

# MESA HILLS HOMEOWNERS ASSOCIATION, INC.

## GENERAL CONSTRUCTION CONTRACT INSTRUCTIONS AND SUPPLEMENTAL AGREEMENT

### APPLICATION TO BUILD, LANDSCAPE OR FENCE

On August 15, 1993 the Board of Trustees of the Mesa Hills Homeowners Association, Inc., declared the following rules and regulations applicable to new construction and home remodeling projects within the development. These rules became effective July 22, 1997. This document was later revised on September 7, 2004.

- 1) **Application must be made to the Administrator one week (7 days) prior to the regularly scheduled meeting for permission to construct or remodel. The Board of Trustees meets the 1<sup>st</sup> Tuesday of the month.** Owner / Applicant must follow the application procedures then in effect and must attend the regularly scheduled meeting for the application to be approved. Approval requires 5 signatures from Board members to evidence authorized approval. If construction is not commenced within 6 months of approval, then the owner/ applicant must re-start the application process.
- 2) Before the start of construction, a check will be deposited with the Board of Trustees in the amount of \$1,000.00 as a refundable security deposit. The funds will be refunded at the completion of the project provided the Board approves the refund based upon final cleanup, inspection of the premises, and correction of any compliance or damages. Written notification of completion is required for deposit refund.
- 3) No construction work of any kind is to commence on development property until the plans have been approved by the Board of Trustees, and the owner / applicant has provided **all** paperwork and paid the deposit.
- 4) At all times during construction, a current set of plans must be maintained with the Homeowners Association. Variance from the blue print must receive Board approval prior to any changes being constructed.
- 5) The owner must provide a suitable dumpster or waste receptacle on site, from the first day of construction until the project is completed. It must be placed at least 10 feet setback from the street. Construction debris and rubbish are to be collected and deposited in the dumpster / waste receptacle at the close of each workday.
- 6) The owner is responsible for final clean up of the property which includes pick up of trash on neighboring lots if necessary and hauling away appropriate rocks, trees or other debris in and around the building site.
- 7) Portable toilets (Porta-Potties) are to be supplied at the job site from the first day of construction to the completion of the project. They are to be located set back from the sidewalk 15 feet, and at least 15 feet from any neighboring lot. (If appropriate.)
- 8) Construction vehicles and equipment will not be parked in right-of-ways or in streets in a manner that will interfere with the normal flow of traffic.
- 9) Delivery or storage of materials, fill dirt, or equipment in the street is prohibited. Jobbers are not permitted to drive on neighboring lots to deliver to the work site unless the lot owner has given the homeowner or general contractor permission.
- 10) Because the restrictive covenants limit the use of outdoor signs, the placement of signs by a general contractor must be no larger than 18" x 24" in size (the size of a typical real estate sign). No other signs (including subcontractors) are permitted.
- 11) The general contractor shall advise workers that at all times they are to remain at or near the job site during working hours and not loiter at the project.

DATE: \_\_\_\_\_

INITIAL: \_\_\_\_\_

- 12) Construction work is limited to the hours of 7 am to 7 pm Monday through Saturday. Sunday and holiday construction work will be limited to the hours of 9am to 5 pm.
- 13) The construction site must be kept watered to control dust, as required by city ordinance.
- 14) Wall plans and colors must be submitted and approved by the city building department first. Upon their approval, the plans must then be submitted to the Board. This instruction includes full walls, half walls, and retaining walls.
- 15) Homeowner and contractor(s) are responsible for seeing that repair work is finished if sidewalks or curbs are damaged during construction. If damage is caused by a sub-contractor or by delivery of materials, it is the homeowner's responsibility to see that the damage is repaired within 30 days after the project is completed.
- 16) Homeowner and contractor(s) are responsible for damages caused to adjacent properties or homeowners during construction.
- 17) Workers or subcontractors may not bring pets to the work site.
- 18) Any changes must be approved by the Board before construction is commenced on the changes.
- 19) It is agreed that the general contractor and owner / applicant agrees to each of the above stated terms. The homeowner\* is ultimately responsible for the actions or inactions of the general contractor and nothing within this agreement shall be construed to limit the right of a homeowner to legally proceed against a general contractor for breach of these terms.

DATE \_\_\_\_\_

DATE \_\_\_\_\_

\_\_\_\_\_  
HOMEOWNER

\_\_\_\_\_  
GENERAL CONTRACTOR

Security Deposit paid DATE \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature  
Board of Trustee / Administrator

\*The Declaration of Covenants and Conditions concerning this development, provide that upon breach of the covenants or conditions the breaching owner will be liable for the costs of suit including attorney fees.

Approval requires a quorum of signatures by the Board. Without such endorsements **APPROVAL IS NOT** granted:

**BOARD MEMBERS:**

_____	_____
_____	_____
_____	_____
_____	_____

***MESA HILLS HOMEOWNERS ASSOCIATION, INC***

## APPLICATION TO BUILD, LANDSCAPE OR FENCE

Owner / Applicant Name: \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Subdivision \_\_\_\_\_ Phase \_\_\_\_\_ Lot # \_\_\_\_\_  
Over-all type of home: Single Story \_\_\_\_\_ Two Story \_\_\_\_\_ Basement \_\_\_\_\_  
Square Footage per Level: Main Level \_\_\_\_\_ Second Story \_\_\_\_\_ Basement \_\_\_\_\_  
Total Square Footage: \_\_\_\_\_ Sq. Ft.

Owner / Applicant acknowledges receipt of the conditions, covenants, and restrictions concerning the subject property. \_\_\_\_\_

Signature

Date

The following information must be submitted at the time of Application. ***Failure to provide this information may be grounds for the Board of Trustees to deny consideration of the Application.***

### DWELLING INFORMATION:

### CHECKLIST

1. A plot plan showing setbacks, driveways and walkways. \_\_\_\_\_
2. A complete set of plans with all elevations and any changes to land contour. \_\_\_\_\_
3. Exterior materials and colors, including fencing materials. Color chart or product samples must be provided. \_\_\_\_\_
4. Roofing materials and colors. Chart or product samples must be provided. \_\_\_\_\_

### ADDITIONAL INFORMATION:

5. Landscape Plan \_\_\_\_\_
6. Fence or Wall Plan \_\_\_\_\_

Recommendations by the Committee: \_\_\_\_\_  
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\_\_\_\_\_  
HOMEOWNER/CONTRACTOR

\_\_\_\_\_  
DATE