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RIVERWAY ESTATES COMMUNITY ASSOCIATION, INC.
BOOKS AND RECORDS PRODUCTION POLICY

STATE OF TEXAS

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JAN 18 2012

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COUNTY OF FORT BEND

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WHEREAS, Riverway Estates Community Association, Inc. (the "Association") is the governing entity for Riverway Estates Subdivision, an addition in Fort Bend County, Texas, according to the map or plat thereof recorded in the Map Records of Fort Bend County, Texas, under Clerk's File No. 2004-143061, along with any amendments, supplements, replats, and annexations (collectively referred to as the "Subdivision"); and

WHEREAS, Chapter 209 of the Texas Property Code was amended, effective January 1, 2012, to add Section 209.005, which requires the Association to adopt and record a policy regarding guidelines for production of Association Books and Records to owners; and

WHEREAS, the Association, through its Board of Directors, shall have and may exercise discretionary authority concerning the restrictive covenants contained herein;

NOW THEREFORE, in order to comply with Section 209.005, the Association hereby adopts the following Books and Records Production Policy:

I. Copies of Association Books and Records will be available to all Owners upon their proper request and at their own expense. A proper request:

- a. is sent certified mail to the Association's address as reflected in its most recent management certificate; and
- b. is from an Owner, or, if authorized in writing by the Owner, the Owner's agent, attorney, or certified public accountant; and
- c. contains sufficient detail to identify the Books and Records being requested.

II. Owners may request to inspect the Books and Records OR may request copies of specific Books and Records.

-If the owner makes a request to *inspect* the Books and Records, then the Association will respond **within 10 business days** of the request, providing the dates and times the Books and Records will be made available and the location of the Books and Records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents requested during the inspection upon the owner paying the Association the cost thereof.

-If the owner makes a request for *copies of specific Books and Records*, the Association shall, **within 10 business days** of the owner's request, send a response letter advising on the date that the requested copies will be made available (**must be available within 15 business days of the response letter**) and the cost the owner must pay before the requested copies will be provided. Upon paying the cost of producing the requested copies, the Association shall provide the requested copies to the owner.

III. The Association hereby adopts the following schedule of costs:

<u>COPIES</u>	10 cents per page, for a regular 8.5" x 11" page
	50 cents per page, for pages 11" x 17" or greater
	Actual cost, for specialty paper (color, photograph, map, etc...)
	\$1.00 for each CD or audio cassette and \$3.00 for each DVD
<u>LABOR</u>	\$15.00 per hour, actual time to locate, compile and reproduce the Books and Records (can only charge if request is greater than 50 pages in length or as otherwise provided by law)
<u>OVERHEAD</u>	20% of the total labor charge (can only charge if request is greater than 50 pages in length or as otherwise provided by law)
<u>MATERIALS</u>	actual costs of labels, boxes, folders, and other supplies used in producing the Books and Records, along with postage for mailing the Books and Records

IV. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to the owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.

V. Unless authorized in writing or by court order, the Association will not provide copies of any records that contain the personal information of an owner, including restriction violations, delinquent assessments, financial information, and contact information.

CERTIFICATION

"I, the undersigned, being the President of Riverway Estates Community Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors on the 19th day of December 2011."

By: [Signature], President

Print Name: Janna Figueroa

ACKNOWLEDGEMENT

STATE OF TEXAS §
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COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day, personally appeared the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same as the act of the Association for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 19th day of December, 2011.

[Signature]
Notary Public, State of Texas

After Recording Return to:
HOLT & YOUNG, P.C.
11200 Richmond Ave., Ste. 450
Houston, Texas 77082



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

[Signature]

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CAK \$19.00

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Dianne Wilson COUNTY CLERK
FT BEND COUNTY TEXAS