

## *Construction Agreement*

Dear Coyote Creek Homeowner's Association:

I have received and read the **current** Covenants, Conditions and Restrictions for Coyote Creek (dated 2/19/2010) and the Design Guidelines of Coyote Creek (dated 4/21/2021). I understand that the most current version of each of these documents is available to me at the web site <http://www.coyotecreekhomeowners.org> in the section titled "HOA Information". I have also received and read the letter from Cadden Community Management on behalf of the Design Review Committee approving, with conditions, the house plans for construction on Lot # \_\_\_\_ at Coyote Creek. I understand and will comply with these conditions. Please review and initial each section below.

In addition, *prior* to any work or construction on this property, I will:

### **1. Deliver to Cadden Community Management the following fees/ deposits:**

\_\_\_\_ \$3,700.00 Homeowner's Association fee *non-refundable* to cover reviewing architect fees as well as additional administrative costs incurred as a result of construction. **Please note: Architect will complete 3 unscheduled visits to the site after building has begun. Any required visits to the site above the 3 unscheduled visits will be billed to your account at a cost of \$125/hour. Additional unscheduled visits may be needed if building progress deviates from the approved plans. All changes to the approved plans decided during construction must be approved prior to installation.**

\_\_\_\_ \$1,500.00 Construction Deposit- Check must be submitted by the legal owner of the property or it will not be accepted. Refund in whole or in part if/when the following terms and conditions are met:

- **All construction materials/debris, equipment, dumpsters and port-potty are removed from the property.**
- **Home construction is complete, including painting, installation of exterior light fixtures, garage doors, and any planned hardscape elements.**
- **Approved driveway has been installed.**
- **All Restored (disturbed) areas as defined in Section 2.1 of the Design Guidelines have been returned to their natural state with approved re-vegetation, hydro seeding and/or landscaping.**
- **All mechanical units are properly installed and shielded from view as required.**
- **A final site inspection has been conducted by the Design Review Committee (DRC), the condition of my property is approved as meeting requirements and the return of all or part of my deposit is authorized.**
- **Any follow up work identified by the DRC during the final site visit must be completed, re-inspected and approved before a deposit return will be authorized.**

\_\_\_\_ Any amount of funds that are required to bring the balance of my Construction Deposit back to \$1,500.00 in the event that fines during construction cause it to fall below \$750.00.

### **2. Maintain the Construction Site per the following rules:**

\_\_\_\_ The construction area, defined as the building envelope plus the driveway, and disturbed areas and the septic/leach field, will be staked, roped/fenced and approved by the Design Review Committee. This area will remain roped/fenced throughout the entire period of construction to prevent disturbance of the natural set-aside areas of the Lot.

\_\_\_\_\_ All construction area fencing shall be standard orange vinyl construction fencing, chain link fencing, or stakes and ropes. The type of fencing required will be determined by the DRC based upon the level of safety and security necessitated by topographical and/or building conditions at the construction site.

\_\_\_\_\_ No construction work is permitted before 6:00 AM or after 6:00 PM, Monday through Saturday or at any time on Sunday; while work on Sunday is not encouraged, it is permissible if it is performed with no noise. Examples are indoor work without loud music, outdoor work without power tools, generators, machinery or loud music.

\_\_\_\_\_ All construction parking must be on paved roadways within the roped/ fenced construction area.

\_\_\_\_\_ A porta-potty (temporary toilet) will be provided on site throughout the course of construction and will be located a minimum of 10 feet from the street.

\_\_\_\_\_ A dumpster will be installed after grading and foundation are completed emptied as needed, and will be located within the fenced or roped construction areas as noted on the approved site plan.

\_\_\_\_\_ Construction materials shall be stored inside the construction fenced or roped area.

\_\_\_\_\_ A sign will be obtained from PB Trading and installed at the work site in an open area near the driveway to display permitted working hours/days within Coyote Creek, and shall be returned upon completion of construction in good condition or a \$100.00 charge will be levied.

\_\_\_\_\_ The worksite will be kept clean or, following a 3-day warning, a clean-up crew will be allowed on the property at homeowners expense (deducted from the Construction deposit) My builder will comply with 2.11.2 regarding 1 ½ rock 30 feet into the driveway to keep dirt off of the streets. No construction materials are to be placed on the paved surface of the roadways. This includes but is not limited to, dirt, sand, gravel, landscape materials or boulders. Failure to comply with this mandate will result in fines to be assessed against the owner's construction deposit.

### **3. Exterior Element Submittals:**

\_\_\_\_\_ All exterior elements including but not limited to exterior paint, roof material, windows, lighting, courtyards, perimeter walls, gates, retaining wall, rip rap usage, driveway, garage doors, landscape, pool, spa, outdoor fireplace, other hardscape, accessory features must be submitted for approval together as one package.

**I agree to follow the steps of the New Home Construction Process as defined in the Design Guidelines, coordination with Cadden Community Management and the Design Review Committee as set forth in the documentation received in my approval letter. Should I have any questions regarding the New Home Construction process or any of the documents I have received, I will contact Alexandra Jaeger at Cadden Community Management, address; 5225 W. Massingale Rd, Tucson, AZ 85743, phone: (520)297-0797 or email at [ajaeger@cadden.com](mailto:ajaeger@cadden.com)\*\*ANY SAMPLES DROPPED OFF WILL BE DISCARDED AFTER 30 DAYS OF DECISION\*\***

Agreed:

\_\_\_\_\_

Owner

\_\_\_\_\_

Date

\_\_\_\_\_

Builder

\_\_\_\_\_

Date