

# **The Windekind Commons Design Deposit Agreement**

## **Purpose**

The purpose of the Design Deposit (DD) is to provide funds for doing advance design work and project development on the Windekind Commons and home site parcels. DD funds will be dedicated to improving either individual property or the project overall, thereby improving value and marketability of both the Commons and individual parcels.

## **Design Deposit Process**

Persons interested in purchasing a home site and 1/8 share of the Commons should complete the following steps:

1. Learn about Windekind and the Commons mission, principles, and structure by reading the documents provided on the Windekind website: Mission & Principles; site maps, Building a Neighborhood, Design Deposit Agreement, Getting to Know You Questionnaire.
2. Visit Windekind and meet with owners Mark and Marijke Smith and other members as available. This is an important opportunity in a process called "living design" to learn more about the overall project in detail and review and discuss the options that come with membership and customizing a parcel to fit individual needs and goals within the Commons design parameters.
3. Establish intent to join the project by filling out and returning the "Getting to Know You Questionnaire," and identifying a desired available parcel.
4. Discuss and sign this Design Deposit Agreement with a payment to Mark and Marijke Smith of \$15,000.
5. Reach design and cost consensus with Mark and Marijke. This information will be the basis of a Purchase and Sales Agreement between Marijke and Mark and the purchasing party.

## **Design Deposit Terms**

- 1) Once a Purchase and Sales Agreement is in effect, the Design Deposit will be credited toward the purchase price of the parcel. In the event that the buyer decides not to go forward with the purchase, the DD will be refunded when a new qualified buyer is found for that same property.
- 2) DD funds will be deposited in a dedicated checking account administered by Mark and Marijke Smith with monthly statements and report of all transactions provided to Commons members. All expenditures in excess of \$500.00 and all contracts require approval by all Commons members in consensus.

- 3) Mark and Marijke Smith will take from each Design Deposit a fee of \$3,200 against their costs for project development. These funds will be expended on the project but under the discretion of Mark and Marijke Smith.
- 4) As part of his project development work, Mark Smith will write and administer the required permits for the Town of Huntington and the State of Vermont. This will be done as a cost and time saving initiative given Mark's experience in writing five previous state Act 250 permits for the farm and extensive experience with the town's permitting process.
- 5) Considerations in the use of Design Deposit funds for project development include:
  - A) Topography, engineering and architectural data, cost and overall placement of a lot within the Windekind community in accordance with a Master Plan based on Permaculture Principles. Some parcels could be enlarged to include more space for personal gardens and an outbuilding. Parcels could include shops and offices, while others could be reduced in size to save costs and reduce maintenance. The intended outcome is a customization of each lot in accordance with the prospective owner's needs, goals, and the Master Plan.
  - B) Infrastructure and its cost. Analyze required septic and water extensions and other infrastructure needs, like driveways and roads. In some cases we may want or need to address landscape features like clearing open space for gardens, out buildings and trail development. These features come with costs, which can be carried as pre-sale improvements impacting on sale price, or could be done and paid for by the parcel owner after purchase.

*In acceptance of a Design Deposit from the purchaser in the amount of \$15,000, the parties hereby agree to the terms of this agreement.*

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Mark Smith Signature

Date

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Marijke Smith Signature

Date

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Purchaser Signature

Date

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Purchaser Signature

Date