

## OWNER AGREEMENT

This Owner Agreement ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_ ("Owner") and Eldorado Property Owners Association ("Association") with respect to a construction project ("Project") to be undertaken by Owner on Owner's Lot (No. \_\_\_\_\_) at \_\_\_\_\_, Indian Wells, CA 92210. The Association's Architectural Committee has approved an Application submitted by Owner for the construction of the Project. Owner understands and agrees to the following:

1. I acknowledge that I have read and am familiar with the Association's Design and Plan Submittal Guidelines ("Guidelines") and the Association's 2021 Amended and Restated Declaration of Restrictions ("Declaration").
2. I agree that the Project will be constructed in strict compliance with the Application submittal approved by the Architectural Committee, and should any changes be required at any time during the Project, those changes must be approved by the Architectural Committee and noted on the Application.
3. I will comply with the Guidelines and Declaration with respect to the Project.
4. I understand and agree that I am fully responsible for all professionals and other contractors retained by me during the design and construction of the Project, including with respect to quality of workmanship, safety and adherence to the requirements of the Guidelines and Declaration. I also acknowledge and agree that I am fully responsible for compliance with the Guidelines and Declaration by the general contractor I have retained for the Project as well as its agents, subcontractors, suppliers and vendors and their respective employees.
5. I understand that the general contractor that I have retained for the Project is entering into a Contractor Agreement with the Association with respect to the Project, and I understand and agree that I am responsible for compliance by Contractor and all Contractor Parties (as defined in the Contractor Agreement) with the Contractor Agreement and the Construction Rules referenced therein.
6. I have delivered to the Association a check payable to the Association in the amount of \$\_\_\_\_\_ to serve as the Construction Compliance Deposit, as required by the Guidelines. I acknowledge that the funds will be deposited in a noninterest bearing account with a federally insured institution. I agree that such funds shall be retained by the Association pending satisfactory completion of the Project in accordance with the Application submittal approved by the Architectural Committee, including the plans and specifications included therein, and with the Guidelines, the Declaration and the Construction Rules. I acknowledge and agree that the Association shall have the right to assess deductions against the Construction Compliance

Deposit as a means of enforcing compliance with the Guidelines, the Declaration and the Construction Rules, including, but not limited to, correcting security, safety or health risks / hazards, cleaning or maintaining the site, adjacent property and streets, repairing damages to any adjacent areas, and legal expenses for enforcing compliance. If the Association draws funds from the Construction Compliance Deposit, I agree that I will promptly restore the Construction Compliance Deposit to its original amount. I further acknowledge and agree that the Architectural Committee may halt construction activity until the Construction Compliance Deposit is restored to its original amount. I understand that the Association will return to me any remaining funds in the Construction Compliance Deposit within thirty (30) days after the Architectural Committee determines that the Project has been satisfactorily completed in accordance with the Application and the Guidelines and Declaration and has issued the Committee's Notice of Completion.

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

Date \_\_\_\_\_

Eldorado Property Owners Association

By \_\_\_\_\_  
(Signature)

Date \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)