

**WOODCREEK PROPERTY OWNERS ASSOCIATION OF HAYS COUNTY, INC.
TERMS AND CONDITIONS FOR BUILDING PERMIT**

AGREEMENT

1. ALL CONSTRUCTION WILL MEET OR EXCEED COUNTY REQUIRED RESIDENTIAL BUILDING CODES. BUILDER MUST BE REGISTERED WITH HAYS COUNTY AND MUST REGISTER ALL NEW HOME CONSTRUCTION WITH THE COUNTY. BUILDERS MUST COMPLY WITH ALL LAWS REGARDING INSPECTIONS AND THE HIRING OF LICENSED CONTRACTORS. _____Initial and date here.
2. NO CONSTRUCTION WILL COMMENCE UNTIL A BUILDING PERMIT HAS BEEN ISSUED. WHEN ISSUED, THE BUILDING PERMIT WILL BE CONSPICUOUSLY DISPLAYED ON THE SITE AT ALL TIMES. _____Initial and date here.
3. A PORTABLE TOILET MUST BE ON SITE PRIOR TO THE START OF ANY CONSTRUCTION AND MUST REMAIN ON SITE UNTIL THE CONSTRUCTION IS COMPLETED. _____Initial and date here.
4. TO ENSURE COMPLIANCE WITH SETBACK REQUIREMENTS A FORM SURVEY PREPARED AND CERTIFIED BY A LICENSED SURVEYOR MUST BE ON FILE WITH THE WOODCREEK POA PRIOR TO POURING CONCRETE FOR THE FOUNDATION. THE FORM SURVEY MUST BE DELIVERED IN PERSON OR VIA FAX TO THE WPOA OFFICE. _____Initial and date here.
5. MAJOR DEBRIS CLEAN-UP IS REQUIRED ON A WEEKLY BASIS. MINOR DEBRIS PICKUP IS REQUIRED DAILY. A CONSTRUCTION DEBRIS ROLL-OFF CONTAINER MUST BE ON THE BUILDING SITE FOR WHICH THE PERMIT IS ISSUED WITHIN 10(TEN) DAYS AFTER FORM BOARDS ARE SET. YOU MUST NOT ALLOW THE CONSTRUCTION DEBRIS BOX TO BE OVERFILLED AT ANY TIME. AFTER THE CONSTRUCTION DEBRIS BOX IS TAKEN A NEW BOX MUST BE ONSITE WITHIN 72 HOURS. _____Initial and date here.
6. BUILDER/OWNER MUST CLEAN PROPERTIES/ROADWAYS AND RIGHT-OF-WAYS FROM ANY AND ALL TRASH RESULTING FROM WORK BEING PERFORMED AT/ON THEIR BUILDING SITE. TRASH OF ANY KIND MUST BE PICKED UP DAILY. _____Initial and date here.
7. BUILDER/OWNER MUST REGISTER ANY AND ALL FIRES WITH HAYS COUNTY FIRE MARSHALL AND WITH THE WOODCREEK POA. WATER MUST BE AVAILABLE TO SITE WHERE BURNING IS TO TAKE PLACE AND ALL FIRES/ASHES MUST BE EXTINGUISHED BEFORE NIGHTFALL. ALL FIRES MUST BE ATTENDED. _____Initial and date here.
8. BUILDER/OWNER MUST BE IN CONTROL OF THEIR PERSONNEL/SUB-CONTRACTORS AT ALL TIMES. LOUD MUSIC, IMPROPER LANGUAGE, DAMAGE TO ADJOINING PROPERTIES, DRUNKEN OR DISORDERLY CONDUCT, AND UNRESTRAINED DOGS WILL NOT BE TOLERATED. _____Initial and date here.

9. BUILDER/OWNER MUST COMMENCE CONSTRUCTION WITHIN 30 DAYS OF ISSUANCE OF PERMIT. ALL NEW HOME CONSTRUCTION IN TOTAL MUST BE COMPLETED WITHIN 180 DAYS OF ISSUANCE OF THE BUILDING PERMIT. THIS SHALL INCLUDE COMPLETION OF THE INTERIOR AND EXTERIOR OF THE HOME, DRIVEWAY, MAILBOXES, SIDEWALKS AND LANDSCAPING AND ALL UTILITIES MUST BE IN PLACE AND OPERATIONAL WITHIN THE 180 DAYS OF ISSUANCE OF PERMIT. (REQUESTS FOR EXTENSIONS MUST BE ON FILE PRIOR TO END OF THE 180 DAYS. AN EXTENSION MAY BE GRANTED DEPENDENT UPON WEATHER AND OTHER EXTENUATING CIRCUMSTANCES. EXTENSIONS WILL REQUIRE ADDITIONAL PERMIT FEES BE PAID) _____ Initial and date here.

10. BY SIGNING THIS DOCUMENT YOU ARE ENTERING INTO A CONTRACT WHERE YOU AGREE TO COMPLY WITH THESE RULES AND REGULATIONS. AND THE RULES ESTABLISHED IN THE WPOA ACC RULES FOR NEW HOME BUILDERS REGARDING SUBMISSION. IF YOU FAIL TO PERFORM ANY OF YOUR OBLIGATIONS UNDER THIS AGREEMENT AND SUCH FAILURE CONTINUES FOR A PERIOD OF TEN (10) DAYS AFTER NOTICE THEREOF, WOODCREEK POA SHALL HAVE THE RIGHT TO TERMINATE YOUR BUILDING PERMIT. YOU AGREE THAT WOODCREEK POA MAY ALSO ENFORCE THESE RULES AND REGULATIONS BY WAY OF INJUNCTION, SUIT FOR DAMAGES, AND/OR FINES.

11. ALL BUILDERS MUST SUBMIT A BUILDING PERMIT ISSUED BY HAYS COUNTY, TEXAS ALONG WITH ALL OTHER DOCUMENTS. ACC WILL NOT CONSIDER ISSUING A BUILDING PERMIT WITHOUT A COPY OF A HAYS COUNTY BUILDING PERMIT.

ALL PARTIES TO THIS AGREEMENT ACKNOWLEDGE THAT THE DETERMINATION OF ACTUAL DAMAGES TO WOODCREEK POA IN THE CASE OF BUILDER'S/OWNER'S NONCOMPLIANCE WITH THESE RULES AND REGULATIONS WILL BE DIFFICULT OR IMPOSSIBLE TO DETERMINE. BOTH PARTIES THEREFORE AGREE THAT DAMAGES AND/OR FINES UNDER THIS AGREEMENT WILL BE AS FOLLOWS:

ONE HUNDRED AND 00/00 (\$100) FOR EACH DAY OF NON-COMPLIANCE (including any notice period provided for hereunder). _____ Initial and date here.

I, _____, HAVE READ AND AGREE TO THE ABOVE RULES AND REGULATIONS OF THE WOODCREEK PROPERTY OWNERS ASSOCIATION OF HAYS COUNTY, INC.

I, _____, HAVE READ AND AGREE TO THE ABOVE NOTICE CONCERNING THE RIGHTS OF THE WOODCREEK PROPERTY OWNERS ASSOCIATION OF HAYS COUNTY, INC. TO DAMAGES, FINES AND/OR AN INJUNCTION FOR ANY AND ALL INFRACTIONS OF THE ABOVE RULES AND REGULATIONS.

I do ___ do not ___ own the property.

 BUILDER/OWNER

DATE _____