



COOLPOOLS.COM, LLC

HOMEOWNER PURCHASE AGREEMENT

NOTICE

Homeowner shall adhere to all recommendations as provided in the manuals provided by CoolPools.com, LLC. In addition, Homeowner shall install all warning labels provided by CoolPools.com and shall confer with each user of the pool, prior to use, to review all safety instructions provided in the Pool Owners Handbook. Homeowner shall indemnify and hold CoolPools.com, LLC harmless from and defend CoolPools.com, LLC against any actions, claims, expenses, costs, damages, and attorneys' fees concerning any act or omission of Homeowner in connection with the use or installation of the CoolPools.com swimming pool.

PROJECT PURPOSE

The objective of this project is for CoolPools.com, LLC, to build a high-quality, semi-inground swimming pool for the homeowner in a timely, efficient, and professional manner. The pool will be the shape and size agreed upon in the project overview, and purchased by the homeowner at the agreed upon price. The purchase price includes the full pool kit outlined in the scope of work, delivery, installation, additional accessories selected by homeowner, and additional installation variables selected by homeowner or determined necessary onsite by Installation Crew Leader. After purchasing the pool, the homeowner will be required to pay an initial deposit for the selected pool. Once payment is received, CoolPools.com will place the order for the pool and provide the homeowner with an ensuing installation schedule and coinciding payment installments. The pool will be installed by a certified CoolPools.com installation team on a tentative timeline determined by the CoolPools.com Project Coordinator and agreed to by the homeowner. The standard CoolPools.com installation is to excavate a 2' depth from grade, with a flat bottom. For excavation, the pool dimensions will be increased by 2' around the entire perimeter to allow space for the steel braces and the concrete collar poured 10" deep and 2' wide around the pool walls. The selected location of the pool (including overdig dimensions) must be at least 10' on all sides from existing structures (i.e. house, deck, etc.) in order to permit access to the skid steer for concrete & backfill purposes. If it is between 4'-10' on any side, a concrete buggy will be required. If it is less than 4' on any side, a pump truck will be required & backfill will not be possible.

PROJECT SCOPE OF WORK

Homeowner responsibilities:

Pre-Installation	Sign CoolPools.com, LLC, Homeowner Purchase Agreement.
Pre-Installation	Complete the first (3) agreed upon payment installments by assigned due dates.
Pre-Installation	Obtain property plot plan and submit to CoolPools.com Project Coordinator.
Pre-Installation	Determine all required permits needed to install a semi-inground swimming pool and obtain them at least two weeks prior to installation window. Any permits not obtained and submitted to CoolPools.com at least two weeks prior to the scheduled installation window will be rescheduled for the next available date, with no guarantee the installation will be in the same calendar year.
Pre-Installation	Determine all required inspections and coordinate scheduling based on guidance from Project Coordinator.
Pre-Installation	Source an electrical or mechanical contractor and schedule a consultation prior and after the pool installation to determine pool bonding, hard wiring of accessories, and any additional inspections/permits that may be required. Ensure contractor is aware of CoolPools.com tentative installation schedule to prepare for potential date adjustments close to installation.
Pre-Installation	Contact 811 DIG one week prior to installation for utility marking to occur 2-3 days before installation.
Pre-Installation	Confirm approval of pool installation with any HOA or neighborhood associations.
Pre-Installation	Ensure there is a 8' opening to pool installation zone for excavation and concrete equipment.
During Installation	Homeowner point of contact must be onsite the first part of installation to determine pool location, light location, filtration location, and any other variables that need to be determined. <i>Homeowner is not required to be on site for the remainder of the installation.</i>
Post-Installation	Schedule removal of excavated dirt, or leave onsite if desired.

Post-Installation	Purchase chemical start-up kit and vacuum hose (of accurate length based on pool size and location of filtration) to utilize with provided vacuum head for cleaning purposes.
Post-Installation	Complete required post-installation construction for safe ingress and egress to the pool structure, including installation of safety rail. When sourcing a contractor or personally performing post-installation construction, ensure to schedule 2-3 weeks after installation to allow time for pool to settle as well as any potential reschedules due to weather or labor.
Post-Installation	Install a drainage system diverting water away from the pool zone to avoid a settling pool or floating liner. This action is especially needed if any areas of the yard slope towards the pool.
Post-Installation	Warranties for pool kit components are provided by CoolPools and must be submitted by the homeowner to the manufacturer listed on the warranty within the required timeframe.
Post-Installation	Submit final payment installment to CoolPools.com within (3) business days of installation completion.
Post-Installation	Sign Project Sign-Off form provided by the CoolPools.com Project Coordinator.
Post-Installation	Notify CoolPools.com of any concerns regarding materials or installation within 30 days of project completion to schedule a post-installation assessment. All concerns after 30 days must be redirected to a swimming pool service company.
Post-Installation	Refer to CoolPools.com instructional videos or documents to assess and execute any filtration leak concerns.
CoolPools.com, LLC responsibilities:	
Pre-Installation	Order and deliver pool kit with selections indicated by homeowner and deliver to homeowner's residence prior to scheduled installation date.
Pre-Installation	Schedule raw materials to be delivered to homeowner's residence including: gravel (delivered the within the week prior or first day of installation, sand (delivered within the week prior or first day of installation), portable restroom (delivered within the week prior or first day of installation, and picked up within one week of project completion), concrete (scheduled second or third day of installation depending on installation variables).
Pre-Installation	Schedule tentative installation dates with CoolPools.com crew and reflect all installation information and updates in the Buildertrend schedule.
During Installation	Keep homeowner aware of all updates regarding the installation of the pool.
During Installation	Receive approval of all required additional installation variables before proceeding with construction.
Post-Installation	Review filtration system with homeowner as well as all accessories provided to homeowner needed for post-installation or winterizing purposes.
Post-Installation	Send homeowner Post-Installation Guide and Project Sign-Off form.
Post-Installation	Opportunity to schedule a post-installation call with the Project Coordinator or Sales Representative to review any concerns/feedback.

Installation timeline example:	
<i>The CoolPools.com installation crew of 2-4 individuals have an objective to complete the pool installation in 2-4 days based on the pool size. Please be aware that several factors can affect this timeline including weather, labor, and supplier availability.</i>	
Time frame	Task:
Day 1: 8am	Crew arrives, installation crew leader discusses pool layout with homeowner
Day 1: 9am	Excavation begins (larger pools or backyards with slopes require additional excavation time)
Day 1: 1pm	Gravel poured and compacted

Day 1: 3pm	Fiberglass steps set and level
Day 1: 5pm	Begin pool panel assembly
Day 2: 7am	Finish pool assembly
Day 2: 9am	Panels leveled and staked
Day 2: 11am	Concrete pour (10" of concrete poured around 2' pool perimeter collar)
Day 2: 1pm	Replumb walls
Day 2: 2pm	Install top rail/coping and bead receiver
Day 2: 4pm	Level and compact sand base
Day 2: 5pm	Drop liner
Day 3: 8am	Finish liner installation
Day 3: 9am	Filtration assembly
Day 3: 12pm	Clean up and leave jobsite

Additional installation variables:		
<p><i>CoolPools.com prides itself on being transparent with homeowners on the pricing of our pools, which includes any additional charges that may arise during the installation process. Every backyard is different, which means the CoolPools.com crew could discover some conditions that require work outside of the standard scope of our semi-inground installation. Below are the items we may encounter depending on your backyard, and the flat fee we will charge you if we must complete the outlined procedure. The Installation Crew Leader overseeing your project will discuss these additional variables with you when they arise. The approved costs will be added to your final payment installment due three days after your pool installation has been completed.</i></p>		
Installation need:	Purpose:	Size/Cost:
Concrete buggy	If the location of your new pool is inaccessible by a standard concrete mixer truck & a compact track loader, then a concrete buggy will be required to safely transfer the footer around the perimeter of the pool. The price of the concrete is included in the pool purchase, this cost is for the additional equipment required.	\$750
Concrete pump truck	If the location of your new pool is inaccessible by a standard concrete mixer truck, compact track loader, and a concrete buggy, then a concrete pump truck will be required to safely transfer the footer around the perimeter of the pool. The price of the concrete is included in the pool purchase, this cost is for the additional equipment required.	\$1,950
Root management and/or soft subgrade	Throughout the excavation process, the installation crew may discover roots or a soft subgrade. If the roots or subgrade are determined to be a hazard, then the crew will do the following: over excavate, install a layer of geotextile fabric, and add an additional lift of gravel before assembly of the pool. This will alleviate roots penetrating the liner and walls settling.	<ul style="list-style-type: none"> ● 12'x24'/13'x22' - \$900 ● 14'x28'/15'x30'/16'x28' - \$1,100 ● 16'x32' - \$1,300 ● 18'x32'/18'x33'/18'x36' - \$1,500
High water table	Throughout the excavation process, the installation crew may discover groundwater seeping up into the excavated area. If this occurs, then the crew will do the following: over excavate, install a layer of geotextile fabric, install a lift of gravel, install a geogrid, install a drainage collection system with sump pump, and then cover with a second lift of gravel before assembly of the pool. This will add 1-2 days on to the construction timeline but will alleviate a floating liner.	<ul style="list-style-type: none"> ● 12'x24'/13'x22'/14'x28'/15'x30'/16'x28' - \$2,500 ● 16'x32'/18'x32'/18'x33'/18'x36' - \$3,000

Permit acquisition	CoolPools.com does not obtain permits for homeowners unless required by the local building department. If CoolPools.com must oversee any permit acquisition, a charge will be added to the final invoice for the homeowner, along with the actual costs of permits obtained. This charge is due to the time required by the CoolPools.com Installation Crew Leader to travel to the local building department and handle all ensuing paperwork.	<ul style="list-style-type: none"> ● \$250 + cost of permit(s) for online/mailed paperwork ● \$750 + cost of permit(s) for in-person acquisition
Installation reschedule	CoolPools.com provides an installation window that the homeowner agrees to during the coordination process. If the homeowner must reschedule the installation within 30 days of the agreed upon window due to lack of preparation (such as permit acquisition or pool site prep), the homeowner will be charged for lost opportunity and material rescheduling cost with no guarantee of a reschedule within the same season. Installations pushed to the next season due to homeowner delay are subject to prices current with the season of installation.	\$1,000
Pool site prep	The installation crew installing the pool will need a clear site to conduct an efficient and precise installation. The homeowner will be instructed after the consultation and during coordination of any obstructions in the pool site zone that need removed prior to installation. If these items are not removed by the day of excavation, the homeowner will incur a fee for additional work required by the crew. <i>Items that cannot be removed by the crew due to lack of equipment/safety concern will be subject to an installation reschedule fee.</i>	\$500

PAYMENT TERMS

The homeowner agrees to pay the total agreed upon rate (not including any additional variables that arise during construction which will be approved by the homeowner and included in the final payment installment). The homeowner agrees all payment installments will be paid by the due dates outlined in Buildertrend and submitted via check, ACH, wire, or credit card. Payments received past the due date will incur a 3% monthly late fee. All payments made via credit card or ACH transfer will be subject to an additional surcharge processing fee.

Due date:

15% due upon pool order

50% due upon pool delivery

30% due (1) day prior to installation

5% due (3) business days after installation completion

WARRANTIES

For any materials or accessories that aesthetically or technically malfunction after CoolPools leaves the job site, the homeowner is responsible for submitting the warranty to the manufacturer for the item. CoolPools.com does not get involved in claims submitted to the product manufacturers. The homeowner must notify CoolPools.com within 30 days of installation for assistance in replacing any malfunctioning materials. After 30 days, homeowners must contact a local swimming pool service provider to assist with any repairs.

RESCHEDULING OF WORK DAYS

The homeowner recognizes that adverse weather conditions, equipment failures, civil disorders, labor shortages, communicable diseases or other circumstances beyond the control of CoolPools.com may require rescheduling of the installation. CoolPools.com will communicate any necessary reschedules as far in advance as possible to ensure a smooth transition to new installation dates.

PHOTO AND VIDEO CONSENT

The homeowner grants CoolPools.com the perpetual irrevocable right and permission to use photographs and/or video recordings of my backyard on the CoolPools.com website, promotional materials, educational materials, derivative works or for any other similar purpose without any compensation to me. I understand and agree that such photographs and/or video recordings of my backyard may be placed on the Internet. I waive the right to approve the final product. I agree that all such pictures, photographs, video and audio recordings, and any reproductions thereof, and all plates, negatives, recording tape and digital files are and shall remain the property of CoolPools.com. I hereby release, acquit and forever discharge CoolPools.com and employees, officers, members, and sub-contractors of CoolPools.com from any and

all claims, demands, rights, promises, damages and liabilities arising out of or in connection with the use or distribution of said photographs and/or video recordings, including but not limited to any claims for invasion of privacy, appropriation of likeness or defamation. I hereby warrant that I am eighteen (18) years old or more and competent to contract in my own name. This release is binding on me and my heirs, assigns and personal representatives.

RETURN POLICY

After placing an order and paying the 15% deposit for a CoolPools.com swimming pool, homeowners have 5 business days to cancel the order for a full refund. After 5 days, there are no returns or refunds of any kind.

By electronically agreeing to this document, all parties agree to the terms as described above. Alterations to this agreement can only be made by both parties and must be placed in writing. Both parties will be responsible for upholding its terms.