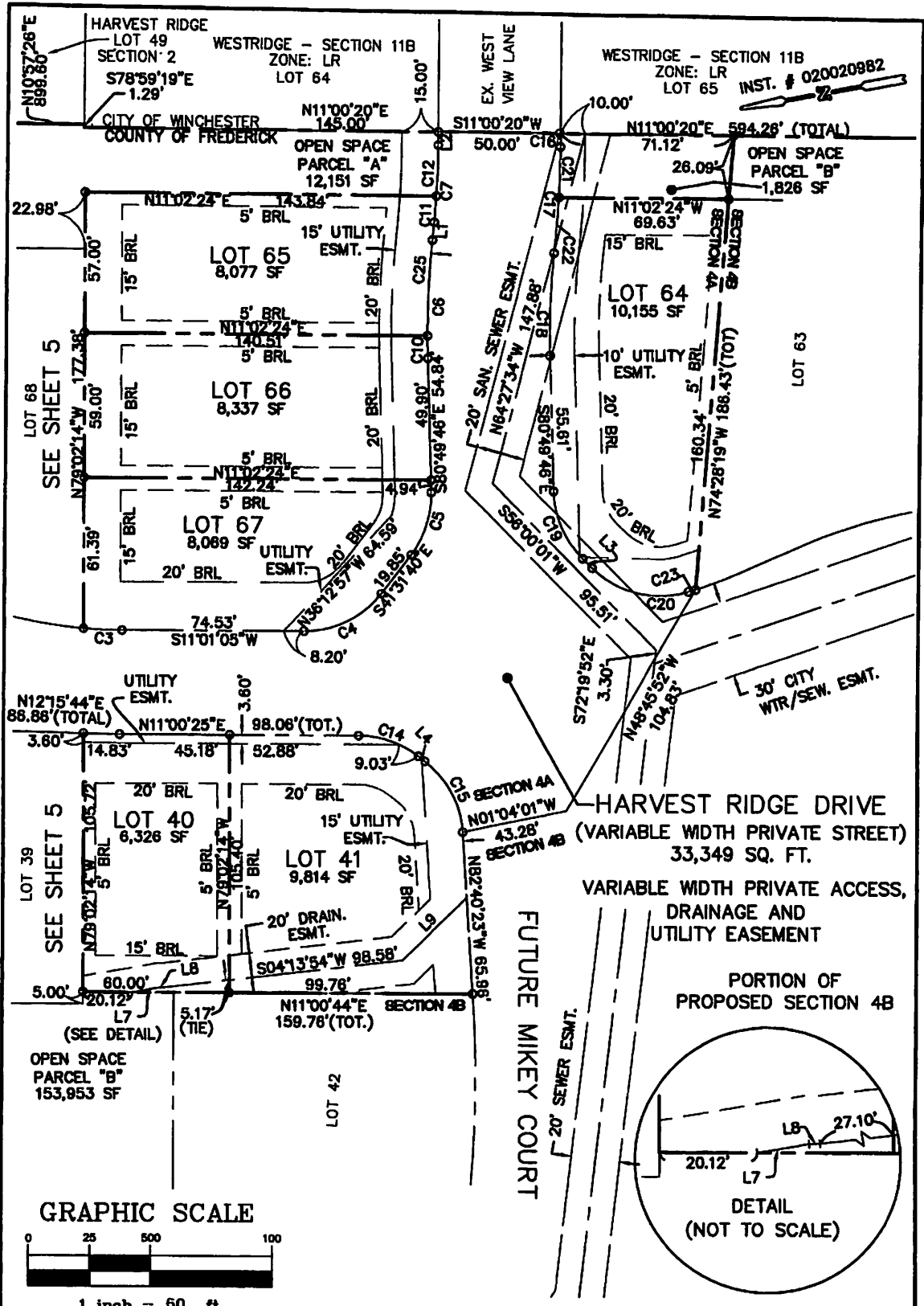
INST. #020020982



PLAT OF CORRECTION  
FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE  
SECTION 4A**  
GAINESBORO DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: 1"=200' DATE: MARCH 11, 2013  
*Pennoni Associates Inc.*  
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208 Church Street SE Leesburg, VA 20175-3006  
T 703.777.3616 F 703.777.3725







COMMONWEALTH OF VIRGINIA  
 JEFFREY A. SHERALDO  
 Lic. No. 2503  
 4/25/13  
 LAND SURVEYOR

PLAT OF CORRECTION  
 FINAL SUBDIVISION PLAT  
 VILLAGE AT HARVEST RIDGE  
 SECTION 4A

GAINESBORO DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE: 1"=50' DATE: MARCH 11, 2013

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 208 Church Street SE Leesburg, VA 20175-3006  
 T 703.777.3616 F 703.777.3725

**REZONING REQUEST PROFFER**  
Property Identification Number 63-A-2  
Back Creek Magisterial District

**VILLAGE AT HARVEST RIDGE**

Preliminary Matters

Pursuant to Section 15.2-2296 et. Seq., of the code of Virginia 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to condition rezoning, the undersigned applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #10-02 for the rezoning of 16.92 acres from Rural Area (RA) to Residential Performance (RP) and the rezoning with revised proffer of 9.82 acres from RP (single family) to RP (small lot-age restricted). Development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Frederick County Board of Supervisors in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and of no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns. The approval of these proffers shall eliminate and void any pre-existing statement controlling development of the lands involved.

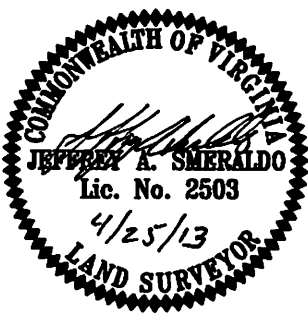
Monetary Contribution

The undersigned, who own the above described property, hereby voluntarily proffer that if the Board of Supervisors for the County of Frederick, Virginia approves the rezoning for the 26.74 acres, with frontage along Cedar Creek Grade in the Gainesboro Magisterial District of Frederick County, Virginia to RP (small lot-age restricted), the undersigned will pay to Frederick County at the time the first building permit is applied for the sum of \$1,539.00 per residential building lot.

General Development Plan

Voluntarily proffered is the attached Generalized Development Plan which includes the following conditions:

1. All housing within the 26.74 acre tract shall be single family small lot in accordance with the County zoning ordinance. A maximum of 90 single family lot units shall be constructed on the property.
2. All streets shall be private with approved connection to two City maintained interparcel connector streets. Terms of city streets to have approved turn around for vehicular traffic.
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PLAT OF CORRECTION  
FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 4A

GAINESBORO DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: 1"=50' DATE: MARCH 11, 2013

*Pennoni Associates Inc.*

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208 Church Street SE Leesburg, VA 20175-3006  
T 703.777.3616 F 703.777.3725

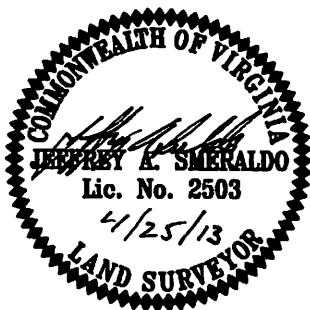
**REZONING REQUEST PROFFER CONTINUED:**

**Property Identification Number 63-A-2**

**Back Creek Magisterial District**

**VILLAGE AT HARVEST RIDGE**

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in interest of the Applicant and Owner. In the event the Frederick County Board of Supervisors grant said rezoning and accepts these conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.



PLAT OF CORRECTION  
 FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 4A**

GAINESBORO DISTRICT  
 FREDERICK COUNTY, VIRGINIA

SCALE: 1"=50'      DATE: MARCH 11, 2013

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208 Church Street SE Leesburg, VA 20175-3006

T 703.777.3616 F 703.777.3725

VIRGINIA: FREDERICK COUNTY.SCT.

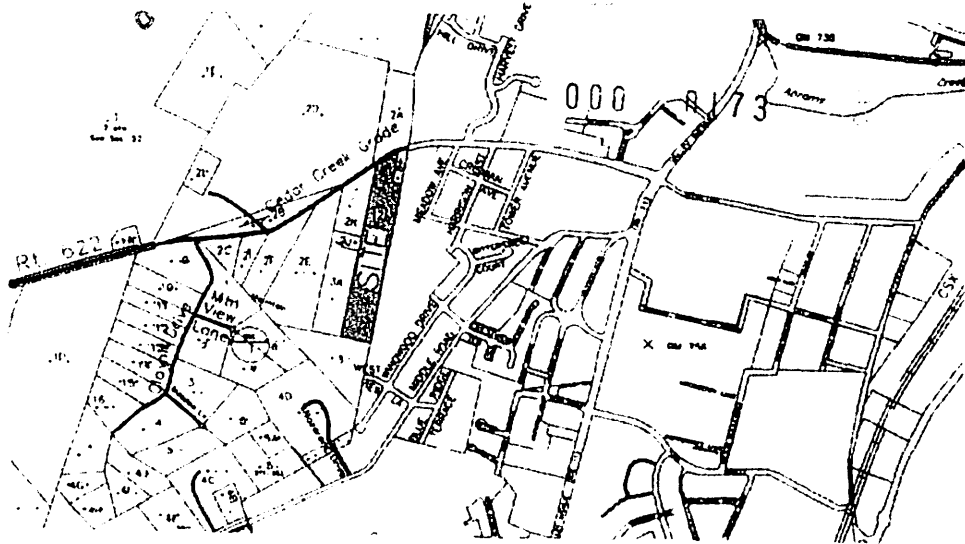
This instrument of writing was produced to me on

5-10-13 at 1:18 p.m.

and with certificate acknowledgement thereto annexed was admitted to record. Tax imposed by Sec. 58.1-802 of

\$ N/A, and 58.1-801 have been paid, if assessable

*Rebecca P. Hogan*, Clerk



VICINITY MAP  
SCALE 1" = 1,500'

APPROVED BY:

FREDERICK COUNTY SUBDIVISION ADMINISTRATOR

*[Signature]*

DATE 8/26/04

CITY OF WINCHESTER PUBLIC UTILITIES

*[Signature]*

DATE 9/16/04

**OWNER'S CONSENT:**

THE ABOVE AND FOREGOING SUBDIVISION OF VILLAGE AT HARVEST RIDGE, SECTION 1, AS APPEARS ON THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY

*[Signature]*  
FOR GREYSTONE DEVELOPERS, INC

9/10/04  
(DATE)

NOTARY PUBLIC

MY COMMISSION EXPIRES 12-31-05

CITY/COUNTY OF Winchester

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 9.10.04 BY James J. Vickers (DATE)

STATE OF Virginia  
(NOTARY PUBLIC)

*[Signature]*

**SURVEYOR'S CERTIFICATE**

I, RANDY A. STOWERS, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PROPERTY CONTAINED IN THIS SUBDIVISION IS A PORTION OF THE SAME PROPERTY CONVEYED TO GREYSTONE DEVELOPERS, INC. BY DEED RECORDED AT INSTRUMENT #040015981 AMONG THE LAND RECORDS OF FREDERICK COUNTY, VIRGINIA



FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 1

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: AS SHOWN DATE AUGUST 16, 2004  
Gilbert W. Clifford & Associates

A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES

A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

**AREA SUMMARY**

TOTAL DEVELOPMENT AREA 2.1460 ACRES  
AREA IN LOTS: 0.9949 ACRES  
AREA IN OPEN SPACE 1.1511 ACRES  
NUMBER OF LOTS 6  
AVERAGE LOT SIZE: 7,223 SQ FT  
SMALLEST LOT SIZE: 6,669 SQ FT

000 0174

PARENT PARCEL 63-((A))-2  
ZONING: RP

**MINIMUM SETBACK REQUIREMENTS**

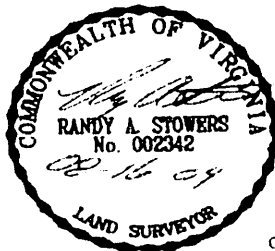
FRONT = 20' TO PRIVATE ROAD  
REAR = 15'  
SIDE = 5'  
MINIMUM LOT AREA = 6,000 SQ FT  
SMALLEST LOT SIZE 6,669 SQ FT.

ALL LOTS ARE SINGLE FAMILY SMALL LOT

**NOTES**

PERMANENT MONUMENTATION WILL BE SET AT ALL LOT CORNERS IN COMPLIANCE WITH LOCAL ORDINANCES

NO DETACHED ACCESSORY BUILDINGS ARE PERMITTED PER § 165-65F(2)4 OF THE FREDERICK COUNTY ZONING ORDINANCE



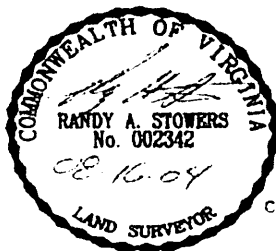
**FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 1**

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: AS SHOWN DATE: AUGUST 16, 2004  
gilbert w. clifford & associates  
A DIVISION OF  
**PATTON HARRIS RUST & ASSOCIATES**  
A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139 SHEET 2 OF 9

000 0175

CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	TANGENT	BEARING	CHORD
C1	482.00	3°46'41"	31.78	15.90	S00°51'13"W	31.78
C2	190.00	8°13'13"	27.26	13.65	S06°51'10"W	27.24
C3	190.00	8°13'13"	27.26	13.65	S15°04'22"W	27.24
C4	482.00	1°11'22"	10.01	5.00	S19°46'39"W	10.01
C5	15.00	89°56'55"	23.55	14.99	S34°00'41"E	21.20
C6	15.00	90°03'05"	23.58	15.01	S55°59'19"W	21.22
C7	190.00	3°41'43"	12.25	6.13	N09°06'55"E	12.25
C8	1012.50	2°36'42"	46.15	23.08	S08°34'24"W	46.15
C9	1401.85	9°11'31"	224.90	112.69	S60°05'58"W	224.66
C10	289.92	7°42'44"	39.02	19.54	S05°20'08"W	38.99

LINE TABLE		
LINE	BEARING	LENGTH
L1	S10°57'46"W	33.92'
L2	N89°08'43"W	52.41'
L3	N78°59'18"W	93.85'
L4	N81°32'25"W	67.22'
L5	S76°25'57"E	67.34'
L6	S78°59'09"E	144.31'
L7	S10°57'46"W	72.30'
L8	S21°03'37"W	35.24'



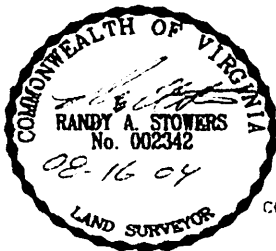
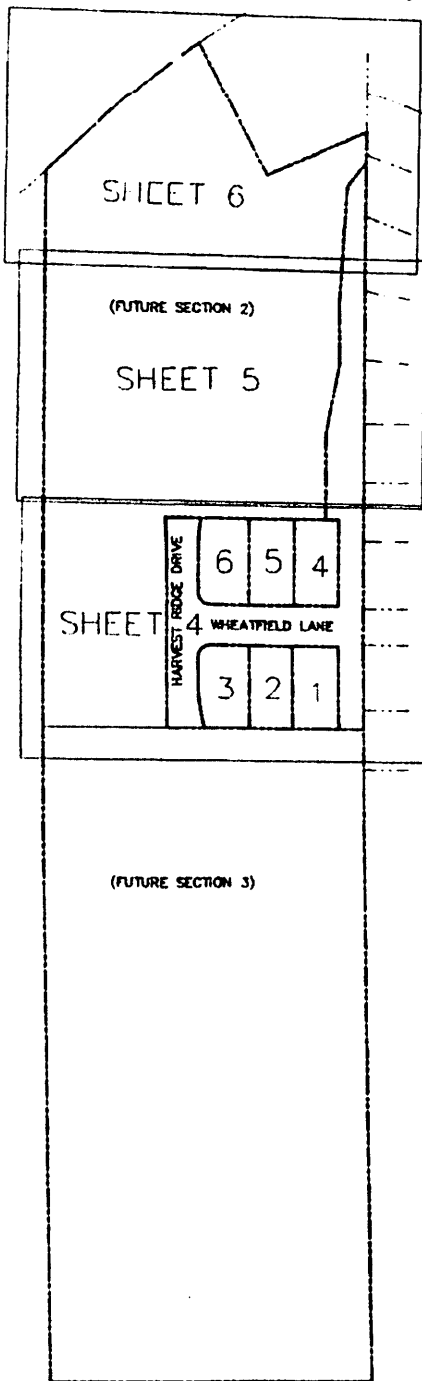
FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 1**  
 SHAWNEE MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE AS SHOWN DATE AUGUST 16, 2004  
 gilbert w. clifford & associates  
 A DIVISION OF  
**PATTON HARRIS RUST & ASSOCIATES**  
 A PROFESSIONAL CORPORATION  
 CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
 117 F. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
 (540) 667-2139



# KEY SHEET

1"=200'

000 0176



## FINAL SUBDIVISION PLAT VILLAGE AT HARVEST RIDGE SECTION 1

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: AS SHOWN DATE: AUGUST 10, 2004  
gilbert w. clifford & associates  
A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES

A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

63--((A))--2K  
C & W PROPERTIES  
D.B. 750, PG. 220

N11°00'44"E  
1660.28'

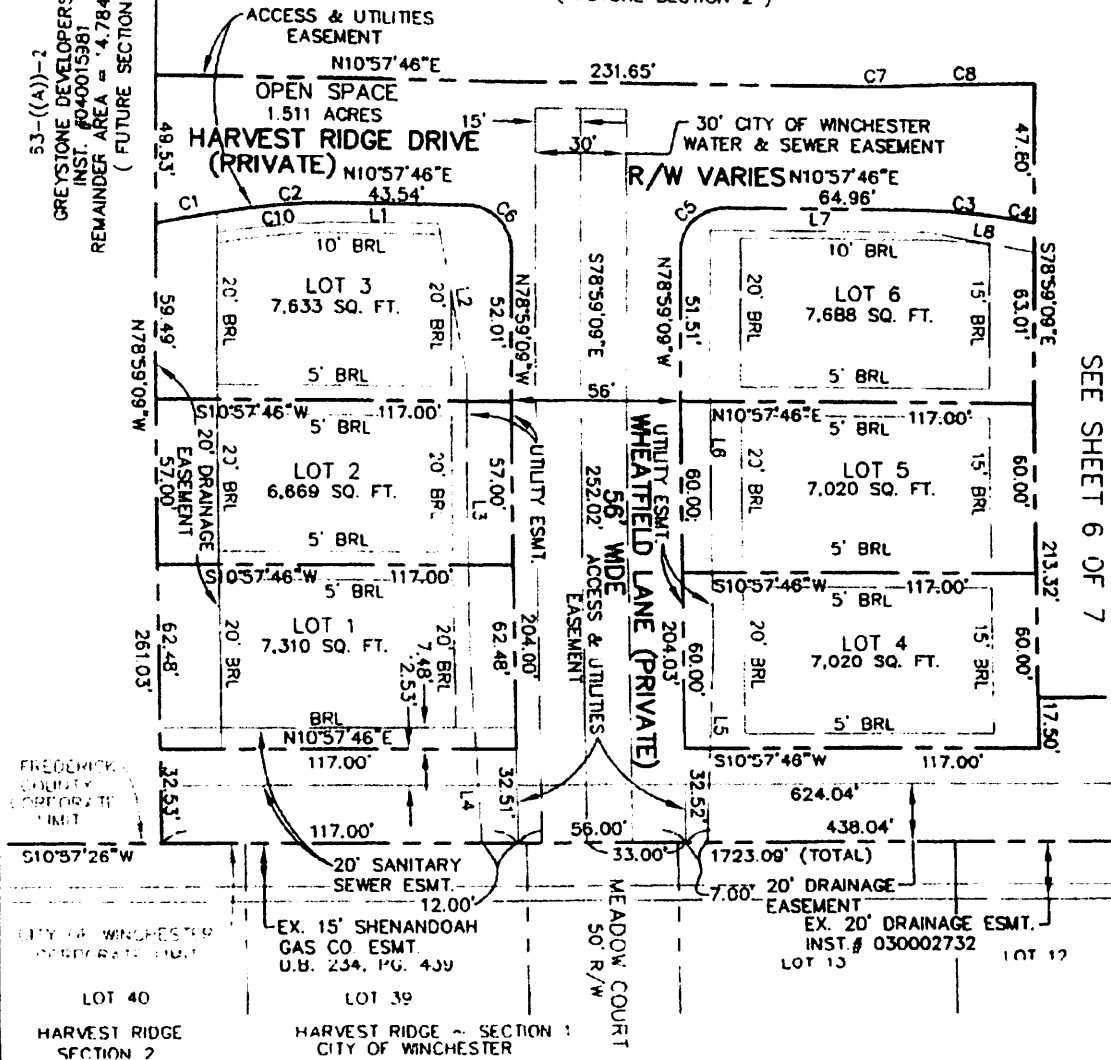
000 0177

INSI. #020020982

63 ((A))-2  
GREYSTONE DEVELOPERS, INC.  
INST. #040015981  
REMAINDER AREA = 14.7840 ACRES

( FUTURE SECTION 2 )

53--((A))--2  
GREYSTONE DEVELOPERS, INC.  
INST. #040015981  
REMAINDER AREA = 4.7840 ACRES  
( FUTURE SECTION 3 )



SEE SHEET 6 OF 7

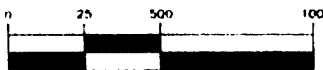
FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 1

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: 1" = 50' DATE: AUGUST 16, 2004  
gilbert w. clifford & associates  
A DIVISION OF

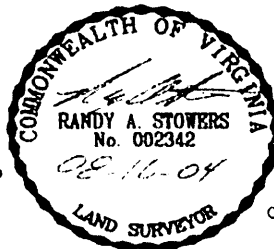
PATTON HARRIS RUST & ASSOCIATES  
A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

SHEET 5 OF 9

GRAPHIC SCALE



1 inch = 50 ft



63-((A))-2V  
C & W PROPERTIES  
O.B. 750, PG. 220

N11°00'44"E  
1680.28' 000 0778

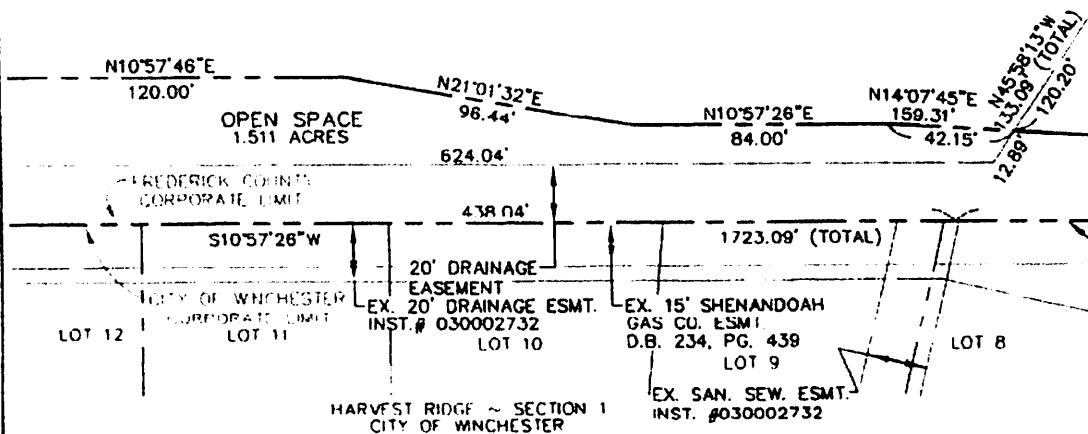
INST. #020020982

63-((A))-2  
GREYSTONE DEVELOPERS, INC.  
INST. #040015981  
REMAINDER AREA = 14.7840 ACRES

( FUTURE SECTION 2 )

SEE SHEET 5 OF 7

SEE SHEET 7 OF 7



GRAPHIC SCALE



1 inch = 50 ft.



FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 1

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: 1" = 50' DATE: AUGUST 16, 2004  
gilbert w clifford & associates

A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES

A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

SHEET 6 OF 9

63-((A))-2K  
C & W PROPERTIES  
D.B. 750, PG. 220  
N11°00'44"E  
1660.28'

000 0179

INST. #020020982

S55°30'08"W  
24.74'

CEDAR CREEK GRADE ~ ROUTE 622  
R/W VARIES  
C9

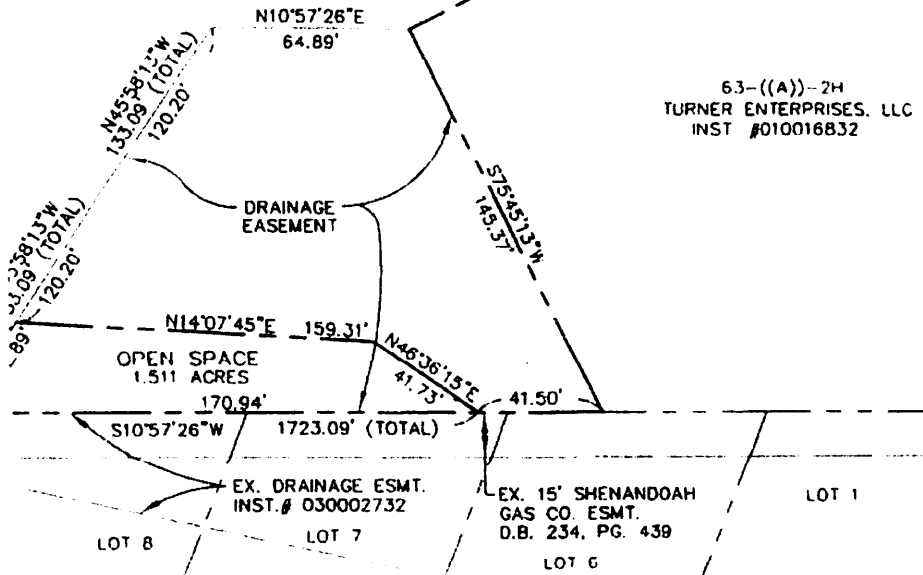
63-((A))-2  
GREYSTONE DEVELOPERS, INC.  
INST. #040015981  
REMAINDER AREA - 14.7840 ACRES

( FUTURE SECTION 2 )

N16°23'42"W  
200.32'

63-((A))-2H  
TURNER ENTERPRISES, LLC  
INST #010016832

SEE SHEET 6 OF 7



HARVEST RIDGE ~ SECTION 1  
CITY OF WINCHESTER

FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 1

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: 1" = 50' DATE: AUGUST 16, 2004  
gilbert w clifford & associates

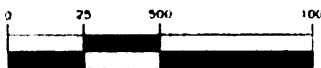
A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES

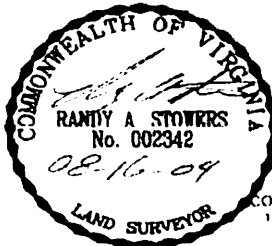
A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

SHEET 7 OF 9

GRAPHIC SCALE



1 inch = 50 ft



**REZONING REQUEST PROFFER**  
**Property Identification Number 63-A-2**  
**Back Creek Magisterial District**

**VILLAGE AT HARVEST RIDGE**

000 0180

**Preliminary Matters**

Pursuant to Section 15.2-2296 et. Seq. of the code of Virginia 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to condition rezoning, the undersigned applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #10-02 for the rezoning of 16.92 acres from Rural Area (RA) to Residential Performance (RP) and the rezoning with revised proffer of 9.82 acres from RP (single family) to RP (small lot-age restricted). Development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Frederick County Board of Supervisors in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and of no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns. The approval of these proffers shall eliminate and void any pre-existing statement controlling development of the lands involved.

**Monetary Contribution**

The undersigned, who own the above described property, hereby voluntarily proffer that if the Board of Supervisors for the County of Frederick, Virginia approves the rezoning for the 26.74 acres, with frontage along Cedar Creek Grade in the Back Creek Magisterial District of Frederick County, Virginia to RP (small lot-age restricted), the undersigned will pay to Frederick County at the time the first building permit is applied for the sum of \$1,539.00 per residential building lot.

**General Development Plan**

Voluntarily proffered is the attached Generalized Development Plan which includes the following conditions:

1. All housing within the 26.74 acre tract shall be single family small lot in accordance with the County zoning ordinance. A maximum of 90 single family lot units shall be construction on the property.
2. All streets shall be private with approved connection to two City maintained interparcel connector streets. Terms of city streets to have approved turn around for vehicular traffic.

3. The 26.74 acre tract shall be designated by deed to be "age restricted" under the U.S. Fair Housing Act. Stipulations shall require at least 80% of the occupied housing units have an occupant who is 55 or older and that no unit shall be occupied by a child under the age of 19 as a permanent resident. The intent is to provide a project for retirement housing that does not generate an impact of the Frederick County School system.

4. An emergency only private road connection shall be made to Cedar Creek Grade in the County in the location shown.
5. A landscape screen shall be installed along the west property line between areas of preserved vegetation.
6. Existing trees and vegetation in designated open space areas to be cleaned up, protected and preserved. This preserved vegetation shall serve as a landscape screen against adjacent uses. Some clearing may be necessary for utilities and stormwater management in which case the vegetative screen shall be supplemented with new planting in order to achieve the purpose of a landscape screen.
7. Side and rear lot lines of small lot development adjacent to the existing or proposed City single family housing shall be located a minimum of 25' from the project boundary line and the resulting open space shall have an interior landscape screen or preserved natural vegetation.
8. Trails and/or sidewalks at least 4' in width shall connect each lot in the development. The walkways to be continuous to allow a pedestrian to walk to all parts of the project without leaving the walkway system. The system is to connect to city sidewalks at "2" in both locations. Walkways to be either in front or rear of dwelling units.



**FINAL SUBDIVISION PLAT**  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 1**

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: NO SCALE DATE: AUGUST 16, 2004  
Gilbert W. Clifford & Associates

A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES

A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

SHEET 8 OF 9

REZONING REQUEST PROFFER CONTINUED:  
Property Identification Number 63-A-2  
Back Creek Magisterial District

000 0181

VILLAGE AT HARVEST RIDGE

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in interest of the Applicant and Owner. In the event the Frederick County Board of Supervisors grant said rezoning and accepts these conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

VIRGINIA: FREDERICK COUNTY, SCT.

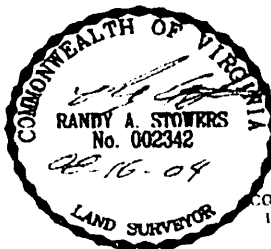
This instrument of writing was produced to me on

9-22-04 at 4:42

and with certificate of acknowledgment thereto annexed was admitted to record. I imposed by Sec. 58.1-802 of

§ N/A and 58.1-801 have been paid, if assessable

*Rebecca P. Hogan*, Clerk



FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 1

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: NO SCALE DATE: AUGUST 16, 2004  
gilbert w clifford & associates  
A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES  
A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

000 0182

VIRGINIA, CITY OF WINCHESTER, SCT.

This instrument of writing was produced to me on the 22<sup>ND</sup>  
day of September, 2004, at 4:57  
and with certificate of acknowledgement thereto annexed was  
admitted to record. Tax imposed by Sec. 58.1-802 of  
\$ N/A, and 58.1-801 have been paid if assessable.

Barbara L. Kullback Deputy  
Clerk

The following information was obtained from the records of the  
 Department of the State, Commonwealth of Virginia, on the date  
 indicated below:  
 Date: 10/10/81  
 Name: [Illegible]  
 Address: [Illegible]  
 City: [Illegible]  
 State: [Illegible]  
 Zip: [Illegible]

The following information was obtained from the records of the  
 Department of the State, Commonwealth of Virginia, on the date  
 indicated below:  
 Date: 10/10/81  
 Name: [Illegible]  
 Address: [Illegible]  
 City: [Illegible]  
 State: [Illegible]  
 Zip: [Illegible]

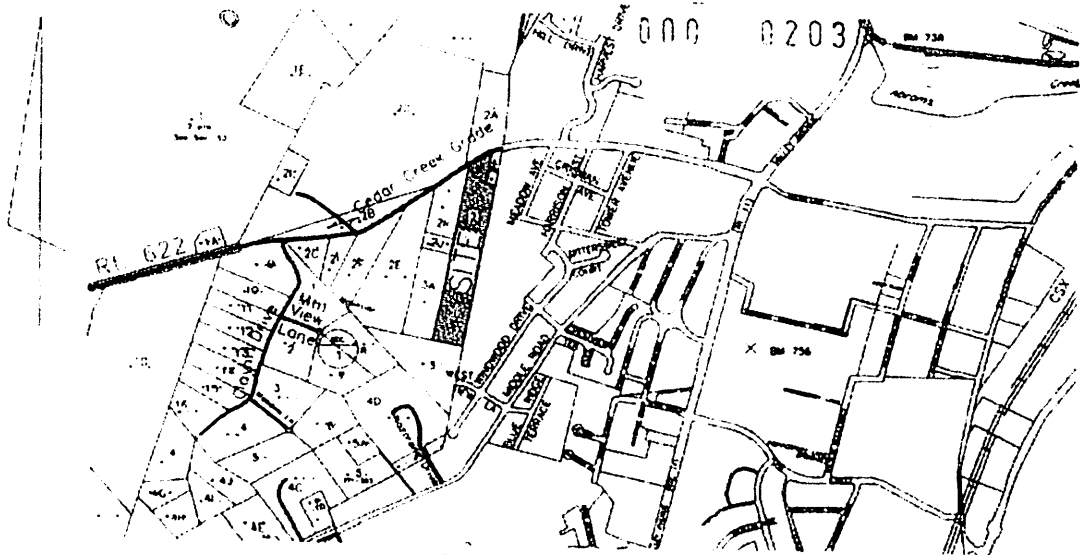


COMMONWEALTH OF VIRGINIA



COMMONWEALTH OF VIRGINIA





VICINITY MAP  
SCALE 1" = 1,500'

APPROVED BY:

FREDERICK COUNTY SUBDIVISION ADMINISTRATOR

*[Signature]*

DATE 9/16/04

WINCHESTER DEPARTMENT OF PUBLIC UTILITIES

*[Signature]*

DATE 9/16/04

OWNER'S CONSENT:

THE ABOVE AND FOREGOING SUBDIVISION OF VILLAGE AT HARVEST RIDGE, SECTION 2, AS APPEARS ON THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY

*[Signature]*  
FOR GREYSTONE DEVELOPERS, INC

9/10/04  
(DATE)

NOTARY PUBLIC

MY COMMISSION EXPIRES 12.31.05

CITY/COUNTY OF Winchester

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 9.10.04 BY James J. Vickers (DATE)

STATE OF Virginia  
(NOTARY PUBLIC)

*[Signature]*

SURVEYOR'S CERTIFICATE

I, RANDY A. STOWERS, A DULY AUTHORIZED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PROPERTY CONTAINED IN THIS SUBDIVISION IS A PORTION OF THE SAME PROPERTY CONVEYED TO GREYSTONE DEVELOPERS, INC BY DEED RECORDED AT INSTRUMENT #040015981 AMONG THE LAND RECORDS OF FREDERICK COUNTY, VIRGINIA



FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 2

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE AS SHOWN DATE: AUGUST 16, 2004  
gilbert w clifford & associates  
A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES  
A PROFESSIONAL CORPORATION

CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

**AREA SUMMARY**

TOTAL DEVELOPMENT AREA: 5.9953 ACRES  
AREA IN LOTS 3.4672 ACRES  
AREA IN OPEN SPACE 2.5281 ACRES  
NUMBER OF LOTS: 18  
AVERAGE LOT SIZE 8,390 SQ. FT.  
SMALLEST LOT SIZE 7,140 SQ. FT.

000 0204

PARENT PARCELL 63--(A) 2  
ZONED RP

**MINIMUM SETBACK REQUIREMENTS**

FRONT = 20' TO PRIVATE ROAD  
REAR = 15'  
SIDE = 5'  
MINIMUM LOT AREA = 6,000 SQ. FT.

**NOTES**

ALL LOTS ARE SINGLE FAMILY SMALL LOT

PERMANENT MONUMENTATION WILL BE SET AT ALL LOT CORNERS IN COMPLIANCE WITH LOCAL ORDINANCES

NO DETACHED ACCESSORY BUILDINGS ARE PERMITTED PER § 165-65F(2)4 OF THE FREDERICK COUNTY ZONING ORDINANCE



**FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 2**

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: AS SHOWN DATE: AUGUST 16, 2004  
gilbert w. clifford & associates

A DIVISION OF

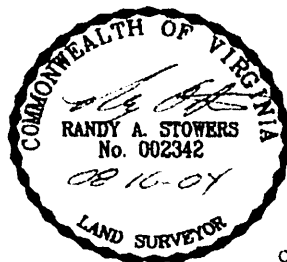
**PATTON HARRIS RUST & ASSOCIATES**

A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

000 0205

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.08	S01°55'50"W
L2	38.21	N01°55'50"E
L3	1.88	N01°55'50"E
L4	38.60	N04°03'14"W
L5	120.05	N09°14'40"E
L6	122.00	N10°55'08"E
L7	43.30	N05°47'10"E
L8	106.27	N07°13'42"E
L9	51.36	N05°04'27"E
L10	81.98	N10°57'46"E
L11	115.36	N32°33'25"E
L12	115.78	N32°33'25"E
L13	27.56	S74°17'38"W
L14	89.46	S32°33'25"W
L15	22.50	N02°33'35"E
L16	90.26	N32°33'25"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	12.25	190.00	3°41'43"	6.13	N09°06'55"E	12.25
C2	141.39	1012.50	8°00'04"	70.81	S11°16'05"W	141.27
C3	113.49	487.50	13°20'16"	57.00	N08°35'59"E	113.23
C4	223.89	62.50	20°51'40"	279.10	N75°40'21"W	121.98
C5	10.15	190.00	3°03'40"	5.08	N09°25'56"E	10.15
C6	2.10	189.96	0°38'03"	1.05	N07°35'04"E	2.10
C7	59.95	1012.50	3°23'32"	29.98	S08°57'49"W	59.94
C8	60.03	1012.50	3°23'49"	30.02	S12°21'30"W	60.02
C9	55.33	482.00	6°34'39"	27.70	N23°39'40"E	55.30
C10	21.42	1012.50	1°12'43"	10.71	S14°39'45"W	21.42
C11	38.66	487.50	4°32'39"	19.34	N12°59'48"E	38.65
C12	60.17	487.50	7°04'18"	30.12	N07°11'19"E	60.13
C13	14.65	487.50	1°43'20"	7.33	N02°47'31"E	14.65
C14	49.68	62.50	45°32'50"	26.24	S24°28'44"W	48.39
C15	45.60	62.50	41°48'15"	23.87	S68°09'17"W	44.60
C16	35.17	62.50	32°14'19"	18.06	N74°49'26"W	34.70
C17	10.03	62.50	9°11'34"	5.02	N54°06'30"W	10.02
C18	29.09	62.50	26°39'53"	14.81	N36°10'46"W	28.82
C19	54.32	62.50	49°47'49"	29.01	N02°03'05"E	52.83
C20	224.90	1401.85	9°11'31"	112.69	S60°05'58"W	224.66



FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 2**

SHAWNEE MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA

SCALE: AS SHOWN DATE: AUGUST 16, 2004  
 gilbert w. clifford & associates

A DIVISION OF

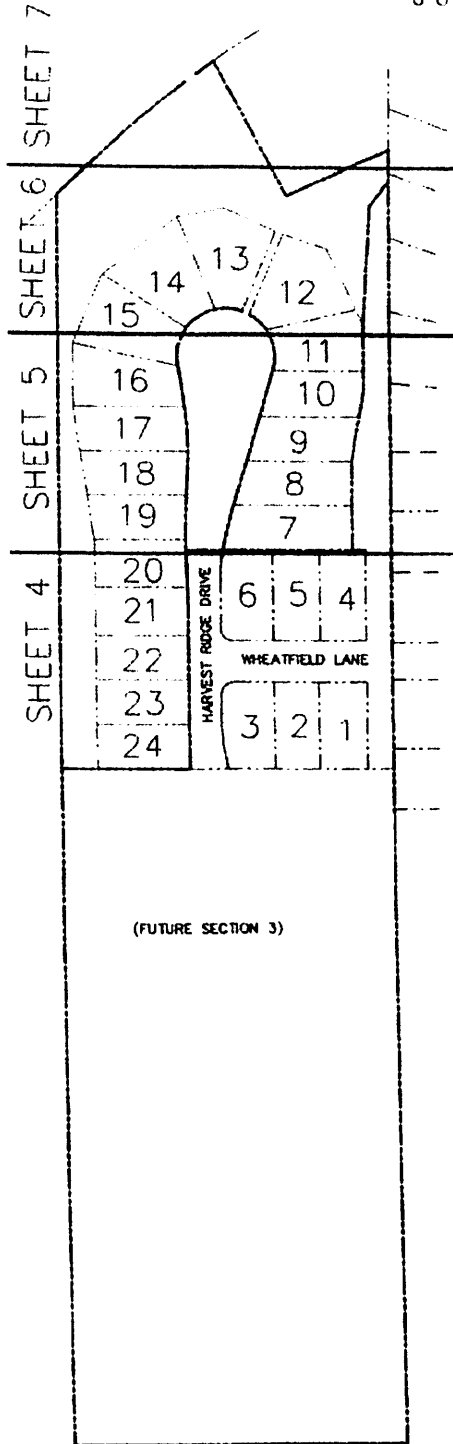
**PATTON HARRIS RUST & ASSOCIATES**

A PROFESSIONAL CORPORATION  
 CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
 117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
 (540) 667-2139

# KEY SHEET

1"=200'

000 0206



## FINAL SUBDIVISION PLAT VILLAGE AT HARVEST RIDGE SECTION 2

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: AS SHOWN DATE: AUGUST 16, 2004  
gilbert w clifford & associates  
A DIVISION OF  
PATTON HARRIS RUST & ASSOCIATES  
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CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
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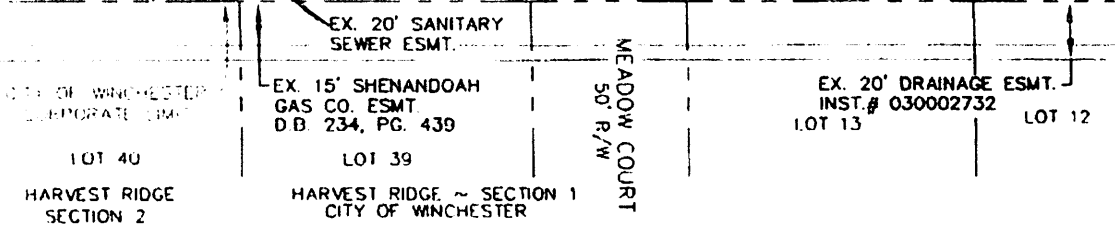
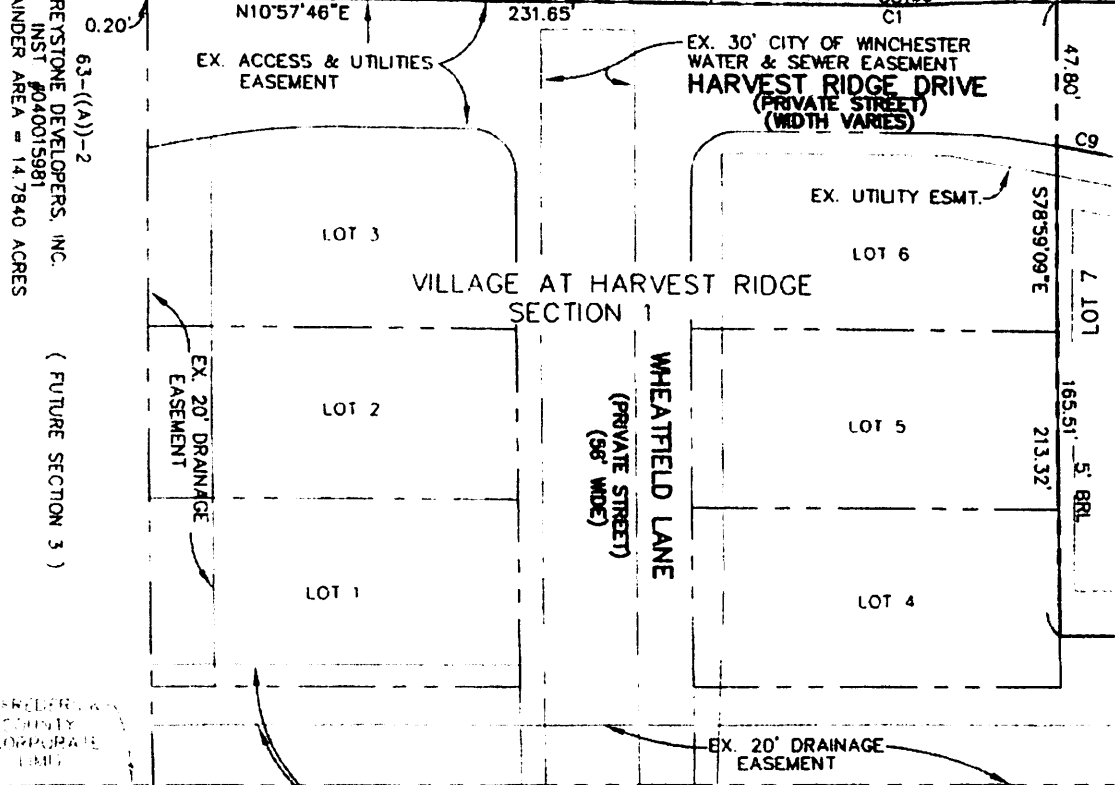
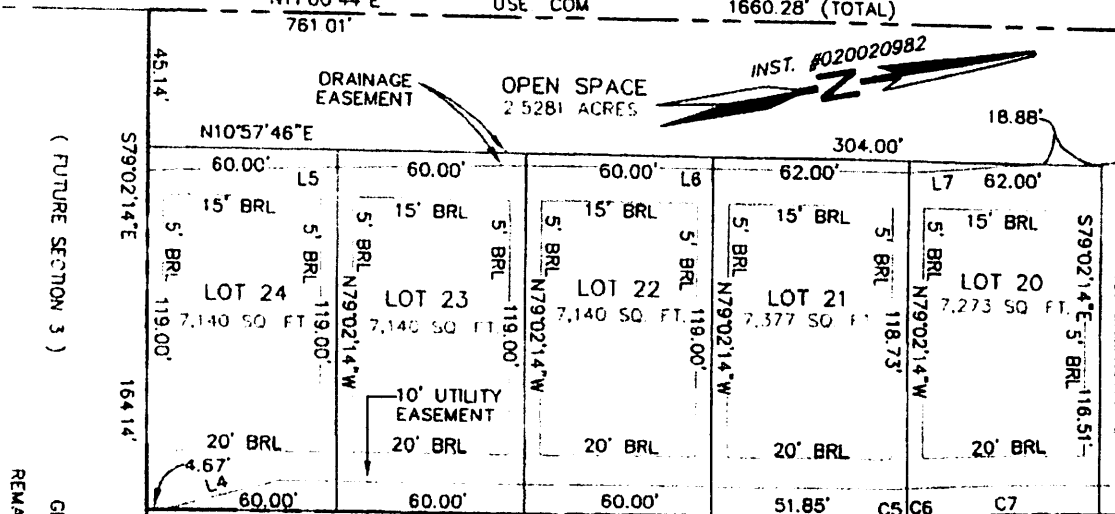
63--(A)--2K  
 C & W PROPERTIES  
 D B 750, PG. 220  
 ZONE: RA  
 USE COM

000 1207

N11°00'44"E  
 761.01'

1660.28' (TOTAL)

INST. #020020982



GREYSTONE DEVELOPERS, INC.  
 INST #040015981  
 REMAINDER AREA = 14.7840 ACRES

SEE SHEET 6 OF 8

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE SECTION 2**  
 SHAWNEE MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE: 1" = 50' DATE: AUGUST 16, 2004  
 gilbert w. clifford & associates  
 A DIVISION OF  
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 117 E PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
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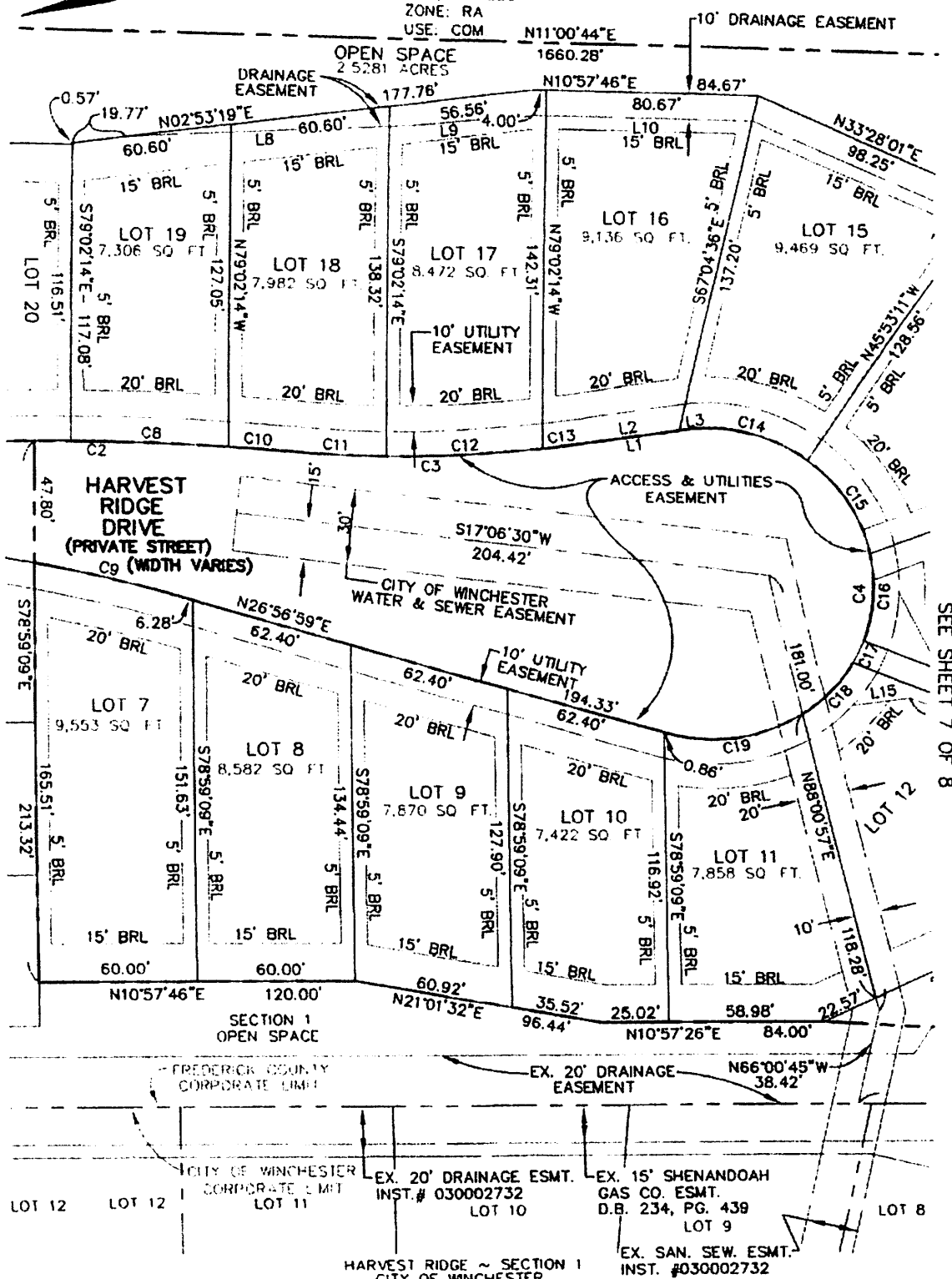
COMMONWEALTH OF VIRGINIA  
 RANDY A. STOWERS  
 No. 002342  
 08.16.04  
 LAND SURVEYOR

GRAPHIC SCALE  
 0 25 500 1000  
 1 inch = 50 ft

INST. #020020982

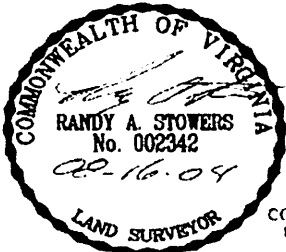
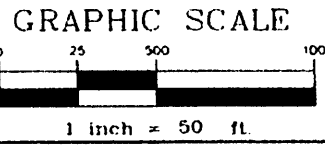
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C & W PROPERTIES  
D.B. 750, PG. 220  
ZONE: RA  
USE: COM

000 0208



SEE SHEET 5 OF 8

SEE SHEET 7 OF 8



FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 2**

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: 1" = 50' DATE: AUGUST 16, 2004  
gilbert w. clifford & associates  
A DIVISION OF

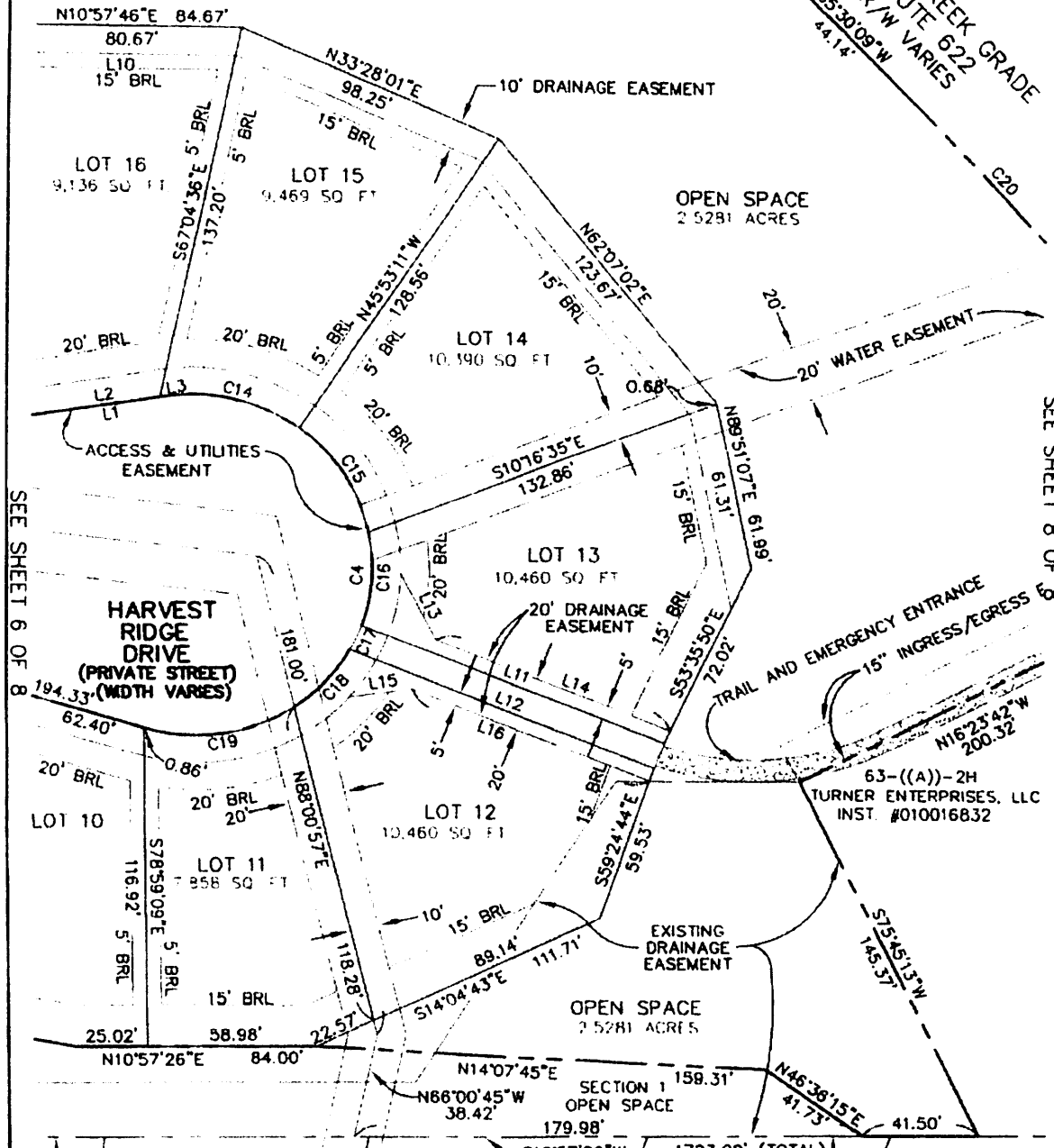
**PATTON HARRIS RUST & ASSOCIATES**  
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CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

63-((A))-2K  
 C & W PROPERTIES  
 D.B. 750, PG. 220  
 ZONE RA  
 USE COM

INST. #020020982

N11°00'44"E 1660.28' (TOTAL)

000 0209 CEDAR CREEK GRADE  
 ROUTE 622  
 R/W VARIES  
 S55°30'09"W 44.14'



SEE SHEET 6 OF 8

SEE SHEET 8 OF 8

EX. 15' SHENANDOAH  
 GAS CO. ESMT.  
 D.B. 234, PG. 439  
 LOT 9

EX. SAN. SEW. ESMT.  
 INST. #030002732

EX. DRAINAGE ESMT.  
 INST. # 030002732

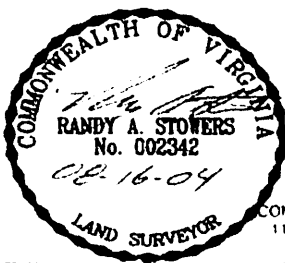
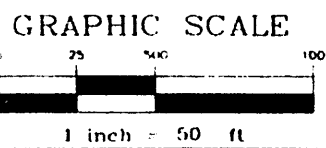
EX. 15' SHENANDOAH  
 GAS CO. ESMT.  
 D.B. 234, PG. 439  
 LOT 6

HARVEST RIDGE ~ SECTION 1  
 CITY OF WINCHESTER

**FINAL SUBDIVISION PLAT  
 VILLAGE AT HARVEST RIDGE  
 SECTION 2**

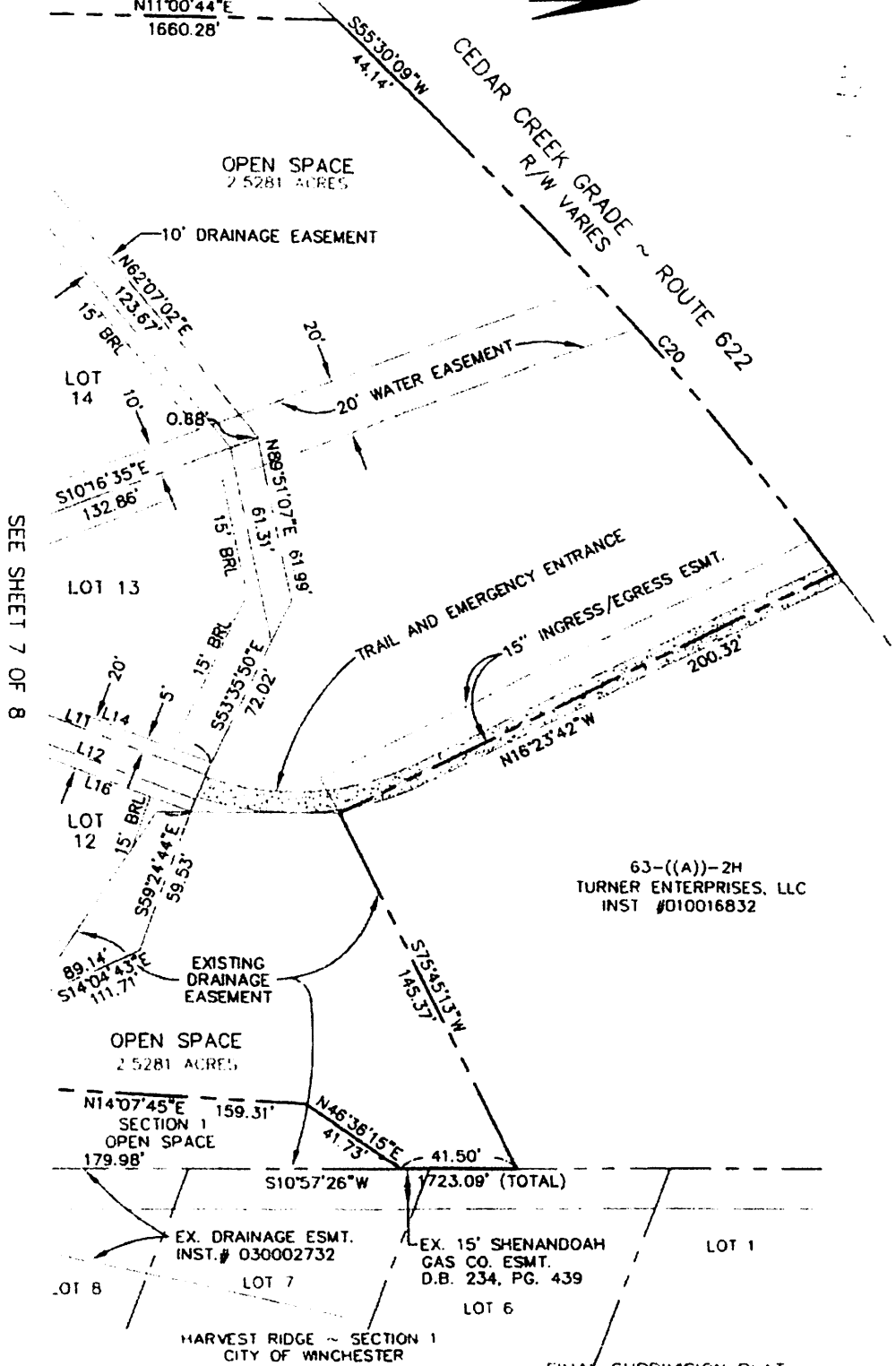
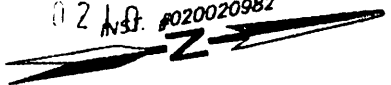
SHAWNEE MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE: 1" = 50' DATE: AUGUST 16, 2004  
 gilbert w clifford & associates  
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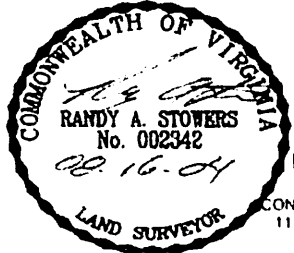
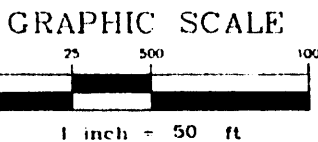
63-((A))-2K  
C & W PROPERTIES  
D.B. 750, PG. 220  
ZONE RA  
USE COM  
N11°00'44"E  
1660.28'

000 02 INST. #020020982



63-((A))-2H  
TURNER ENTERPRISES, LLC  
INST #010016832

SEE SHEET 7 OF 8



**FINAL SUBDIVISION PLAT**  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 2**

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: 1" = 50' DATE: AUGUST 16, 2004  
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VILLAGE AT HARVEST RIDGE

Preliminary Matters

Pursuant to Section 15.2-2296 et. Seq., of the code of Virginia 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to condition rezoning, the undersigned applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #10-02 for the rezoning of 16.97 acres from Rural Area (RA) to Residential Performance (RP) and the rezoning with revised proffer of 9.82 acres from RP (single family) to RP (small lot-age restricted). Development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Frederick County Board of Supervisors in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and of no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns. The approval of these proffers shall eliminate and void any pre-existing statement controlling development of the lands involved.

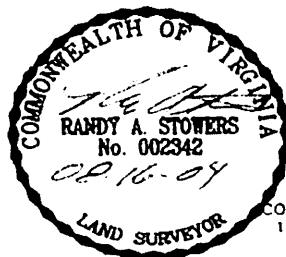
Monetary Contribution

The undersigned, who own the above described property, hereby voluntarily proffer that if the Board of Supervisors for the County of Frederick, Virginia approves the rezoning for the 26.74 acres, with frontage along Cedar Creek Grade in the Back Creek Magisterial District of Frederick County, Virginia to RP (small lot-age restricted), the undersigned will pay to Frederick County at the time the first building permit is applied for the sum of \$1,539.00 per residential building lot.

General Development Plan

Voluntarily proffered is the attached Generalized Development Plan which includes the following conditions.

1. All housing within the 26.74 acre tract shall be single family small lot in accordance with the County zoning ordinance. A maximum of 90 single family lot units shall be construction on the property.
2. All streets shall be private with approved connection to two City maintained interparcel connector streets. Terms of city streets to have approved turn around for vehicular traffic.
3. The 26.74 acre tract shall be designated by deed to be "age restricted" under the U.S. Fair Housing Act. Stipulations shall require at least 80% of the occupied housing units have an occupant who is 55 or older and that no unit shall be occupied by a child under the age of 19 as a permanent resident. The intent is to provide a project for retirement housing that does not generate an impact of the Frederick County School system.
4. An emergency only private road connection shall be made to Cedar Creek Grade in the County in the location shown.
5. A landscape screen shall be installed along the west property line between areas of preserved vegetation.
6. Existing trees and vegetation in designated open space areas to be cleaned up, protected and preserved. This preserved vegetation shall serve as a landscape screen against adjacent uses. Some clearing may be necessary for utilities and stormwater management in which case the vegetative screen shall be supplemented with new planting in order to achieve the purpose of a landscape screen.
7. Side and rear lot lines of small lot development adjacent to the existing or proposed City single family housing shall be located a minimum of 25' from the project boundary line and the resulting open space shall have an interior landscape screen or preserved natural vegetation.
8. Trails and or sidewalks at least 4' in width shall connect each lot in the development. The walkways to be continuous to allow a pedestrian to walk to all parts of the project without leaving the walkway system. The system is to connect to city sidewalks at "2" in both locations. Walkways to be either in front or rear of dwelling units.



FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 2

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: NO SCALE DATE: AUGUST 16, 2004  
gilbert w. clifford & associates

A DIVISION OF

PATTON HARRIS RUST & ASSOCIATES

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117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

REZONING REQUEST PROFFER CONTINUED:

000 0212

Property Identification Number 63-A-2

Back Creek Magisterial District

VILLAGE AT HARVEST RIDGE

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in interest of the Applicant and Owner. In the event the Frederick County Board of Supervisors grant said rezoning and accepts these conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code

VIRGINIA: FREDERICK COUNTY, SCT.

This instrument of writing was produced to me on

9-22-04 at 4:44 P.M.

and with certificate of acknowledgement thereto annexed was admitted to record. Tax imposed by Sec. 58.1-802 of

NA and 58.1-801 have been paid, if assessable

*Rebecca P. Hogan*, Clerk

FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 2

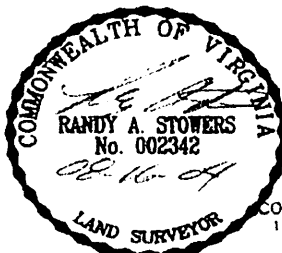
SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

SCALE: NO SCALE DATE: AUGUST 16, 2004

gilbert w. clifford & associates  
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CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139



000 0213

INSTRUMENT #040004355  
RECORDED IN THE CLERK'S OFFICE OF  
WINCHESTER ON  
SEPTEMBER 22, 2004 AT 05:03PM  
TERRY H. WHITTLE, CLERK

RECORDED BY: THW

COMMONWEALTH OF VIRGINIA



COMMONWEALTH OF VIRGINIA



**AREA SUMMARY**

SECTION 3 AREA 6.7982 ACRES  
AREA IN PRIVATE STREET ROW 1.6225 ACRES  
AREA IN LOTS 3.8548 ACRES  
AREA IN OPEN SPACE 1.3209 ACRES  
NUMBER OF LOTS 23  
AVERAGE LOT SIZE 7,301 SQ. FT.  
SMALLEST LOT SIZE 6,892 SQ. FT.

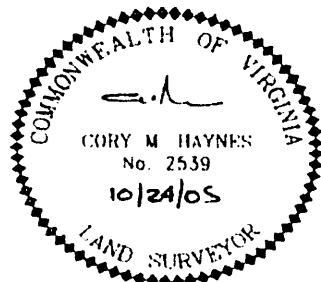
PARENT PARCEL 63-((A))-2  
ZONED RP

**MINIMUM SETBACK REQUIREMENTS**

FRONT = 20' TO PRIVATE ROAD (UNLESS OTHERWISE NOTED)  
REAR = 15'  
SIDE = 5'  
MINIMUM LOT AREA = 6,000 SQ. FT.

**NOTES**

1. ALL LOTS ARE SINGLE FAMILY SMALL LOT.
2. PERMANENT MONUMENTATION WILL BE SET AT ALL LOT CORNERS IN COMPLIANCE WITH COMMONWEALTH OF VIRGINIA AND FREDERICK COUNTY REGULATIONS.
3. NO DETACHED ACCESSORY BUILDINGS ARE PERMITTED PER § 165-65F(2)4 OF THE FREDERICK COUNTY ZONING ORDINANCE.
4. THE CITY OF WINCHESTER/FREDERICK COUNTY CORPORATE LIMIT LINE DEPICTED HEREIN IS AS SHOWN ON THE FINAL PLAT OF SUBDIVISION FOR HARVEST RIDGE, SECTION 2 RECORDED AT INST #030002732 AND THE FINAL PLAT FOR WESTRIDGE, SECTION IIB RECORDED AT D.B. 273, PG. 493. SAID LIMITS ARE APPROXIMATE AND ARE NOT BASED ON A FIELD RUN SURVEY.
5. VBS = VOLUNTARY BUILDING SETBACK (EXCEEDING ZONING ORDINANCE REQUIREMENTS) TO ACCOMMODATE PROTECTED WOODLANDS OR EASEMENTS.
6. RBS = REVISED BUILDING SETBACK (10') AS SHOWN ON THE SUBDIVISION DEVELOPMENT PLAN "VILLAGE AT HARVEST RIDGE, PHASE 1, 2 & 3" FREDERICK COUNTY FILE APPLICATION No. SDP 20-03. REVISED BUILDING SETBACKS SHOWN HEREIN APPROVED BY THE FREDERICK COUNTY SUBDIVISION ADMINISTRATOR.
7. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
8. WITH REFERENCE TO THE PROFFERED GENERAL DEVELOPMENT PLAN (GDP), NUMBERED PARAGRAPH 8 (TRAILS & SIDEWALKS); THE SUBDIVISION DEVELOPMENT PLAN, "VILLAGE AT HARVEST RIDGE, PHASE 1, 2 & 3" FREDERICK COUNTY FILE APPLICATION No. SDP 20-03 SHOWS A PROJECT WIDE SIDEWALK SYSTEM (SHEETS 3, 4 AND OTHERS) THAT MEETS THE REQUIREMENTS OF GDP, PARAGRAPH 8. THE SIDEWALK SYSTEM AS PROPOSED IS CONTAINED WHOLLY WITHIN THE VARIABLE WIDTH ACCESS, DRAINAGE AND UTILITY EASEMENT SHOWN HEREIN.



FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 3**  
 SHAWNEE MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE AS SHOWN DATE: JANUARY 7, 2005  
 REVISED: OCT 24, 2005  
**PATTON HARRIS RUST & ASSOCIATES**  
 A PROFESSIONAL CORPORATION  
 CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
 117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
 (540) 667-2138

9090

P:\PROJECT\12159-1-C\SURVEY\WORK AREA\12159-3-0 SEC 3 SUBD.DWG

CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	TANGENT	BEARING	CHORD
C1	482.00'	6'25'31"	54.05'	27.05'	S04°14'53"E	54.02'
C2	518.00'	3'22'35"	30.52'	15.27'	N05°46'21"W	30.52'
C3	518.00'	6'46'38"	61.27'	30.67'	N00°34'16"W	61.24'
C4	518.00'	6'39'50"	60.25'	30.16'	N06°08'58"E	60.21'
C5	518.00'	3'51'33"	34.89'	17.45'	N11°24'39"E	34.88'
C6	482.00'	4'22'02"	36.74'	18.38'	S11°09'25"W	36.73'
C7	518.72'	09°00'00"	81.48'	40.82'	N13°44'43"E	81.40'
C8	518.00'	20°48'04"	188.06'	95.08'	N02°56'24"E	187.03'
C9	482.00'	3°05'43"	26.04'	13.02'	S11°47'34"W	26.04'
C10	482.00'	1°16'18"	10.70'	5.35'	S09°36'33"W	10.70'
C11	518.72'	2°21'11"	21.30'	10.65'	N10°25'18"E	21.30'
C12	518.72'	6°38'49"	60.18'	30.12'	N14°55'18"E	60.14'
C13	533.50'	0°59'09"	9.18'	4.59'	S10°28'12"W	9.18'
C14	43.00'	92°25'46"	69.37'	44.86'	N58°45'13"W	62.09'
C63	533.50'	4°29'55"	41.89'	20.96'	S13°12'44"W	41.88'
C64	466.50'	9°23'04"	76.41'	38.29'	N10°46'10"E	76.32'
C65	466.50'	1°36'03"	13.03'	6.52'	N14°39'40"E	13.03'
C66	466.50'	7°22'30"	60.05'	30.07'	N10°10'24"E	60.01'
C67	466.50'	0°24'31"	3.33'	1.66'	N06°16'53"E	3.33'
C68	418.00'	16°01'41"	116.93'	58.85'	S14°05'28"W	116.55'
C69	418.00'	7°09'12"	52.19'	26.13'	S09°39'14"W	52.15'
C70	418.00'	8°17'00"	60.43'	30.27'	S17°22'19"W	60.38'
C71	418.00'	0°35'30"	4.32'	2.16'	S21°48'34"W	4.32'
C72	382.00'	0°47'46"	5.31'	2.65'	N21°42'26"E	5.31'
C73	197.50'	10°20'47"	35.66'	17.88'	N16°08'10"E	35.62'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S08°58'24"W	2.32'
L15	S10°57'46"W	15.45'
L17	S01°42'03"E	8.27'
L18	S38°10'32"W	9.94'
L19	N09°11'52"E	59.28'
L20	S81°01'36"E	7.66'
L21	S08°58'24"W	10.18'
L22	N42°39'52"E	33.46'
L23	S08°58'24"W	9.82'
L24	N81°01'36"W	7.66'
L33	S83°55'22"E	7.04'

NOTE. LINE NUMBERS 2-14, 16 & 25-32 AND CURVE NUMBERS C15-C62 ARE OMITTED INTENTIONALLY



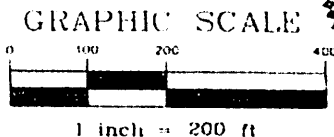
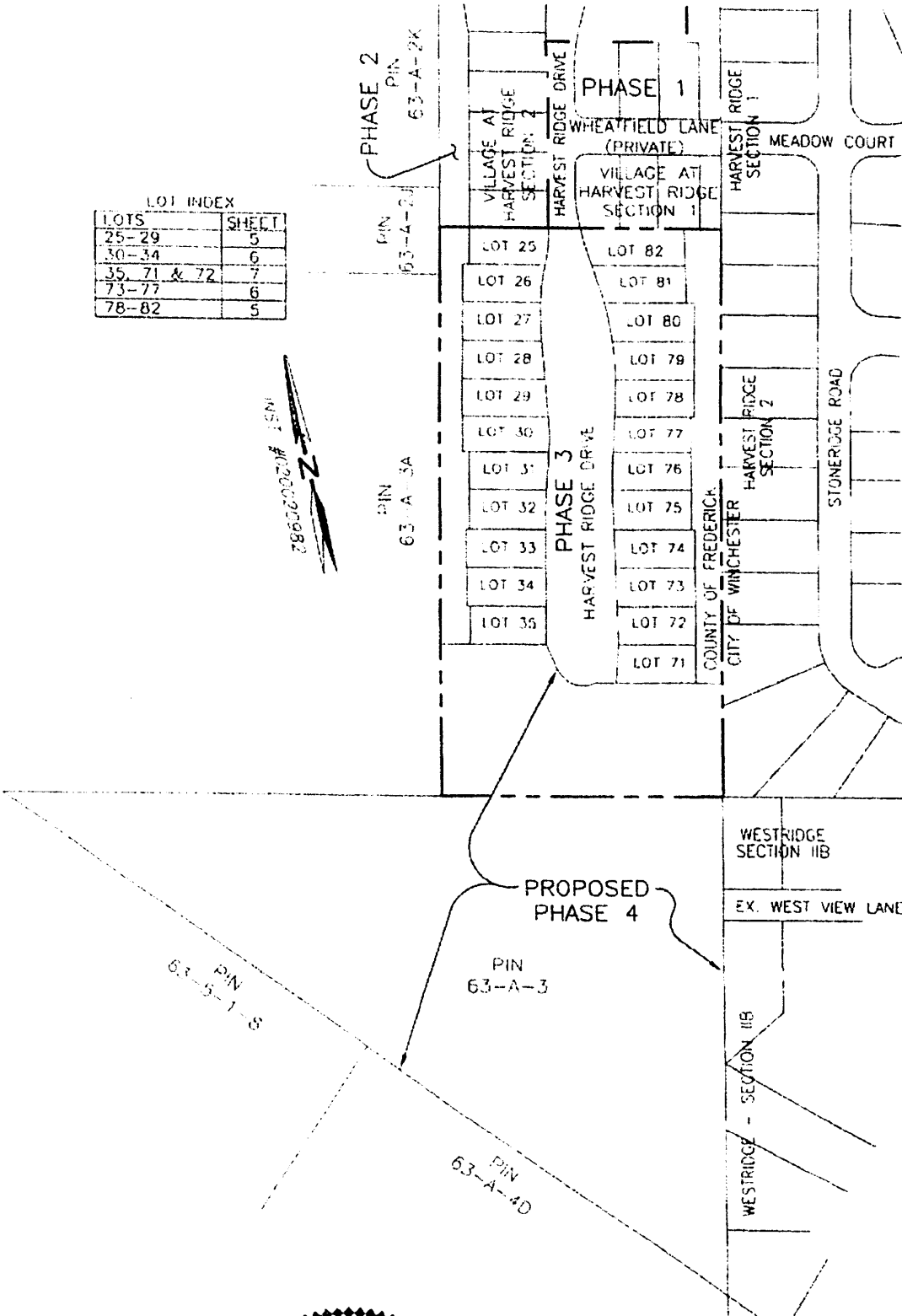
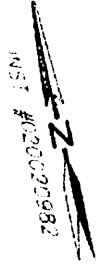
FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE**  
**SECTION 3**  
 SHAWNEE MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE: AS SHOWN DATE JANUARY 7, 2005  
 REVISED: OCT 24, 2005  
**PATTON HARRIS RUST & ASSOCIATES**  
 A PROFESSIONAL CORPORATION  
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# KEY SHEET

LOT INDEX

LOTS	SHEET
25-29	5
30-34	6
35, 71 & 72	7
73-77	6
78-82	5



COMMONWEALTH OF VIRGINIA  
*C.M.H.*  
 CORY M HAYNES  
 No. 7539  
 10/24/05  
 LAND SURVEYOR

FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE SECTION 3**  
 SHAWNEE MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE: 1"=200' DATE: JANUARY 7, 2005  
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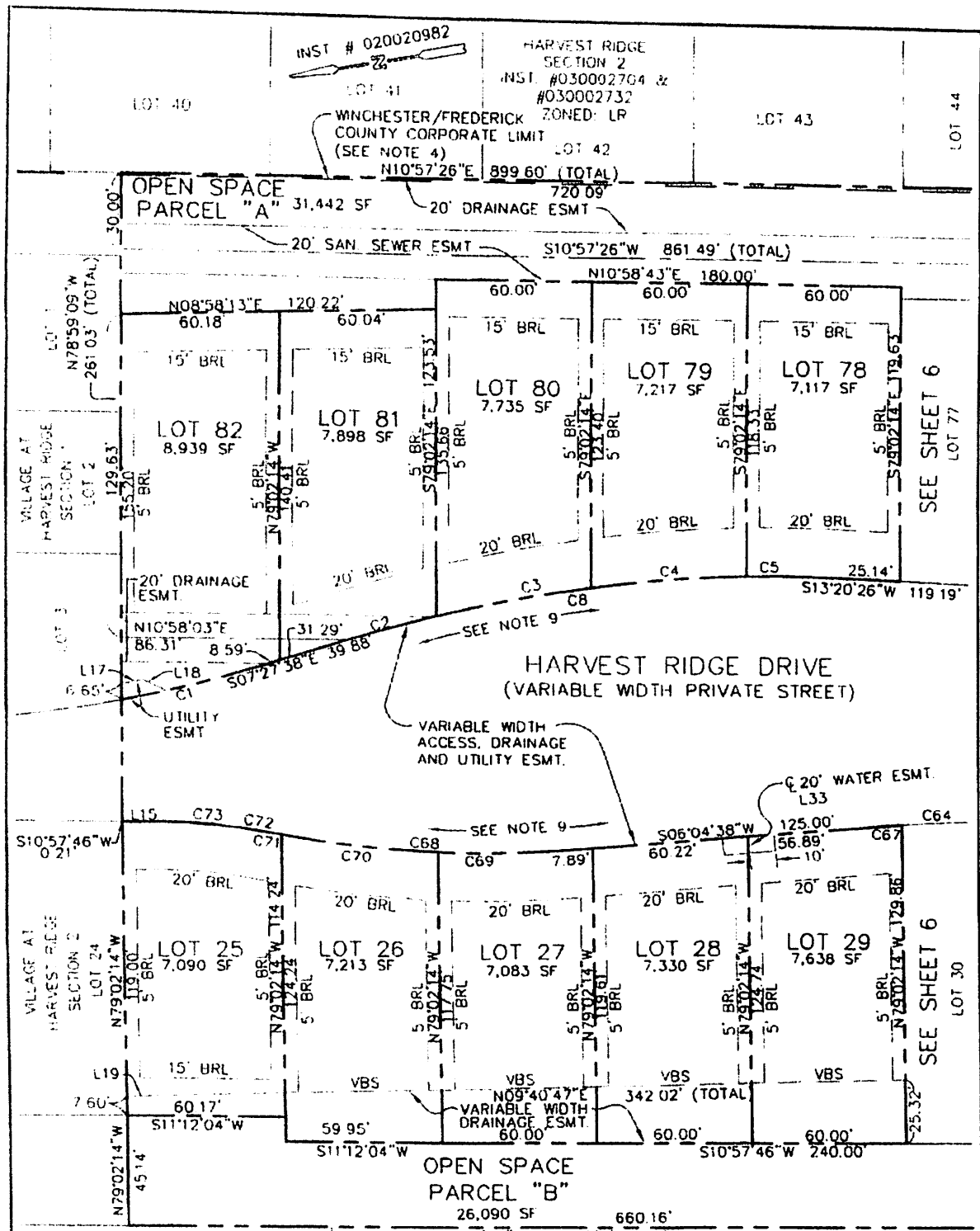
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INST # 020020982

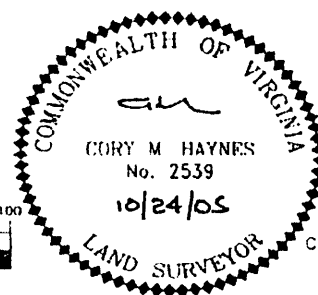
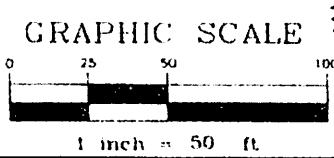
HARVEST RIDGE SECTION 2  
INST. #030002704 & #030002732

WINCHESTER/FREDERICK ZONED: LR  
COUNTY CORPORATE LIMIT  
(SEE NOTE 4)



PIN 63-A-2  
M/F WALLS & CATCHER  
ZONE RA  
DB 836, PG 507  
USE: RESIDENTIAL

PIN 63-A-3A  
M/F WALLS  
ZONE RA  
INST #030019716  
USE: RESIDENTIAL



FINAL SUBDIVISION PLAT  
**VILLAGE AT HARVEST RIDGE SECTION 3**  
SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
SCALE: 1" = 50' DATE: JANUARY 7, 2005  
REVISED: OCT. 24, 2005  
**PATTON HARRIS RUST & ASSOCIATES**  
A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
117 E. PICCADILLY STREET, WINCHESTER, VIRGINIA 22601  
(540) 667-2139

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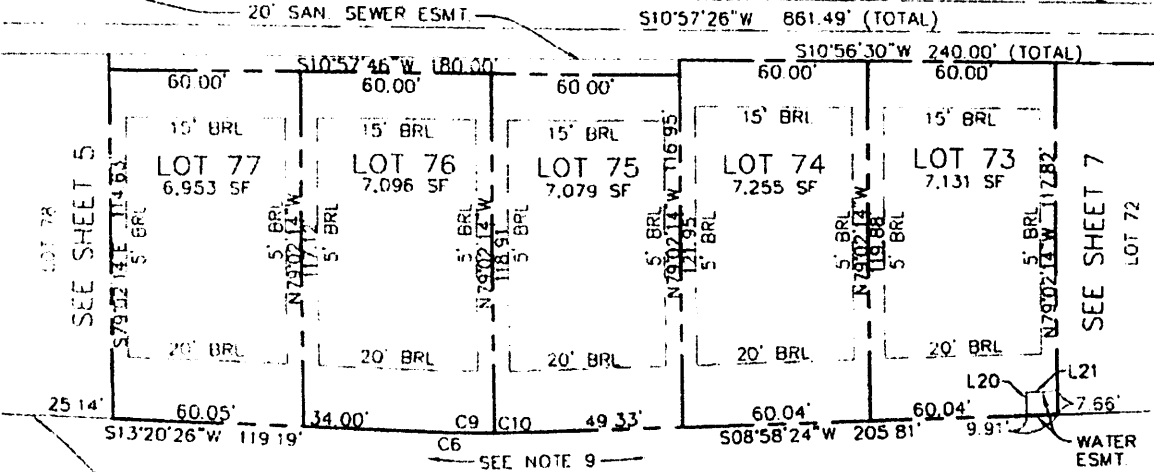


INST. # 020020982

HARVEST RIDGE SECTION 2  
INST. #030002704 & #030002732  
ZONED: LR

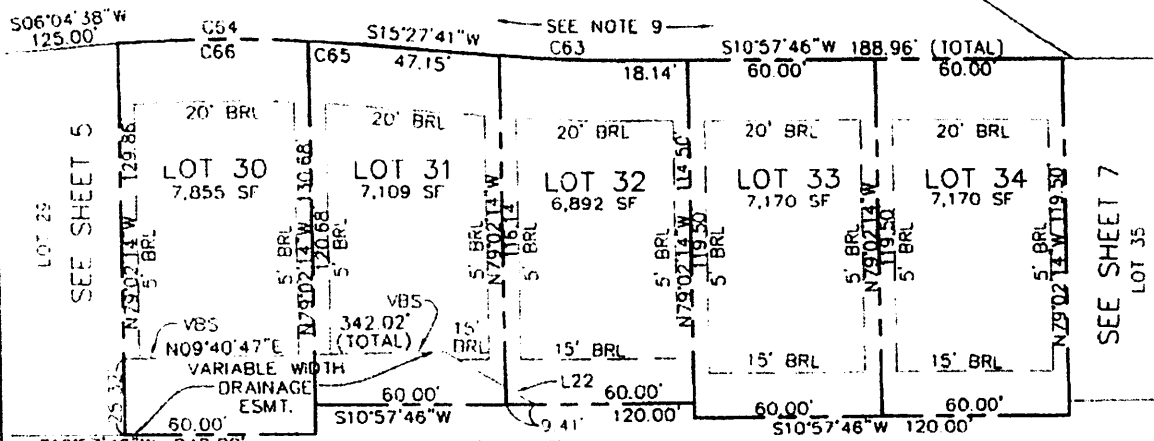
LOT 44 WINCHESTER/FREDERICK COUNTY CORPORATE LIMIT (SEE NOTE 4)  
LOT 45  
LOT 46  
LOT 47

OPEN SPACE PARCEL "A" 31,442 SF



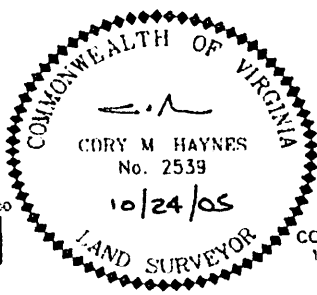
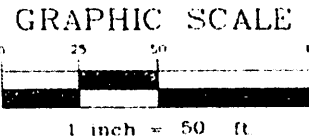
HARVEST RIDGE DRIVE (VARIABLE WIDTH PRIVATE STREET)

VARIABLE WIDTH ACCESS, DRAINAGE AND UTILITY ESMT



OPEN SPACE PARCEL "B" 26,090 SF

PN 63-A-3A  
H/F WALLS  
ZONE: RA  
INST. #030019716  
USE: RESIDENTIAL



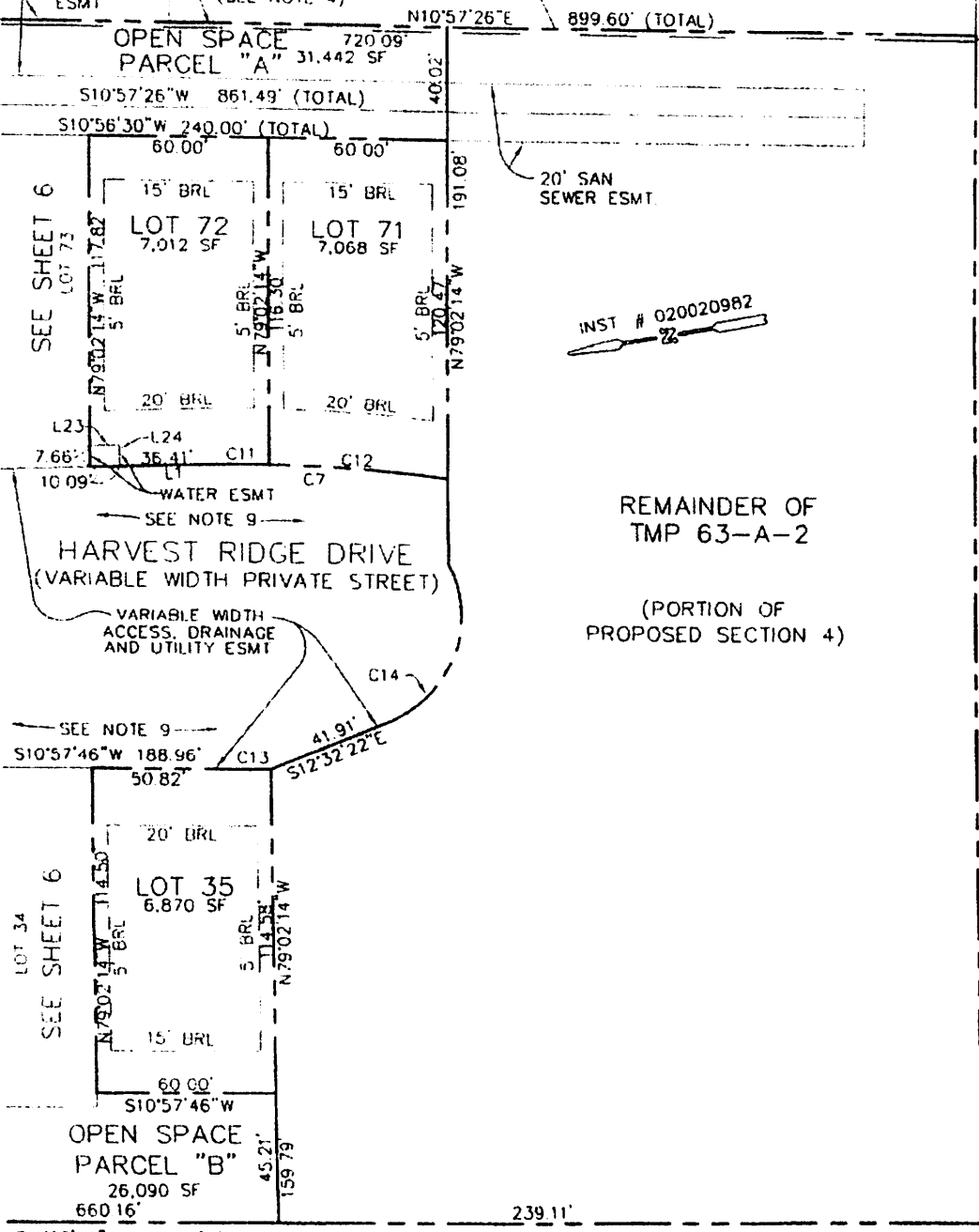
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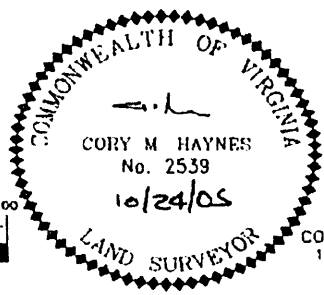
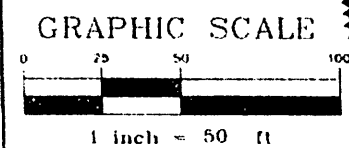
LOT 47 LOT 48 HARVEST RIDGE SECTION 2 INST #030002704 & LOT 49  
WINCHESTER/FREDERICK COUNTY CORPORATE LIMIT #030002752  
(SEE NOTE 4)

WESTRIDGE LOT 64



PIN 63-A-3 N78°59'19"W 426.04'  
N/F GREYSTONE PROPERTIES, L.L.C.  
ZONE: RP  
INST. #040017913  
USE VACANT

PIN 63-A-3A  
N/F WALLS  
ZONE: RA  
INST #030019716  
USE RESIDENTIAL



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**REZONING REQUEST PROFFER**  
Property Identification Number 63-A-2  
Back Creek Magisterial District

0612

**VILLAGE AT HARVEST RIDGE**

Preliminary Matters

Pursuant to Section 15.2-2296 et. Seq. of the code of Virginia 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to condition rezoning, the undersigned applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #10-02 for the rezoning of 16.92 acres from Rural Area (RA) to Residential Performance (RP) and the rezoning with revised proffer of 9.82 acres from RP (single family) to RP (small lot-age restricted). Development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Frederick County Board of Supervisors in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and of no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns. The approval of these proffers shall eliminate and void any pre-existing statement controlling development of the lands involved.

Monetary Contribution

The undersigned, who own the above described property, hereby voluntarily proffer that if the Board of Supervisors for the County of Frederick, Virginia approves the rezoning for the 26.74 acres, with frontage along Cedar Creek Grade in the Back Creek Magisterial District of Frederick County, Virginia to RP (small lot-age restricted), the undersigned will pay to Frederick County at the time the first building permit is applied for the sum of \$1,539.00 per residential building lot.

General Development Plan

Voluntarily proffered is the attached Generalized Development Plan which includes the following conditions:

1. All housing within the 26.74 acre tract shall be single family small lot in accordance with the County zoning ordinance. A maximum of 90 single family lot units shall be construction on the property.
2. All streets shall be private with approved connection to two City maintained interparcel connector streets. Terms of city streets to have approved turn around for vehicular traffic.
3. The 26.74 acre tract shall be designated by deed to be "age restricted" under the U.S. Fair Housing Act. Stipulations shall require at least 80% of the occupied housing units have an occupant who is 55 or older and that no unit shall be occupied by a child under the age of 19 as a permanent resident. The intent is to provide a project for retirement housing that does not generate an impact of the Frederick County School system.
4. An emergency only private road connection shall be made to Cedar Creek Grade in the County in the location shown.
5. A landscape screen shall be installed along the west property line between areas of preserved vegetation.
6. Existing trees and vegetation in designated open space areas to be cleaned up, protected and preserved. This preserved vegetation shall serve as a landscape screen against adjacent uses. Some clearing may be necessary for utilities and stormwater management in which case the vegetative screen shall be supplemented with new planting in order to achieve the purpose of a landscape screen.
7. Side and rear lot lines of small lot development adjacent to the existing or proposed City single family housing shall be located a minimum of 25' from the project boundary line and the resulting open space shall have an interior landscape screen or preserved natural vegetation.
8. Trails and/or sidewalks at least 4' in width shall connect each lot in the development. The walkways to be continuous to allow a pedestrian to walk to all parts of the project without leaving the walkway system. The system is to connect to city sidewalks at "2" in both locations. Walkways to be either in front or rear of dwelling units.

**ATTACHMENT TO:  
FINAL SUBDIVISION PLAT  
VILLAGE AT HARVEST RIDGE  
SECTION 3**

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA  
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