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Fauquier County, VA
Gail H Barb Clerk of Circuit Court
File# 2013-00012731

CORRECTIVE AMENDMENT TO THE

**DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND
RESTRICTIONS SILVER CUP SUBDIVISION,
AND
AMENDMENT TO THE AMENDMENT TO THE DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS, AND RESTRICTIONS SILVER CUP SUBDIVISION**

THIS CORRECTIVE AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS SILVER CUP SUBDIVISION and AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, AND RESTRICTIONS SILVER CUP SUBDIVISION is made this 12th day of November, 2013, by the Board of Directors of Silver Cup Homeowner's Association, Inc. ("Association").

WITNESSETH:

WHEREAS, on August 6, 2001, the Declarant, SYG Associates, Inc. ("Declarant"), executed and recorded the Deed of Subdivision, Dedication and Imposition of Covenants, Conditions and Restrictions ("Deed") in Deed Book 0910, at Pages 0375 through 0411, among the land records of Fauquier County, Virginia; and

WHEREAS the Deed subjected the property subdivided therein to the Covenants, Conditions and Restrictions attached thereto; and

WHEREAS, at Page 0378 of the Deed, the Declarant recorded Articles of Incorporation naming the Association "Silver Cup Homeowners Association, Inc." whose purpose is to administer and enforce the Protective Covenants and Restrictions of Silver Cup Subdivision; and

WHEREAS, at Page 0382 of the Deed, the Declarant recorded a Declaration of Protective Covenants, Conditions and Restrictions for Silver Cup Subdivision ("Declaration") and referred to the Association as "Silver Cup Subdivision Homeowners Association, Inc."; and

WHEREAS, On September 25, 2003, the State Corporation Commission issued a certificate of incorporation to "Silver Cup Homeowner's Association, Inc." for the purpose of furthering and promoting the community welfare; and

WHEREAS, the Articles of Incorporation ("Articles") on file with the State Corporation Commission are different than those filed with the Deed, and as such filed Articles supersede the articles of incorporation filed in the clerk's office of Fauquier County with regard to operation of the corporation; and

WHEREAS, on February 5, 2004, a Corporate Resolution of the Silver Cup Estates Homeowners' Association, Inc. ("Resolution") was recorded among the land records of Fauquier County, Virginia at Deed Book 1086, Page 340, and the proper name of the corporation referred to therein should be "Silver Cup Homeowner's Association, Inc."; and

Prepared By:
Rees Broome, PC
1900 Galloway Rd, Suite 700
TYSONS CORNER VA 22182

First Virginia Community Management
59 Culpeper St.
Warrenton VA 20186

EXAMINED &
RETURNED

WHEREAS, on May 23, 2013, an Amendment to the Declaration of Protective Covenants, Conditions, and Restrictions of Silver Cup Subdivision (“Amended Declaration”) was recorded among the land records of Fauquier County, Virginia at Deed Book 1432, Page 464, which Amended Declaration referenced the name of the Association as “Silver Cup Estates Homeowners’ Association, Inc.” and should have referenced the name of the Association as “Silver Cup Homeowner’s Association, Inc.”; and

WHEREAS, on June 25, 2012, a Second Amendment to Declaration of Protective Covenants, Conditions, and Restrictions of Silver Cup Subdivision (“Second Amendment”) was recorded among the land records of Fauquier County, Virginia at Deed Book 1398, Page 1602, which Second Amendment correctly referenced the name of the Association as “Silver Cup Homeowner’s Association, Inc.”; and

WHEREAS, the Association’s Board of Directors (“Board of Directors”) recently learned of the inconsistent use of the Association’s name in documents recorded within the Fauquier County land records and wishes to clarify the proper name of the Association in those documents; and,

WHEREAS, the Board of Directors has received and reviewed objective evidence which substantiates that the name of the Association as referenced in the Declaration, Resolution, and Amended Declaration should be Silver Cup Homeowner’s Association, Inc. as set forth in the Articles of Incorporation filed the State Corporation Commission; and,

WHEREAS, Section 55-515.2(F) of the Code of Virginia, 1950, as amended, permits the principal officer of the Association to unilaterally execute and record a corrective amendment to correct a scrivener’s error or clarify an ambiguity in the Declaration with respect to an objectively verifiable fact upon a vote of two-thirds of the members of the Board of Directors; and

WHEREAS, the Board of Directors has consented to, by a vote of at least two-thirds of the Board of Directors, this Corrective Amendment to the Declaration and Amended Declaration to correct the name of the Association as stated in those documents to “Silver Cup Homeowner’s Association, Inc.”

NOW, THEREFORE, pursuant to its rights under Section 55-515.2(F) of the Code of Virginia, 1950, as amended, the President hereby corrects the Declaration and Amended Declaration as set forth above, such that the name of the Association in each such document shall be “Silver Cup Homeowner’s Association, Inc.” at all points wherein it is referenced as “Silver Cup Subdivision Homeowners Association, Inc.” and “Silver Cup Estates Homeowners’ Association, Inc.”

FURTHER, the name of the Association, as referenced in the Resolution is hereby Amended from “Silver Cup Estates Homeowners Association, Inc.” to “Silver Cup Homeowner’s Association, Inc.”

IN WITNESS WHEREOF, the President of the Board of Directors, with the authority of the Board of Directors, caused this Corrective Amendment to the Declaration of Protective Covenants, Conditions and Restrictions of Silver Cup Subdivision, and Amendment to the Declaration of Protective Covenants, Conditions, and Restrictions of Silver Cup Subdivision to be executed on this 12th day of November, 2013, which shall be effective immediately upon recordation.

President, Board of Directors of
Silver Cup Homeowner's Association, Inc.

By: [Signature]
Title: President

COMMONWEALTH OF VIRGINIA:
Fauquier COUNTY, to-wit :

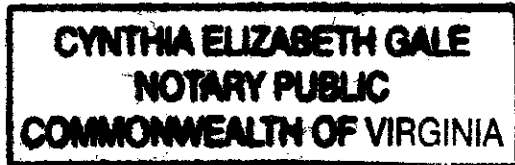
This foregoing Corrective Amendment to the: Declaration of Protective Covenants, Conditions and Restrictions of Silver Cup Subdivision and Amendment to the Declaration of Protective Covenants, Conditions, and Restrictions Silver Cup Subdivision was SUBSCRIBED, SWORN and ACKNOWLEDGED before me, a Notary Public in and for the State and County aforesaid by Randy Anderson, President of Silver Cup Homeowner's Association, Inc., this 12th day of November, 2013.

My commission expires the 31st day of January, 2014.

[Signature]
NOTARY PUBLIC

73655510
REGISTRATION NUMBER

Cynthia Elizabeth Gale
PRINTED NAME



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RECORDED IN CLERKS OFFICE OF
FAUQUIER ON
November 14, 2013 AT 12:11:03 PM
\$0.00 GRANTOR TAX PD
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FAUQUIER COUNTY, VA
GAIL H BARB CLERK OF CIRCUIT COURT

[Signature] CLERK