

## Project Agreement

In consideration of Coyote Cove Owners Association (CCOA) project permit being issued for construction work, we acknowledge and enter into an agreement with the CCOA as described below. Initials of both the owner and the contractor are required.

Note: For Minor Projects insert "N/A" for Initials if provision does not apply.

**Street address in Coyote Cove (print):**

**Lot Number (print):**

1. \_\_\_\_\_ (Initials) Project permits are valid for six (6) months from date of approval. If the project permit expires before construction is complete, it is the property owner's responsibility to secure an extension.
2. \_\_\_\_\_ (Initials) The CCOA Environmental Control Committee (ECC) project permit and any other required permits (e.g., Archuleta County, Pagosa Lakes Property Owners Association), shall be posted before construction begins and must remain posted until construction is completed.
3. \_\_\_\_\_ (Initials) An "As-formed" foundation survey that verifies the approved location may be required. The Pagosa Lakes Property Owners Association (PLPOA) and/or the CCOA ECC must review and approve the survey results before the foundation is poured.
4. \_\_\_\_\_ (Initials) Before construction begins, the ECC must review and approve a Proposed Improvement Location Certificate (PILC) or existing (PILC) prepared by a Colorado registered professional land surveyor showing the locations of the improvements such as additions, buildings, driveway, parking pad, setbacks, drainage detail, exterior mechanical (HVAC), propane tank and path of travel. The PILC must also detail the "As Formed" requirements and lake setbacks.
5. \_\_\_\_\_ (Initials) All structures will be constructed in accordance with the Project Permit Application in addition to plans and specifications submitted to and approved by the ECC.

6. \_\_\_\_\_ (Initials) Permission is granted to the ECC and to its representatives to access the property to assure that improvements being constructed conform to the project permit that was approved by the ECC. In verifying these details, the ECC assumes no responsibility whatsoever for the structural aspects of the improvement being installed or constructed. The number of spot checks performed are entirely at the discretion of the ECC and/or its representatives, but it is anticipated they may occur as follows:
  - a. Prior to initiation of construction after lot boundaries and building corners are flagged in accordance to and in agreement with the PILC.
  - b. During construction at various intervals determined by the ECC.
  - c. Upon completion of construction to assure materials, design, and exterior colors conform to approved plans and application details.
7. \_\_\_\_\_ (Initials) All Structures built or placed on a lot shall comply with the current applicable Archuleta County Building Code, including electrical, plumbing, and mechanical codes as may apply. ***Owner and contractor, and not the CCOA/ECC, are responsible for ensuring compliance.***
8. \_\_\_\_\_ (Initials) The entire and continuous property boundary shall be identified ( tape, rope, construction fence, etc.) at all times during construction. All trucks, trailers, excavated materials, construction materials, tools, construction debris, equipment, etc. shall be kept within the boundaries of the property on which the contractor is working unless written permission is obtained from the adjacent affected property owner(s) and submitted to the ECC.
9. \_\_\_\_\_ (Initials) Overnight parking and storage of cars, trucks, trailers, excavated materials, construction materials, tools, construction debris, equipment, etc. is not allowed on Coyote Cove common areas. The common areas include Incline Circle and the shoulder of Incline Circle to the property monument on each lot marking the boundary between the common area and the lot.
10. \_\_\_\_\_ (Initials) No open burning by the contractor or others at the building site will be permitted.
11. \_\_\_\_\_ (Initials) All contractors will be required to provide a trash receptacle/enclosure of not less than 2 cubic yards on site. All construction debris shall be removed from the building site and be disposed of properly at least weekly. The work site will be policed daily and any litter subject to displacement by wind will be placed in the trash receptacle.

12. \_\_\_\_\_ (Initials) The project requirements of the CCOA require the installation of an enclosed, freestanding, operating, self-contained portable toilet for use by anyone at the construction site. The portable toilets are required on all projects where there is not an existing working toilet facility. The facility shall be available from the date the excavation is started until such time as the indoor toilets are operational. This facility is for temporary use during the construction period only and shall be promptly removed upon the completion of the construction.
13. \_\_\_\_\_ (Initials) Prior to any construction, the owner/contractor shall install a storm culvert at the driveway entrance and lay gravel on the proposed driveway (per PILC) in accordance with Archuleta County specifications. If damage to the road or drainage ditch occurs during installation, construction, and up to one year from the date of completion, the property owner is responsible for repairing damage and returning all aspects of the road to its original condition at the property owner's expense to the satisfaction of the ECC. At the discretion of the ECC, a pre-construction deposit of \$2500.00 may be required to ensure funds are available for repair.
14. \_\_\_\_\_ (Initials) All construction work will take place between 8:00 a.m. and 8:00 p.m., local time, Monday through Saturday. No construction work is allowed on Sunday.
15. \_\_\_\_\_ (Initials) Subdivision rules do not allow pets to roam free within Coyote Cove. All pets must be contained within a vehicle or fence or on a leash at all times and must not present a nuisance (e.g., barking). Contractors are discouraged from bringing pets to the jobsite.
16. \_\_\_\_\_ (Initials) All trees greater than three inches in diameter, including Gambel oak, shall remain as a mandatory part of lot development. Contractor and owner shall protect trees and Gamble oak throughout construction. Neither contractors nor their subcontractors will drive, park vehicles, or stack construction material within the drip line of subject trees. Removal of trees greater than 3 inches in diameter, including Gamble oak, must be approved in writing by the ECC or detailed on a PILC approved by the ECC. Additionally, trees and Gambel oak shall be marked with tape prior to removal.
17. \_\_\_\_\_ (Initials) Upon completion and prior to occupancy, a copy of the Archuleta County Certificate of Occupancy shall be provided to the ECC.
18. \_\_\_\_\_ (Initials) Contractors and subcontractors shall not recreate (fish, boat, swim, etc.) on any Coyote Cove property or common area.
19. \_\_\_\_\_ (Initials) Contractors and subcontractors shall not share gate codes with prospective customers to access Coyote Cove. Any and all prospective customers, friends, or family must be accompanied by the contractor or subcontractor when entering Coyote Cove.

20. \_\_\_\_\_ (Initials) Contractors are required to inform and enforce this agreement and its provisions among all subcontractors.
21. \_\_\_\_\_ (Initials) The property owner and contractor understand that in the event legal action is required to enforce the terms of this Project Agreement or any of the terms contained in the CCOA Project Permit Application Process, CCOA Declaration of Covenants, Conditions, and Restrictions or any other applicable regulations affecting the owner's property, that if the CCOA prevails, the property owner will be required to pay attorney fees and other legal costs incurred by the CCOA.
22. \_\_\_\_\_ (Initials) All provisions in this agreement are binding upon the owner and contractor. Invalidation or failure of the ECC to enforce a single provision does not affect the validity, legality, or enforceability of any other provision or provisions.
23. \_\_\_\_\_ (Initials) Failure to abide by the terms of this agreement by owners, contractors, or subcontractors may result in the issuance of a STOP WORK ORDER by the ECC or Executive Committee. Construction will be halted and the order will not be lifted until violations are corrected including necessary actions to mitigate the effects of violations.

**Property Owner's Name (print):**

**Property Owner's Signature:**

**Date:**

**Contractor's Name (print):**

**Contractor's Signature:**

**Date:**

**ECC Project Application Approval and Permit**

For ECC use only.

Member in good standing:

ECC approved:

Date project application received:

Project application related to this agreement:

Project permit expiration date:

Project permit number:

Comments:

**ECC Chair Name (printed):**

**ECC Chair Signature:**

**Date:**