

**BEXAR COUNTY HIGHLANDS RANCH HOMEOWNERS ASSOCIATION, INC.  
RECORDS PRODUCTION AND COPYING POLICY**

The Bexar County Highlands Ranch Homeowners Association, Inc. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations").

Chapter 209 of the Texas Property Code was amended effective January 1, 2012, to amend Section 209.005 thereto regarding owner access to Association documents and records ("Records").

Therefore, the Board of Directors ("Board") of the Association desires to establish the following Records Production and Copying Policy consistent with Section 209.005 and to provide clear and definitive guidance for the Board and owners.

1. Association Records shall be reasonably available to every owner. An owner may also provide access to Records to any other person (such as an attorney, CPA or agent) that they designate in writing as their proxy for this purpose. To ensure a written proxy is actually from the owner, the owner must include a copy of his/her photo ID or have the proxy notarized.
2. An owner, or their proxy as described in section 1, must submit a written request for access to or copies of Records. The letter must:
  - a. be sent by certified mail to the Association's address as reflected in its most recent Management Certificate filed in Bexar County's public records; and
  - b. contain sufficient detail to identify the specific Records being requested; and
  - c. indicate whether the owner or proxy would like to inspect the Records before possibly obtaining copies, or if the specified Records should be forwarded. If forwarded, the letter must indicate the following:
    - (1) format that owner desires, such as electronic files, compact disk or paper copies (However, the Association may produce the books and records in hard copy, electronic, or other format reasonably available to the Association, and is not required to produce the records in the format requested by owner.)
    - (2) delivery method, such as email, certified mail or pick-up
    - (3) mailing address
3. Within ten (10) business days of receipt of the request specified in section 2 above, the Association shall provide:
  - a. the requested Records, if copies were requested and any required advance payment has been made; or

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- b. a written notice that the Records are available and offer dates and times when the Records may be inspected by the owner or their proxy during normal business hours at the office of the Association; or
  - c. a written notice that the requested Records are available for delivery once a payment of the cost to produce the records is made and stating the cost thereof; or
  - d. a written notice that a request for delivery does not contain sufficient information to specify the Records desired, the format desired, the delivery method and the delivery address; or
  - e. a written notice that the requested Records cannot be produced within ten (10) business days, but will be available within fifteen (15) additional business days from the date of the notice and payment of the cost to produce the Records is made and stating the cost thereof.
4. The following Association Records are not available for inspection by owners or their proxies:
- a. the financial records associated with an individual owner; and
  - b. deed restriction violation details for an individual owner; and
  - c. personal information, including contact information, other than an address for an individual owner; and
  - d. attorney files and records in the possession of the Association's attorney; and
  - e. attorney-client privileged information in the possession of the Association.

The information in a, b and c above will be released if the Association receive express written approval from the owner whose records are the subject of the request for inspection.


5. Association Records may be maintained in paper format or in an electronic form. If a request is made to inspect Records and certain Records are maintained in electronic format, the owner or their proxy will be given access to equipment to view the electronic records. The Association shall not be required to transfer such electronic records to paper format unless the owner or their proxy agrees to pay the cost of producing such copies.
6. If an owner or their proxy inspecting Records requests copies of certain Records during the inspection, Association shall provide them promptly, if possible, but no later than ten (10) business days after the inspection or payment of costs, whichever is later.

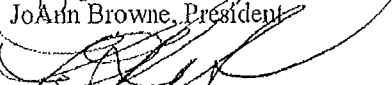
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7. The owner is responsible for all costs directly related to a request under this Policy, including but not limited to copies, postage, supplies, labor, overhead and third party fees (archive document retrieval fees from off-site storage locations). Such charges to the owner shall not exceed costs that would be applicable for an item under Section 70.3, "Charges for Providing Copies of Public Information," of Title 1 of the Texas Administrative Code, as amended from time to time. Section 70.3 is incorporated by reference and thereby made a part of this Policy.
8. Any costs associated with a Records request must be paid in advance of delivery by the owner or their proxy. An owner who makes a request for Records and subsequently declines to accept delivery will be liable for payment of all costs under this Policy.
9. On a case-by-case basis, in the absolute discretion of the Board, and with concurrence of the owner, the Association may agree to invoice the cost of the Records request to the owner's account. Owner agrees to pay the total amount invoiced within thirty (30) days after the date a statement is mailed to the Owner. Any balance unpaid after said thirty (30) days will accrue interest as an assessment as allowed under the Declarations.
10. On a case-by-case basis where an owner request for Records is deemed to be minimal, the Board or the Association's management company reserves the right to waive notice under section 2 and/or fees under section 4.
11. All costs incurred by the Association in fulfilling a request under this Policy will be paid by the Association to the parties the Association engage to assist in producing the Records.

This Policy is effective upon adoption by the Board and supersedes any policy regarding document retention which may have previously been in effect. Except as affected by Section 209.005 and/or by this Policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

We, the undersigned officers of the Association, hereby certify that the Board adopted this Policy on the 15<sup>th</sup> day of November 2011.

  
JoAnn Browne, President

  
Kevin Pounds, Secretary

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF BEXAR COUNTY HIGHLANDS RANCH HOMEOWNERS ASSOCIATION, INC.  
REGARDING RECORDS PRODUCTION AND COPYING POLICY**

STATE OF TEXAS           §           KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF BEXAR       §

Pursuant to Section 209.005(i), Texas Property Code, Bexar County Highlands Ranch Homeowners Association, Inc., acting through its Board of Directors, has adopted the attached Records Production and Copying Policy dated November 15, 2011, to prescribe the costs the Association will charge for the production and copying of information for owners.

By their signatures below, the President and Secretary of the Association certify that the foregoing was approved by the Board of Directors of the Association at a duly-called meeting on the 15th day of November 2011, of the Board of Directors at which a quorum of Directors was present.

BEXAR COUNTY HIGHLANDS RANCH HOMEOWNERS ASSOCIATION, INC.

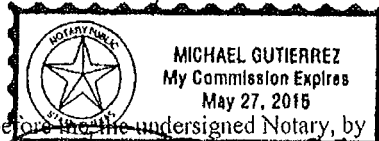
By: *JoAnn Browne*  
JoAnn Browne, President

By: *Kevin Pounds*  
Kevin Pounds, Secretary

STATE OF TEXAS           §  
COUNTY OF BEXAR       §

I hereby certify that the forgoing instrument was acknowledged before me, the undersigned Notary, by JoAnn Browne, President, Bexar County Highlands Ranch Homeowners Association, Inc. on the 27th day of January ~~2011~~ 2012

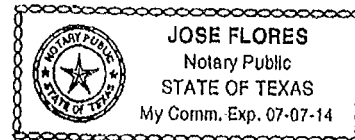
By: *Michael Gutierrez*  
Name: Michael Anthony Gutierrez  
Notary Public, State of Texas  
Commission Expires: May 27, 2015  
Seal Below:



STATE OF TEXAS           §  
COUNTY OF BEXAR       §

I hereby certify that the forgoing instrument was acknowledged before me, the undersigned Notary, by Kevin Pounds, Secretary, Bexar County Highlands Ranch Homeowners Association, Inc. on the 27th day of January 2012

By: *Jose Flores*  
Name: Jose Flores  
Notary Public, State of Texas  
Commission Expires: 7.7.14  
Seal Below:



AFTER RECORDING, RETURN TO:  
Bexar County Highlands Ranch  
Homeowners Association, Inc.  
C/o MP of Texas  
7613 Tezel Road, San Antonio, Texas 78250