

VG-342-2016-98614

Denton County
Juli Luke
County Clerk

Instrument Number: 98614

Real Property Recordings

MISCELLANEOUS

Recorded On: August 15, 2016 08:44 AM

Number of Pages: 5

**** Examined and Charged as Follows: ****

Total Recording: 42.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 98614
Receipt Number: 20160812000236
Recorded Date/Time: August 15, 2016 08:44 AM
User: T J D
Station: Station 9

Record and Return To:

SOUTHRIDGE ESTATES HOA INC
PO BOX 668
DENTON TX 76202



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed heron, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

SOUTHRIDGE ESTATES HOMEOWNERS ASSOCIATION, INC.
OPEN RECORDS POLICY

THE STATE OF TEXAS §

COUNTY OF DENTON §

I, Michelle A. Emick, Secretary of Southridge Estates Homeowners Association, Inc. (the “**Association**”), do hereby certify that at a meeting of the Board of Directors of the Association (the “**Board**”) duly called and held on the eighth day of August, 2016, with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the following Open Records Policy (this “**Policy**”) was duly approved by a unanimous vote of the members of the Board in attendance:

RECITALS:

1. Chapter 209 of the Texas Property Code was amended to amend Section 209.005 to set forth Open Records procedures and to require property owners’ associations to adopt and record Open Records policies consistent with the procedures set forth in the statute.

2. The Board of Directors of the Association desires to adopt an Open Records Policy consistent with the provisions of Section 209.005 of the Texas Property Code.

POLICY PROVISIONS:

It is the policy of the Association to make the books and records of the Association, including financial records, open to and reasonably available for examination by an Owner, or a person designated in a writing signed by the Owner as the Owner’s agent, attorney, or certified public accountant (the “Owner’s Representative”) in accordance with the following provisions:

1. **Request.** An Owner or the Owner’s Representative must submit a written request for access or information. The written request must:
 - A. be sent by certified mail to the mailing address of the Association or to the authorized representative of the Association as reflected on the most current Management Certificate of the Association filed of record in accordance with Section 209.004 of the Texas Property Code;
 - B. describe with sufficient detail the books and records of the Association that are requested; and
 - C. state whether the Owner or the Owner’s Representative elects to inspect the requested books and records before obtaining copies or have the Association forward copies of the requested books and records.
2. **Election to Inspect.** If an inspection is requested, the Association must send written notice to the Owner or the Owner’s Representative of dates during normal business hours that the Owner or the Owner’s Representative may inspect the

requested books and records. Such written notice must be sent on or before the tenth (10th) business day after the date the Association receives the request, unless the Association sends a notice to the Owner or Owner's Representative in accordance with Section 4 below.

3. **Election to Obtain Copies.** If copies of the identified books and records are requested, the Association must produce copies of the requested books and records on or before the tenth (10th) business day after the date the Association receives the request, unless the Association sends a notice to the Owner or Owner's Representative in accordance with Section 4.
4. **Inability to Produce Records Within 10 Days.** If the Association is unable to produce requested books and records on or before the tenth (10th) business day after the date the Association receives the request, the Association must provide written notice to the Owner or the Owner's Representative that:
 - A. informs the Owner or the Owner's Representative that the Association is unable to produce the requested books and records on or before the tenth (10th) business day after the date the Association received the request; and
 - B. states a date by which the requested books and records will be sent or made available for inspection, which date may not be later than the fifteenth (15th) business day after the date such notice is given.
5. **Extent of Books and Records.** The Association must produce books and records requested by an Owner or an Owner's Representative to the extent those books and records are in the possession, custody or control of the Association.
6. **Time of Inspection; Copies.** If an inspection of books and records is requested or required, the inspection shall take place at a mutually agreed upon time during normal business hours. At the inspection, the Owner or the Owner's Representative shall identify the books and records to be copied and forwarded. The Association shall thereafter make copies of such books and records at the cost of the Owner and forward them to the Owner or the Owner's Representative.
7. **Format.** The Association may produce books and records requested by an Owner or an Owner's Representative in hard copy, electronic or other format reasonably available to the Association.
8. **Costs.** The Association may charge an Owner for the compilation, production or reproduction of books and records requested by the Owner or the Owner's Representative, which costs may include all reasonable costs of materials, labor, and overhead. Costs will be billed at the rates established by Title 1 of the Texas Administrative Code, Section 70.3 ("Section 70.3") as same may be amended from time-to-time. No labor will be charged if there are 50 or fewer pages unless the

documents are in 2 or more separate buildings not physically connected to each other or in a remote storage facility.

9. **Advance Payment of Estimated Costs.** The Association shall estimate the costs of compiling, producing and reproducing books and records requested by an Owner or an Owner's Representative on the basis of the rates set forth in Section 8 above. The Association may require advance payment of the estimated costs of compiling, producing and reproducing the requested books and records.
 - A. If the actual costs of compiling, producing and reproducing requested books and records are less than or greater than the estimated costs, the Association shall submit a final invoice to the Owner on or before the thirtieth (30th) business day after the date the requested books and records are delivered.
 - B. If the final invoice includes additional amounts due from the Owner, the Owner is required to pay the additional amount to the Association before the thirtieth (30th) business day after the date the invoice is sent to the Owner.
 - C. If the final invoice indicates that the actual costs are less than the estimated costs, the Association shall refund the excess amount paid by the Owner not later than the thirtieth (30th) business day after the date the invoice is sent to the Owner.
 - D. If the Owner fails to pay to the Association the additional amounts shown in the final invoice in accordance with Subsection 10.1 above, the Association may add the additional amount to the Owner's assessment account as an assessment.
10. **Books and Records Not Required to be Produced.**
 - 10.1 The Association is not required to release or allow inspection of ballots cast in an election or removal of Directors, except as required by a recount procedure in accordance with Section 209.0057 of the Texas Property Code or to release information related to an employee of the Association, including personnel files.
 - 10.2 Information may be released in an aggregate or summary manner that will not identify an individual property Owner.
 - 10.3 Unless an Owner whose records are the subject of a request provides express written approval to the Association or unless a court order is issued directing either the release of books and records or that books and records be made available for inspection, the Association is not required to release or allow inspection of books and records that:
 - A. identify the history of violations of dedicatory instruments of an individual Owner;

- B. disclose an Owner's personal financial information, including records of payment or nonpayment of amounts due the Association; or
- C. disclose an Owner's contact information, other than the Owner's address.

11. **Business Day.** As used in this policy, "business day" means a day other than a Saturday, Sunday or state or federal holiday.

CERTIFICATION

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing Open Records Policy was approved by a unanimous vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Denton County, Texas.

TO CERTIFY which, witness my hand this the 12th day of August, 2016.

**SOUTHRIDGE ESTATES
HOMEOWNERS
ASSOCIATION, INC.**

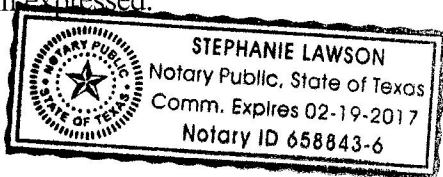
By: Michelle A. Emick

Print Name: Michelle A. Emick

Secretary

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

BEFORE ME, the undersigned notary public, on this 12th day of August, 2016, personally appeared Michelle A. Emick, Secretary of Southridge Estates Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.



Stephanie Lawson
Notary Public in and for the State of Texas

Return to:
Southridge Estates Homeowners Association, Inc.
P.O. Box 668
Denton, Texas 76202-0668