



BARTON CREEK NORTH PROPERTY OWNERS ASSOCIATION

MASTER ARCHITECTURAL CONTROL COMMITTEE

CONTRACTOR/BUILDER AGREEMENT

As the general or primary contractor/builder of the proposed construction project located at _____ (the "Project"), I, _____, as agent for _____ (the "Owner"), hereby agree to conform to the following requirements and standards adopted by the Barton Creek North POA's Master Architectural Control Committee (the "MACC"):

- 1) I will review and become familiar with the Deed Restrictions associated with the property upon which the Project is located, as well as the Architectural Guidelines and policies adopted by the MACC for construction projects, and I will communicate with the MACC or its agent if I am unsure of the applicability or scope of such restrictions, guidelines or policies, as same may relate to the Project;
- 2) I will keep all paved areas in the vicinity of the Project, including streets and sidewalks, clear of dirt and debris resulting from the Project, and I will ensure that streets in the vicinity of the Project are cleared daily of debris and similar items that might puncture tires or damage vehicles;
- 3) I will ensure that all construction-related equipment, supplies and materials, and ancillary appurtenances will be stored and located so as to avoid sidewalks and streets;
- 4) I will ensure that all materials that are capable of becoming airborne due to wind, including but not limited to empty soft drink cups, food wrappers, paper products and the like, will be cleared daily from the Project site, and from nearby sidewalks, streets and properties;
- 5) I will ensure that all construction-related appurtenances, including portable toilets, trash receptacles and dumpsters, and storage pods, will be sited in accordance with the MACC's directive, for the entirety of the construction project, and if directed by the MACC I will ensure that such appurtenances will be screened from view from the street and adjacent properties; and, I will also ensure that all trash receptacles and dumpsters will be emptied promptly when they are full, and covered to minimize the amount of wind-blown trash;
- 6) I will use my best efforts to protect the Lot upon which I am working, as well as adjacent Lots, from damage caused by construction of the Project;
- 7) I will employ adequate erosion control during construction of the Project to protect nearby properties, storm drains and waterways from sediment and waste-laden runoff;

- 8) I will use my best efforts to preserve trees and shrubs on-site and on adjacent properties;
- 9) Upon completion of construction, I will replace and/or repair damaged curbs and restore sidewalks and streets to the condition they were in prior to construction of the Project;
- 10) I will adhere to the authorized construction hours as specified by the MACC and the Architectural Guidelines, and I will ensure that no construction materials will be delivered to the Project site outside of these approved hours;
- 11) I will ensure that no construction-related equipment will be cleaned on the Project site and that no concrete supplier, plasterer, painter or other sub-contractor will clean their equipment or tools on the Project site or in any manner that allows for sediment or waste-laden runoff outside of the Project site;
- 12) I will use my best efforts to ensure that all vehicles associated with the contractors, sub-contractors, suppliers and vendors working on the Project are parked in a manner that does not block the driveways of adjacent and nearby properties, and that such parking will occur only on the side of the street where the Project is located, or as required by the Sub-Association or the MACC, and in such a manner so as to maintain adequate clearance for emergency vehicles including fire trucks;
- 13) I will ensure that no amplified sounds from radios or other devices at the Project site will be audible from the street or from adjacent properties;
- 14) I will ensure that all contractors and sub-contractors working on the Project, and their agents and representatives, use an approved construction access entryway, obtain and use gate codes specified by the MACC for gaining entry to the neighborhood of the Project, and comply with all posted speed limits within the neighborhood of the Project;
- 15) I will ensure that flammable materials, including but not limited to cigarettes, will be carefully disposed of, and that fire suppression methods, including but not limited to fire extinguishers, water tanks, or active water supply, are available on site at all times;
- 16) I will maintain adequate insurance for the duration of the Project, as specified by the MACC prior to commencement of construction of the Project; and
- 17) I will inform and supervise all contractors, subcontractors and their agents and representatives to ensure their compliance with these standards.

Agreed to this _____ day of _____, 20_____.

CONTRACTOR/BUILDER: _____

Please return to:

Barton Creek North POA - MACC
c/o FirstService Residential
5316 W US Highway 290 Ste. 100
Austin, TX 78735
ACC.CTX@fsresidential.com