



**BEARSPAW COUNTRY ESTATES HOMEOWNERS ASSOCIATION**  
***Architectural Review Committee***

**OWNER/BUILDER'S COMPLIANCE AGREEMENT**

**PROPERTY INFORMATION**

Neighbourhood: BEARSPAW COUNTRY ESTATES

Lot Number: \_\_\_\_\_

**OWNER/BUILDER INFORMATION**

Owner Name/Address/E-mail: \_\_\_\_\_

(Please print clearly)

Builder's Name/Address/E-mail: \_\_\_\_\_

(Please print clearly)

To ensure that any new construction conforms to the Architectural Design Guidelines (the "**Architectural Guidelines**") adopted by the Bears paw Country Estates Homeowners Association (the "**HOA**"), the HOA has appointed an independent consultant (the "**Consultant**") to administer the Architectural Guidelines. A copy of the agreement with the Consultant is available upon request to the HOA. An Owner and/or builder is required to submit plans to the Consultant for approval prior to submitting plans to Rocky View County for approval. The Consultant will make certain visits to the construction site to ensure that all construction is being done in accordance with the plans submitted and approved (the "**Approved Plans**"). Owners and/or builders will be informed of any deviations from the Approved Plans reported by the Consultant.

(1) **Application Fees:** When an Owner or his or her builder submits plans to the Consultant for approval, the submission shall include an application fee and a compliance deposit as set out herein. The application fee shall be made payable to the "Bears paw Country Estates Homeowners Association" as follows:

(a) New Residence construction – The original improvement of a Lot from a site into a residence.

Application Fee: \$2,000

(b) Major alteration or addition – a structural or site modification significant enough to warrant the issuance of a building permit by a regulatory authority.

Application Fee: \$1,000

(c) Minor architectural modification or addition – any architectural changes which require architectural review and approval as set forth in the Architectural Guidelines but a regulatory

building permit is not required. For example, changing the exterior color scheme of the Residence.

Application Fee: \$500.00

- (2) **Compliance Deposit:** To guarantee that the Architectural Guidelines are adhered to, each Owner or builder, before beginning any new residence construction, shall post a cash bond in the amount of \$25,000.00 (the "**Deposit**") with the HOA (any interest earned shall be credited to the Owner or builder, however the HOA shall not be under any obligation to deposit the amount into an interest bearing account). Should it become necessary for the HOA to remedy any violation of the Approved Plans or the Architectural Guidelines, the costs of such remedy will be charged against the Deposit. The obligation of the Owner and/or builder to repair, correct, complete or otherwise comply with the Approved Plans or the Architectural Guidelines shall not be limited to the amount of the Deposit. Any additional expense over and above the deposit incurred by the Homeowners Association in enforcing compliance with the Approved Plans or the Architectural Guidelines will be recorded against the Lot as a caveat until paid.
- (3) The Owner and/or builder hereby certifies that he/she has read and has full understanding of the Architectural Guidelines. Furthermore, the Owner and/or builder agrees to uphold and comply with the Architectural Guidelines throughout the building process and to complete the project as per the Approved Plans.
- (4) The Owner and/or builder hereby acknowledges that compliance with all applicable building codes, County and government ordinances and regulations are the responsibility of the Owner and/or builder. The Owner and/or builder hereby indemnifies the HOA and the Consultant from any and all matters concerning the construction and any code violations in relation thereto.
- (5) If at any time during the construction process the Owner and/or builder does not comply with this Agreement, the Owner and/or builder acknowledges and agrees the HOA has the full right and authority to stop all work until all violations are brought into compliance with the Architectural Guidelines and the Approved Plans. The HOA will issue a stop work notice to the Owner via email and mail at the address provided by the Owner and/or builder, as applicable. If the Owner fails to bring the project into compliance within ten (10) working days of the mailing date of the notice, the HOA has full right and authority to use the Deposit to bring the project into compliance. If cost shall exceed the Deposit, the Owner shall be responsible for such cost incurred. Any additional expense over and above the Deposit incurred by the HOA in enforcing compliance with the Architectural Guidelines and the Approved Plans will be recorded against the Lot as a lien until paid. In case of emergency, the HOA may waive the ten (10) working day notification.
- (6) Upon completion of construction, issuance of the final approval by the Consultant and the issuance of an occupancy permit, the Deposit, less any expenses to cure any violations, shall be returned to the Owner or builder, as applicable.

WITNESS the signature of the parties hereto. This agreement may be signed in one or more counterparts.

\_\_\_\_\_  
Property Owner's Name

\_\_\_\_\_  
Lot

\_\_\_\_\_  
Property Address

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Builder's Signature

\_\_\_\_\_  
Date

BEARSPAW COUNTRY ESTATES HOMEOWNERS ASSOCIATION

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date