

ENCLAVE OF TROY HOMEOWNERS ASSOCIATION INC.
RECORDS INSPECTION, COPYING AND RETENTION POLICY

Terms used but not defined in this policy will have the meaning subscribed to such terms in that certain Declaration of Covenants, Conditions, and Restrictions for Enclave of Troy Subdivision recorded in the Official Public Records of Bell County, Texas, as the same may be amended from time to time. Note: Texas statutes presently render null and void any restriction in the Covenant which restricts or prohibits the inspection, copying and/or retention of association records and files in violation of the controlling provisions of the Texas Property Code or any other applicable state law. The Board has adopted this policy in lieu of any express prohibition or any provision regulating such matters which conflict with Texas law, as set forth in the Covenant.

1. Written Form. The Association shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time.

2. Request in Writing; Pay Estimated Costs In Advance. An Owner (or an individual identified as an Owner's agent, attorney or certified public accountant, provided the designation is in writing and delivered to the Association) may submit a written request via certified mail to the Association's mailing address or authorized representative listed in the management certificate to access the Association's records. The written request must include sufficient detail describing the books and records requested and whether the Owner desires to inspect or copy the records. Upon receipt of a written request, the Association may estimate the costs associated with responding to each request, which costs may not exceed the costs allowed pursuant to Texas Administrative Code Section 70.3, as may be amended from time to time (a current copy of which is attached hereto). Before providing the requested records, the Association will require that the Owner remit such estimated amount to the Association. The Association will provide a final invoice to the Owner on or before the 30th business day after the records are provided by the Association. If the final invoice includes additional amounts due from the requesting party, the additional amounts, if not reimbursed to the Association before the 30th business day after the date the invoice is sent to the Owner, may be added to the Owner's account as an Assessment. If the estimated costs exceeded the final invoice amount, the Owner is entitled to a refund, and the refund shall be issued to the Owner not later than the 30th business day after the date the final invoice is sent to the Owner.

3. Period of Inspection. Within ten (10) business days from receipt of the written request, the Association must either: (1) provide the copies to the Owner; (2) provide available inspection dates; or (3) provide written notice that the Association cannot produce the documents within the ten (10) business days along with either: (i) another date within an additional fifteen (15) business days on which the records may either be inspected or by which the copies will be sent to the Owner; or (ii) a notice that after a diligent search, the requested records are missing and cannot be located.

4. Records Retention. The Association shall keep the following records for at least the time periods stated below:

a. PERMANENT: The Articles of Incorporation or the Certificate of Formation, the Bylaws and the Covenant, any and all other governing documents, guidelines, rules, regulations and policies and all amendments thereto Recorded in the property records to be effective against any Owner and/or Member of the Association.

b. FOUR (4) YEARS: Contracts with a term of more than one (1) year between the Association and a third party. The four (4) year retention term begins upon expiration of the contract term.

c. FIVE (5) YEARS: Account records of each Owner. Account records include debit and credit entries associated with amounts due and payable by the Owner to the Association, and written or electronic records related to the Owner and produced by the Association in the ordinary course of business.

d. SEVEN (7) YEARS: Minutes of all meetings of the Board and the Owners.

e. SEVEN (7) YEARS: Financial books and records produced in the ordinary course of business, tax returns and audits of the Association.

f. GENERAL RETENTION INSTRUCTIONS: "Permanent" means records which are not to be destroyed. Except for contracts with a term of one (1) year or more (See item 4.b. above), a retention period starts on the last day of the year in which the record is created and ends on the last day of the year of the retention period. For example, if a record is created on June 14, 2020, and the retention period is five (5) years, the retention period begins on December 31, 2020 and ends on December 31, 2025. If the retention period for a record has elapsed and the record will be destroyed, the record should be shredded or otherwise safely and completely destroyed. Electronic files should be destroyed to ensure that data cannot be reconstructed from the storage mechanism on which the record resides.

5. Confidential Records. As determined in the discretion of the Board, certain Association records shall be kept confidential such as personnel files, bank statements, Owner account or other personal information (except addresses) unless the Owner requesting the records provides a court order or written authorization from the person whose records are sought.

6. Attorney Files. Attorney's files and records relating to the Association (excluding invoices requested by an Owner pursuant to Texas Property Code Section 209.00S(d)), are not records of the Association and are not: (a) subject to inspection by the Owner; or (b) subject to production in a legal proceeding. If a document in an attorney's files and records relating to the Association would be responsive to a legally authorized request to inspect or copy Association documents, the document shall be produced by using the copy from the attorney's files and records if the Association has not maintained a separate copy of the document. The Association is not required under any circumstance to produce a document for inspection or copying that constitutes attorney work product or that is privileged as an attorney-client communication.

7. Presence of Board Member or Manager; No Removal. At the discretion of the Board or the Association's Manager, certain records may only be inspected in the presence of a Board member or employee of the Association's Manager. No original records may be removed from the office without the express written consent of the Board.


[SIGNATURE PAGE FOLLOWS]

CERTIFICATION & ACKNOWLEDGMENT

As the Secretary of the ENCLAVE OF TROY HOMEOWNERS ASSOCIATION, I certify that this Records Policy was adopted for the benefit of the Association by the Board of Directors at a duly called meeting, and will be filed and recorded pursuant to Chapter 209 of the Texas Property Code.

IN WITNESS WHEREOF, this instrument executed this 31st day of July, 2024.

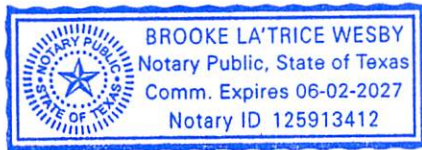
ENCLAVE OF TROY
HOMEOWNERS ASSOCIATION



Jimmy Torres
Secretary

STATE OF TEXAS §
COUNTY OF BELL §

Certified before me this the 31st day of July, 2024 by Jimmy Torres as the Secretary of the ENCLAVE OF TROY HOMEOWNERS ASSOCIATION, on behalf of said corporation.



Notary Public, State of Texas

After Recording, Please Hold For Pick Up



**Bell County
Shelley Coston
County Clerk
Belton, Texas 76513**

Instrument Number: 2024045586

As
POLICY

Recorded On: October 17, 2024

Parties: ENCLAVE OF TROY HOMEOWNERS ASSOCIATION INC
To ENCLAVE OF TROY SUBDIVISION

**Billable Pages: 3
Number of Pages: 4**

Comment:

(Parties listed above are for Clerks' reference only)

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

CLERKS RMF:	\$5.00
RECORDING:	\$13.00
Total Fees:	\$18.00

******* DO NOT REMOVE. 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

Instrument Number: 2024045586
Receipt Number: 428832
Recorded Date/Time: 10/17/2024 11:30:53 AM
User / Station: fosterk - BCCCD0735

Record and Return To:

TYE SCOTT
PICK UP



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk