

# **Cramer Mountain Homeowners Association, Inc. Architectural Control Committee**

## **I. Approved Builder Required**

Pursuant to the provisions of Article VI appearing in the Notices of Amended Restrictions for Cramer Mountain and Article IV of the Declaration of Covenants, Conditions, and Restrictions of Cramer Mountain originally recorded in Book 3051 at Page 177, and re-recorded in Book 3242 at Page 588 of the Gaston County Public Registry, the Architectural Control Committee (ACC) requires that each Owner submitting plans and specifications for the construction of Improvements of any Lot within Cramer Mountain shall also submit to the ACC a copy of the fully signed contract for the construction of those Improvements between the Owner of the Lot and an **Approved Builder** for approval by the ACC.

## **II. Criteria and Requirements**

**The ACC shall maintain a list of Approved Builders who have satisfied the criteria in requirements established by the ACC upon request, which list shall be subject to revision of at any time. Approved Builder status is subject to revocation at any time in the event an Approved Builder fails to remain in full compliance with the criteria and requirements established by the ACC and set forth below. The Owner of the Lot shall be responsible for the acts and omissions of any Approved Builder selected by Owner.**

The ACC has adopted and established the following criteria and requirements, which must be satisfied by any contractor or builder who wishes to qualify as an Approved Builder of the construction Improvements within the Cramer Mountain Community. Written notice of qualification, as an Approved Builder must be received by any builder or contractor before entering into any contract for the construction of Improvements on any Cramer Mountain Lot. Applications for qualification and approval must be submitted to the ACC in writing and must contain the following information:

1. A company name, address, telephone number and responsible party.
2. Insurance.
3. Licensing.
4. Lender References.
5. Vender References.
6. Experience.

The ACC reserves the right to request additional or supplemental information from any contractor or builder seeking qualification and may postpone a final decision on any pending application until that additional or supplemental information or materials are provided.

### **III. Certification**

All applications for qualification and approval shall contain the following certification signed by the builder or contractor or an authorized representative of the builder or contractor.

The Applicant understands and acknowledges that approval and qualification as an Approved Builder for the construction of Improvements within Cramer Mountain is specifically conditioned upon the Applicants strict and timely compliance with all guidelines, approvals, rules, restrictions and regulations applicable to both the Lot where the Improvement is to be constructed and to owners of property within the Cramer Mountain Community, given the fact that the Applicant will be acting as the representative of the Owner with respect to construction of the Improvement. Without limiting the generality foregoing, the Applicant acknowledges an ongoing duty to strictly and timely comply with the following:

1. Covenants, Conditions and Restrictions applicable to the lot and the Bylaws, Rules and Regulations of the association.
2. Construction rules and/or architectural guidelines promulgated by the association or it's ACC.
3. The terms and conditions of any approval granted by the ACC with respect to the construction of the Improvement, satisfaction and fulfillment of all obligations of the Applicants obligations with respect to both the property where the Improvement is to be constructed and any other properties owned by an applicant within Cramer Mountain, including without limitation, Applicants obligation to pay assessments and other charges duly noted with respect to properties owned by Applicant. The terms and conditions of any approval granted by the ACC shall be deemed to include all terms and conditions set forth in the application submitted.
4. North Carolina licensing requirements.
5. State and local building code and permitting requirements.

Applicant understands and agrees that Approved Builder status can be immediately withdrawn in the event any information provided to the association is inaccurate and incomplete or applicant fails to conduct itself in strict accordance with the terms of this certification.