

**RESOLUTION OF THE BOARD OF DIRECTORS
OF CHURCHILL ESTATES HOMES ASSOCIATION, INC.
REGARDING RECORDS AND PRODUCTION POLICY**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

WHEREAS, the Churchill Estates Homes Association, Inc., (hereinafter "Association"), is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Declaration for the Association; and

WHEREAS, Chapter 209 of the Texas Property Code was amended effective January 1, 2012, to add Section 209.005 (Section 209.005"), thereto regarding the Association's Records and Production Policy ("Record and Production Policy"); and

WHEREAS, the Board of Directors of the Churchill Estates Homes Association, Inc., desires to hereby establish a Records and Production Policy consistent with the provisions of Section 209.005 and to additionally provide clear and definitive guidance to its members.

NOW THEREFORE, the Board has duly adopted the following *Records Production Policy*.

RECORDS PRODUCTION POLICY

This Records and Production Policy is adopted by the Board of Directors of the Churchill Estates Homes Association, Inc., pursuant to Texas Property Code § 209.005 (hereinafter "the Statute").

Request for Records

The Owner or the Owner's authorized representative must submit a written request by certified mail. The request must contain (a) sufficient detail to describe the books and records requested and (b) an election either to inspect the books and records before obtaining copies or to have the Association forward copies of the requested books and records.

Inspection

The Association shall respond to a request for inspection within 10 business days by providing written notice of the dates and times, during normal business hours, that the inspection may occur.

Copies

If copies are requested, and the Association is unable to produce the copies within 10 business days

of the request, the Association shall give notice of the that fact and state a date, within the next 15 business days, that the copies will be available.

Format

The Association may produce the documents requested in hard copy, electronic or other format of its choosing.

Charges

The Association shall be allowed to charge for time spent compiling and producing all records. It may also charge for reproduction if copies are requested. Those charges shall be the maximum amount allowed by the Statute. At the time of the adoption of this policy, the allowable rate of charges are:

- Paper Copies - 10¢ per regular page, 50¢ per oversized pages
- CD - \$1 per disc
- DVD - \$3 per disc
- Audio Cassette - \$1
- Other Electronic Media - Actual Cost
- Labor Charges for requests of more than 50 pages - \$15 per hour
The labor charges includes the actual time to locate, compile, manipulate data and reproduce the requested data.
- Overhead charge for requests of more than 50 pages - 20% of the labor charge
- Document retrieval charges from off-site storage - actual cost
- Postage Actual cost
- Miscellaneous supplies - The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for the information.

In the event rates of charges allowed by Statute change, that charge will automatically apply to the Association's records, without the necessity of amending this policy.

Advance Payment

The Association may require an advance payment of estimated costs. If the actual costs is less than the estimate, the Association shall refund the excess to the owner within 30 business days. If the actual cost is greater than the estimate, the owner shall pay the excess before the information is delivered to the owner.

Exempt Information

The Association shall not be required to provide information of the following types without the prior

written consent of the individuals who are the subject of the information:

- Owner violation history
- Owner personal financial information
- Owner contact information other than the owner's address
- Information relating to an Association employee, including personnel files

Additionally, the Association's Board of Directors may withhold from inspection any records that in its reasonable business judgment would:

- Constitute an unwarranted invasion of privacy of other owners
- Constitute privileged information under the attorney-client privilege
- Involve pending or anticipated litigation or contract negotiations

Summaries / Compilations

The duty to provide documents pursuant to requests applies only to existing books and records. The Statute does not obligate or compel the Association to create a new document, prepare a summary of information or compile and report data.

Amendment

This policy may be amended from time to time by the Board of Directors of the Association.

This Records and Production Policy is effective upon recordation in the Public Records of Bexar County, Texas, and shall supercede any policy regarding the Association's Records and Production policies which may have previously been in effect. Except as affected by Section 209.005 and/or this Policy, all other provisions contained within the Association's Declaration or any other dedicatory instruments of the Association shall remain in full force and effect.

Approve and adopted by the Board on this ____ day of December, 2011.

Edward A. Duchin
President
Churchill Estates Homes Association, Inc.

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Before me, the undersigned authority, on this day personally appeared Edward A. Duchin, President

of the Churchill Estates Homes Association, Inc., a Texas non-profit corporation, known to be to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein state.

Given under my hand and seal of office this _____ day of December, 2011.

Notary Public, State of Texas

Printed Name

My commission expires: _____