

Cape Royal Homeowners Association
c/o ARB Chairperson
1242 SW Pine Island Road, # 42-444
Cape Coral, Fl. 33991
239-896-4804 caperoyalarb@gmail.com

Construction Agreement

This agreement was entered into this _____ day of _____, 20____ by and between the Royal Tee Homeowners Association Inc. dba: Cape Royal Homeowners Association (hereinafter "Cape Royal") and _____, Owner(s) of Lot _____, of Cape Royal (hereinafter "Owner"), in Lee County, Florida. Witnesseth that, whereas, Cape Royal acting by and through its Architectural Review Board (hereinafter ARB) is charged with approving all Architectural and Landscape Plans for all improvements to be constructed in Cape Royal; and whereas, Owner has submitted plans for improvement to Lot _____, now approved by the ARB, and is prepared to commence construction subject to compliance with all terms and conditions below; now therefore, in consideration of the approval of Owner's plans, and for other good and valuable consideration, exchanged by and between the parties, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree that:

1. Owner shall insure that his Builder and Contractor (to include all subs) are aware of and shall comply with the following:
 - A. Only one sign displaying the general contractors and/or architect's name may be displayed on the lot. This sign must not exceed 5 square feet (30" x 24") in area and must be in harmony with the design standards of Cape Royal. No loud or gaudy colors will be permitted. When the job is completed, the sign must be removed immediately. No other signs will be displayed during construction at any time, including those of subcontractors or signs advertising other goods or services.
 - B. The working hours for construction personnel within Cape Royal will be from 7:00 am to 6:00 pm Monday through Friday and between 7:00 am and 4:00 pm on Saturdays. No work will be performed on Sunday or National holidays.
 - C. Contractors are prohibited from using water or electric from homes neighboring a construction site. Temporary utility services should be installed to support the construction effort. Because water, electric, TV and telephone service to the home are underground, care should be taken to ensure that these lines have been installed and the water connections made prior to completing driveways, walks, etc. Any questions about location of underground lines should be directed to Lee County Electric Cooperative, Pine Island Water, Century Link and your cable TV provider.
 - D. There is no dumping area available at Cape Royal.

- E. A portable toilet is required for all construction sites.
- F. Worker's vehicles, including lawn maintenance vehicles must not be parked on the roadways. Pull all vehicles off the road onto the site in the culvert area. The streets in Cape Royal are private property and must be maintained by the members. Oil and gasoline leaks from vehicles can break down the asphalt. Vehicles parked on the roadway will not be tolerated. Damage will be assessed against the lot owner. Continued violation of this restriction will result in revocation of permission to enter the development.
- G. The speed limit in Cape Royal is 25 MPH. It is expected that all will adhere as closely to this as is reasonably possible. Vehicles traveling at an unsafe speed will be warned one time and continued violation of this restriction will result in revocation of permission to enter the development.
- H. Loud volume from radios being played on the construction site is prohibited.
- I. The lakes are not recreational amenities, and fishing in the lakes is prohibited.
- J. The use of adjoining properties for access to the site or for storage of materials, without the written permission of the adjacent owner is forbidden.
- K. Damage to curbs, streets, Golf Course and common areas as a result of construction will be charged to the lot owner if not repaired to pre-construction condition or higher.
- L. Upon completion of construction, all construction debris, trash and signs shall be removed from the lot and all adjoining lots, together with the temporary electric service pole. All drainage swales will comply with required elevations. During construction trash shall be policed around the property.
- M. The storage of materials must be in an inconspicuous area of the site. Cleanliness will be practiced and contractors are required to make frequent clean ups of surplus materials, trash, wrappers, etc. A trash receptacle must be maintained on each site for the disposal of small trash and other litter. Trash and garbage shall be disposed of immediately to prevent it scattering to other home sites or the Golf Course. Unsightly building sites constitute nuisances to the community, including excessive vegetation height as determined by the ARB Board, and owners will be warned and then fined for ongoing violations.
- N. The following are prohibited from all residential construction areas: visitors, pets, firearms, alcoholic beverages, overnight construction trailers, sheds, or other temporary buildings.

2. Owner shall indemnify and save harmless the Association from any damages, or claims for damages, including attorney fees and court cost, caused or arising from any and all activities of the Owner, his Builder, and their contractors, in the development and construction of Owner's residence on said lot.

In witness whereof, the parties executed this Agreement,

this _____ day of _____, 20____

By _____ Owner/Builder

By _____ ARB Chair

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