



# SPICEWOOD BEACH PROPERTY OWNERS ASSOCIATION RECORDS PRODUCTION POLICY

This Records Production Policy was approved by the Board of Directors for Spicewood Beach Property Owners Association on the 13 day of DECEMBER, 2011.

**I. Copies of Association records will be available to all Owners upon 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;
- b. is from an Owner, or the Owner's agent, attorney or certified public accountant; and
- c. contains sufficient detail to identify the records being requested.

**II. Owners may request to inspect the books and records or may request copies of specific records.**

- a. 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 records will be made available and the location of the 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 upon the owner paying the Association the cost thereof.
- b. If an owner makes a request for copies of specific records, and the Association can provide the records easily or with no cost, then the Association will provide the records to the owner within **10 business days** of the owner's request.
- c. If the owner makes a request for copies of specific records, the Association shall send a response letter advising on the date that the records will be made available (within **15 business days**) and the cost the owner must pay before the records will be provided. Upon paying the cost to provide the records, the Association shall provide the records to the owner.

**III. The Association hereby adopts the following schedule of costs:  
(Subject to change by resolution of Board as prevailing rates change and are filed)**

COPIES                      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  
                                      \$3.00 for each DVD

LABOR                        \$15.00 per hour for actual time to locate, compile and reproduce  
                                      the records (can only charge if request is greater than 50 pages in  
                                      length)

OVERHEAD

20% of the total labor charge (can only charge if request is greater than 50 pages in length)

MATERIALS

Actual costs of labels, boxes, folders, and other supplies used producing the records, along with postage for mailing the records.

**IV. The Association hereby adopts the following form of response to Owners who request to inspect the Association's Books and Records:**

**SPICEWOOD BEACH  
PROPERTY OWNERS ASSOCIATION  
RESPONSE TO REQUEST TO INSPECT ASSOCIATION RECORDS**

\_\_\_\_\_ (date)

Dear Homeowner:

On \_\_\_\_\_, the Association received your request to inspect the books and records of the Association. The books and records of the Association are available for you to inspect on regular business days, between the hours of 9 a.m. and 5 p.m., at the office of Association, located at P.O. Box 208, Spicewood, Texas 78669.

Please contact the Association's manager at (830) 798-9779 to arrange for a mutually agreeable time for you to come and inspect the books and records. Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Very truly yours,

Spicewood Beach Property Owners Association

**IV. The Association hereby adopts the following form of response to Owners who request copies of specific records:**

**SPICEWOOD BEACH  
PROPERTY OWNERS ASSOCIATION  
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS**

\_\_\_\_\_ (date)

Dear Homeowner:

On \_\_\_\_\_, the Association received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.

In order to obtain the records, you must first pay the Association the estimated cost of providing the records to you. The estimated cost to obtain the records you requested is \$\_\_\_\_\_. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of the Association, located at P.O. Box 208, Spicewood, Texas 78669.


Very truly yours,

Spicewood Beach Property Owners Association


- VI. 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.
- VII. 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 (other than an owner's address); additionally, no privileged attorney-client communications or attorney work product documents will be provided; and no employee information (including personnel file) will be released. The Owner hereby indemnifies and holds harmless the Association for any and all information that is accidentally disseminated.
- VIII. With regards to the inspection of ballots, only persons who tabulate ballots under 209.00594 (TPC) may be given access to the ballots cast in an election or vote.

CERTIFICATION

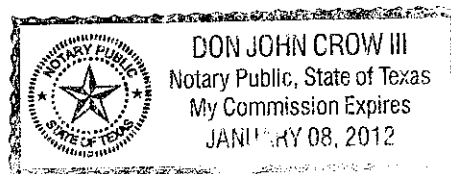
"I, the undersigned, being the President of Spicewood Beach Property Owners Association, hereby certify that the foregoing Resolution was adopted by at least a majority of Spicewood Beach Property Owners Association Board of Directors."

By:   
PRESIDENT

SUBSCRIBED AND SWORN to before me, the undersigned authority, by the abovementioned Affiant on this the 13 day of DECEMBER, 2011, to certify which witness my hand and seal of office.

  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:  
THE YATES LAW FIRM,  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
P. O. BOX 8903  
HORSESHOE BAY, TEXAS 78657



**SPICEWOOD BEACH  
PROPERTY OWNERS ASSOCIATION  
RECORDS RETENTION POLICY**

This Records Retention Policy was approved by the Board of Directors for Spicewood Beach Property Owners Association on the 13 day of DECEMBER, 2011.

The Association shall maintain its records as follows:

<u>Record</u>	<u>Retention Period</u>
Certificate of Formation/Articles of Incorporation, Bylaws, Declarations and all amendments to those documents	Permanent
Association tax returns and tax audits	Seven (7) years
Financial books and records	Seven (7) years
Account records of current owners	Five (5) years
Contracts with a term of more than one year	Four (4) years after contract expires
Minutes of member meetings and Board meetings	Seven (7) years

Records not listed above are not subject to retention. Upon expiration of the retention date, the applicable record will be considered not maintained as a part of the Association books and records.

**CERTIFICATION**

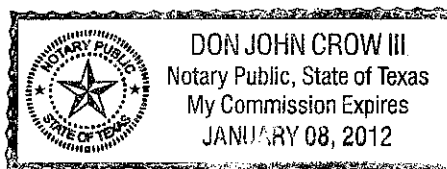
"I, the undersigned, being the President of Spicewood Beach Property Owners Association, hereby certify that the foregoing Resolution was adopted by at least a majority of Spicewood Beach Property Owners Association Board of Directors."

By: *Bobby Walker*  
PRESIDENT

SUBSCRIBED AND SWORN to before me, the undersigned authority, by the abovementioned Affiant on this the 13 day of DECEMBER, 2011, to certify which witness my hand and seal of office.

*Don John Crow III*  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:  
THE YATES LAW FIRM,  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
P. O. BOX 8903  
HORSESHOE BAY, TEXAS 78657



**FILED AND RECORDED**



OFFICIAL PUBLIC RECORDS

*Jane Parker*

201109593

December 14 2011 02:01:45 PM

FEE \$28.00

Jane Parker, County Clerk

Burnet County, Texas