



BRIGHTWATER HOMEOWNERS ASSOCIATION, INC.
RECORD RETENTION POLICY RESOLUTION

STATE OF TEXAS

COUNTY OF FORT BEND

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WHEREAS, Brightwater 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"); and

WHEREAS, Chapter 209 of the Texas Property Code was amended effective January 1, 2012, to add Section 209.005(m) ("Section 209.005") thereto regarding retention of Association documents and records ("Documents"); and

WHEREAS, the Board of Directors of the Association ("Board") desires to establish a policy for document retention consistent with Section 209.005 and to provide clear and definitive guidance to Owners.

NOW, THEREFORE, the Board has duly adopted the following *Record Retention Policy Resolution*.

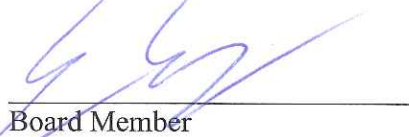
1. Association Documents may be maintained in paper format or in an electronic format this can be readily transferred to paper.
2. Association Documents shall be retained for the durations listed below:
 - a. certificate of formation or articles of incorporation, bylaws, restrictive covenants, other dedicatory instruments and any amendments to same shall be retained permanently; and
 - b. financial books and records, including annual budgets, reserve studies, monthly financial statements and bank statements, shall be retained for seven (7) years; and
 - c. account records of current owners shall be retained for five (5) years; and
 - d. account records of former owners shall be retained for one (1) year after they no longer have an ownership interest in the property; and
 - e. contracts with a term of one year or more shall be retained for four (4) years after the expiration of the contract term; and
 - f. minutes of meetings of the owners and the Board shall be retained for seven (7) years after the date of the meeting; and

- g. tax returns and audit records shall be retained for seven (7) years after the last date of the return or audit year; and
- h. decisions of the of the Board regarding applications, variances, waivers or related matters associated with individual properties shall be retained for five (5) years from the decision date; and
- i. Any Documents not described above may be retained for the duration deemed to be useful to the purpose of the Association, in the discretion of the Board, its attorney or its managing agent.
- j. Upon expiration of the retention period listed above, the Documents and may be destroyed, discarded, deleted, purged or otherwise eliminated.

This Policy is effective upon adoption and recordation in the Public Records of FORT BEND County, Texas and supersedes any policy regarding record 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.

Approved and adopted by the Board on this 20 day of DEC, 2011.


Board Member


Board Member


Board Member

Board Member

SECRETARY'S CERTIFICATE OF FILING

I, Kathy Renfrow, certify that:

I am the duly qualified and acting secretary of Brightwater Homeowners Association, Inc., a duly organized and existing Texas non-profit corporation.

The attached instruments are true copies of unrecorded Dedicatory Instruments, as that term is defined by Section 202.001 of the Texas Property Code, pertaining to Brightwater Homeowners Association, Inc..

The attached instruments are being presented for recording in the Official Public Records of Real Property of Fort Bend County, Texas, pursuant to Section 202.006 of the Texas Property Code.

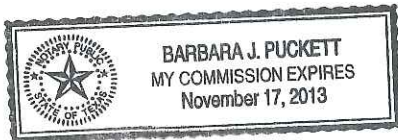
Dated: 12-20-2011

Kathy Renfrow
Kathy Renfrow, Secretary
Brightwater Homeowners Association, Inc.

THE STATE OF TEXAS §
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COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 20th day of December, 2011, by Kathy Renfrow-Sec, ~~President~~ of Brightwater Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Barbara J. Puckett
Notary Public in and for The State of Texas



AS PER ORIGINAL

AFTER RECORDING, RETURN TO:

Bartley & Spears, P.C.
14811 St. Mary's Lane, Suite 270
Houston, Texas 77079

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS
Dianne Wilson
2012 Jan 10 11:55 AM 2012003287
CAK \$23.00
Dianne Wilson COUNTY CLERK
FT BEND COUNTY TEXAS