

Leon County
Christie Wakefield
Leon County Clerk
Centerville, Texas 75833



70 2021 00443931

Instrument Number: 2021- 00443931

As

Recorded On: June 07, 2021

Recordings

Parties: PROPERTY OWNERS ASSOCIATION OF HILLTOP LAKE

To

TO THE PUBLIC

Billable Pages: 3

Recorded By: POA OF HILLTOP LAKES

Num Of Pages: 4

Comment: AMEND POLICY

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

Recordings	24.00
Recording Charge:	24.00

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

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Leon County, TX

File Information:

Record and Return To:

Document Number: 2021- 00443931
Receipt Number: 165995
Recorded Date/Time: June 07, 2021 03:10:35P
Book-Vol/Pg: Bk-OR VI-1832 Pg-7

POA OF HILLTOP LAKES
HAND DELIVER 6-7-21
CENTERVILLE TX 75833

Property Owners Association of Hilltop Lakes, Inc.
RECORDS PRODUCTION AND COPYING POLICY

Amended and Restated

STATE OF TEXAS §
 §
COUNTY OF LEON §

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Property Owners Association of Hilltop Lakes ("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, the Board of Directors of the Association ("Board") desires to establish a policy for producing Association books and records ("Records") requested consistent with Section 209.005, Texas Property Code, to provide clear and definitive guidance to owners while protecting property owners' confidential information.

NOW, THEREFORE, the Board has duly adopted the following policy:

1. Association Records shall be reasonably available to every owner, or a person designated as the owner's agent, attorney or certified public accountant in writing signed by the owner. To ensure a written document identifying a representative is from the owner, the owner must include a copy of his/her photo ID or have the document notarized.
2. An owner, or their representative as described in Section 1, must submit a written request for access to or copies of Records. The letter must:
 - a. be sent by certified mail to the Association's address as reflected in its most recent Management Certificate filed in the County public records; and
 - b. contain sufficient detail to identify the specific Records being requested; and
 - c. indicate whether the owner or proxy would like to inspect the Records before possibly obtaining copies or if the specified Records should be forwarded. If forwarded, the letter must indicate the delivery method (certified mail or pick-up at the Association's office) and address if certified mail.
3. Within ten (10) business days of receipt of the request specified in Section 2 above, the Association shall provide:
 - a. the requested Records, if copies were requested and any required advance payment had been made; or
 - b. a written notice that the Records are available and offer dates and times when the Records may be inspected by the owner or their representative during normal business hours at the office of the Association; or

- c. a written notice that the requested Records are available for delivery once a payment of the cost to produce the records included in the notice is made; or
 - d. a written notice that a request for delivery does not contain sufficient information to specify the Records desired, the delivery method and the delivery address; or
 - e. a written notice that the requested Records cannot be produced within ten (10) business days but will be available within fifteen (15) additional business days from the date of the notice and payment of the cost to produce the records is made and stating the cost thereof.
4. The following Association Records are not available for inspection by owners or their representatives:
- a. the financial records associated with an individual owner; and
 - b. deed restriction violation details for an individual owner; and
 - c. personal information including contact information other than an address for an individual owner; and
 - d. attorney files and records in the possession of the attorney; and
 - e. attorney-client privileged information in the possession of the Association.
- The information in a, b and c above will be released if the Association receives express written approval from the owner whose records are the subject of the request for inspection.
5. Association Records may be maintained in paper format or in an electronic format. If a request is made to inspect Records and certain Records are maintained in electronic format, the owner or their representative will be given access to equipment to view the electronic records. No scanning, photographing, or electronic transfer of electronic records by the owner or owner's representative is permitted. Association shall not be required to transfer such electronic records to other formats (paper, electronic files saved on other media, etc.) for forwarding unless the owner or their representative agrees to pay the cost of producing such copies.
6. If an owner or their representative inspecting Records requests copies of certain Records during the inspection, Association shall provide them promptly, if possible, but no later than ten (10) business days after the inspection or payment of costs, whichever is later.
7. The owner is responsible for all costs associated with a request under this Policy, including but not limited to copies, postage, supplies, labor, overhead and third-party fees (such as archive document retrieval fees from off-site storage locations) as listed:
- a. Black and white 8 ½" x 11" single sided copies..... \$0.10 each
 - b. Black and white 8 ½" x 11" double sided copies.....\$0.20 each
 - c. Electronic media (i.e., jump drive/flash drive)actual cost of media
 - d. Oversized paper copy..... \$0.50 each
 - e. Specialty paper copy..... actual cost.

Any other costs (i.e., supplies, postage, labor, overhead, etc.) associated with a Records request, as identified in 1 Texas Administrative Code Section 70.3 will be charged to the owner at the maximum amount permitted by 1 Texas Administrative Code Section 70.3. The costs will be estimated by the Association before records are produced/copied and the estimated amount must be paid by the owner or their representative in advance of delivery of the records. An owner who makes a request for Records and subsequently declines to accept delivery will be liable for payment of all costs under this Policy.

This Policy is effective upon recordation in the Public Records of Leon County, Texas, and supersedes any policy regarding production and copying of records 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.

Adopted by the Board of Directors of Property Owners' Association of Hilltop Lakes, Inc. on June 7, 2021.

Annette Craig

Annette Craig
President
Property Owners' Association of Hilltop Lakes, Inc.

STATE OF TEXAS §
 §
COUNTY OF LEON §

Before me, the undersigned authority, on this day personally appeared Annette Craig, President of the Property Owners' Association of Hilltop Lakes, Inc., a Texas nonprofit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 7th day of June, 2021.

Kathy L. Aleman

Notary Public, State of Texas

Kathy L. Aleman

Printed Name

My Commission expires: 3-17-25

