

LAS COLINAS RANCH PROPERTY OWNERS ASSOCIATION

RECORDS PRODUCTION AND COPYING POLICY

WHEREAS, pursuant to section 209.005(i) of the Texas Property Code, the Board of Directors of Las Colinas Ranch Property Owners Association (the "Association") is required to adopt a records production and copying policy that describes the costs the Association will charge for the compilation, production and reproduction of the Association's books in records.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with the procedures set forth by Chapter 209 of the Texas Residential Property Owners Protection Act, that the following procedures and practices are established for the compilation, production and reproduction of the association's books and records, and the same are to be known as the "Records Production and Copying Policy" of the Association (hereinafter the "Policy").

1. Purpose. The purpose of this Policy is to establish orderly procedures for the levying of fees and to notify owners of the costs to be incurred associated with the compilation, production and reproduction of the Association's books and records in response to an owners request to inspect the Association's records.
2. Records Defined. The Association's books and records available for inspection and copying by the owners are those records designated by Section 209.005 of the Texas Property Code. Pursuant to section 209.005(d) of the Texas Property Code, an attorney's files related to the Association, excluding invoices, are not records of the Association, are not subject to inspection by the owners, or production an illegal proceeding. Further, pursuant to Section 209.005(k), the Association is not required to release or allow inspection of any books and records relating to an employee of the Association, or any books and records that identify the violation history, contact information (other than the address and/or financial information of an individual owner) absent the express written approval of the owner whose information is the subject of the request or a court order requiring disclosure of such information.
3. Individuals Authorized to Inspect Associations Records. Every owner of a lot in the Association is entitled to inspect and copy the association's books and records in compliance with the procedures set forth in this policy. An owner may submit a designation in writing, signed by the owner, specifying such other individuals who are authorized to inspect the association's books and records as the owner's agent, attorney, or certified public accountant. The owner and/or the owners designated representative are referred to herein as the "Requesting Party".
4. Requests for Inspection Or Copying. The Requesting Party seeking to inspect or copy the Association's books and records must submit a written request via certified Mail to the Association at the mailing address of the Association or its managing agent as reflected on the Association's current management certificate. The request must contain sufficient detail describing the requested Association's books and records, including pertinent dates, time periods or subjects sought to be inspected.

The request must also specify whether the requesting party seeks to inspect the books and records before obtaining copies or to have the Association forward copies of the requested books and records to the requesting party.

5. Inspection Response. If the Requesting Party elects to inspect the Association's books and records, the Association shall notify the requesting party within ten (10) business days after receiving the Requesting Parties request with request of the dates during normal business hours that the Requesting Party may inspect the requested books and records (" Inspection Notice").

If the Association is unable to produce the requested books and records by the 10th business day after the date the Association receives the request, the Association must provide written notice to the Requesting Party (the "Inspection Delay Letter") that (1) the Association is unable to produce the information by the 10th business day after the date the Association received the request, and (2) state a date by which the information will be either sent or available for inspection that is not later than (15) days after the date of the inspection delay letter.

Inspection Procedure. Any inspection shall take place at a mutually-agreed upon time during normal business hours. All inspections shall take place at the office of the Association's management company or such other location as the Association designates. No Requesting Party or other individual shall remove original records from the location where the inspection is taking place, nor alter the records in any way. All individuals inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operation of the Association's or management company's office or the operation of any other office where the inspection or copying is taking place.

At such inspection, the Requesting Party may identify such books and records of the Association to copy and forward to the Requesting Party. The Association may produce all requested books and records in hard copy, electronic, or other formats reasonably available to the Association.

6. Costs Associated with Compilation, Production and Reproduction. The costs associated with compiling, producing and reproducing the Association's books and records in response to requests to inspect or copy documents shall be as follows:

a) Copy charges

- 1) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$0.10 per page or part of a page. Each side that contains recorded information is considered a page.
- 2) Nonstandard copy. The charges in this subsection are to cover the materials into which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

- (A) Diskette- \$1.00;
- (B) Magnetic tape - actual cost;
- (C) Tape cartridge - actual cost;
- (D) Rewritable CD (CD-RW) - \$1.00;
- (E) Non rewritable CD (CD- R) - \$1.00;
- (F) Digital video disc (DVD) - \$3.00;
- (G) JAZ drive - actual cost;

- (H) Other electronic media - actual cost;
 - (I) VHS videocassette - \$2.50;
 - (J) Audiocassette - \$1.00 ;
 - (K) Oversize paper copy (e. g. : 11 inches by 17 inches, greenbar, bluebar, not including Maps and photographs using specialty paper) - \$0.50;
 - (L) Specialty paper (e.g. : mylar, blueprint, blueline, map, photographic) - actual cost.
- b) Labor charge for locating, compiling, manipulating data, and reproducing information.
- 1) The charge for labor cost incurred in processing request for information is \$15.00 an hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.
 - 2) When confidential information is mixed with non-confidential information in the same page, a labor charge may be recovered for time spent to redact, blackout, or otherwise obscure confidential information in order to release the information. Labor charge shall not be made for redacting confidential information for requests of fifty (50) or fewer pages.
 - 3) If the charge for providing a copy of information includes a cost of labor, the requesting party may require that the Association provide a written statement as to the amount of time that was required to produce and provide the copy, signed by an officer of the Association. A charge may not be imposed for providing the written statement to the requestor.
- c) Overhead charge.
- 1) Whenever any labor charge is applicable to a request, the Association may include in the charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, an administrative overhead. If the Association chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph three (3) of this subsection. Although an exact calculation of cost will vary, the use of a standard charge will avoid complication in calculating such charge costs and will provide the uniformity of charges.
 - 2) And overhead charge shall not be made for requests of copies of fifty (50) or fewer pages of standard paper records.
 - 3) The overhead charge should be computed at 20% of the charge made to cover any labor costs associated with a particular request (example: if one hour of labor is used for a particular request, the formula would be as follows: Labor charge for locating, compiling and reproducing, \$15.00 x .20 equals \$3.00).
- d) Postal and shipping charges. The Association may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the Requesting Party.
7. Payment. Upon receipt of request to inspect and/or copy documents, the Association may require the Requesting Party to pay the estimated costs associated with production and copying in advance. If the estimated cost of compilation, production and reproduction is different from the actual cost, the Association shall submit a final invoice to the owner on or before the 30th business day after the

Association has produced and/or delivered the requested information. If the actual cost is greater than the estimated amount, the Requesting Party must pay the difference to the Association within 30 days after the date the invoice is sent to the Requesting Party, or the Association will add such additional charges as an assessment against the property owners property in the Association . If the actual cost is less than the estimated amount, the Association shall issue a refund to the Requesting Party within 30 business days after the date the invoice is sent to the owner.

IT IS FURTHER RESOLVED that this Records Production and Copying Policy is affective upon adoption here of, to remain in force an effect until revoked, modified, or amended.

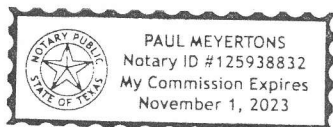
This is to certify that the foregoing resolution was adopted by the Association Members at a meeting of the same on March 12, 2021, and have not been modified, rescinded or revoked.

Date: 5/14/2021 Michael H. Monaghan
President

STATE OF TEXAS §

COUNTY OF HAYS §

This instrument was acknowledged before me on this 14th day of May, 2021 by Michael H. Monaghan, President of Las Colinas Property Owners Association, Inc. a Texas non-profit corporation, on behalf of said corporation.



Paul Meyertons
NOTARY PUBLIC