

OWNERS ASSOCIATION OF WACO  
TIMBERWOOD TOWNHOMES HOMEOWNERS  
ASSOCIATION RECORDS PRODUCTION AND  
COPYING POLICY

STATE OF TEXAS       §  
                                  §  
COUNTY OF McLENNAN §

2023037478 RESOLUTION   Total Pages: 4



RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WACO TIMBERWOOD TOWNHOMES  
HOMEOWNERS ASSOCIATION, INC.

*KNOW ALL PERSONS BY THESE PRESENTS:*

*WHEREAS*, the OWNERS ASSOCIATION OF WACO TIMBERWOOD TOWNHOMES HOMEOWNERS ASSOCIATION, INC. ("Association") is charged with administering those certain covenants, conditions and restrictions contained in the Restrictive Covenants (Declarations) for the Association recorded Instrument No. 2003018181 of the Real Property Records of McLennan County, Texas; and

*WHEREAS*, chapter 82 of the Texas Property Code requires the Association to maintain certain records as set forth in §§ 82.114 and 82.1141 ("Records"); and

*WHEREAS*, the Board of Directors of the Association ("Board") desires to establish a policy for records production consistent with Sections 209.82.114 and 82.1141 and to provide clear guidance to property Owners.

*NOW, THEREFORE*, the Board has duly adopted the following Records Production and Copying Policy.

1. Association Books and Records ("Records") are open to and reasonably available for examination to every Owner. "Owner" is defined in the Restrictive Covenants. An Owner may also provide access to Records to any other person (such as an attorney, CPA or agent) they designate in writing as their proxy for this purpose. To ensure a written proxy is actually from the Owner, the Owner must include a copy of his/her photo ID or have the proxy notarized.
2. An Owner, or their proxy 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 McLennan County real property records;
  - 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 obtaining copies or whether the specified Records should be forwarded without prior inspection. The letter must indicate the delivery format, method, and address:

- i. format: electronic files, compact disk or hard copies; and
  - ii. delivery method: email, certified mail. or pick up.
3. Within 10 business days of receipt of the request specified in paragraph 2 above, the Secretary of 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 and place when the Records may be inspected by the Owner or their proxy during normal business hours; or
  - c. a written notice that the requested Records are available for delivery once a payment of the cost to produce the records is made and stating the cost thereof; or
  - d. a written notice that a request for delivery does not contain sufficient information to specify the Records desired, the format, the delivery method and the delivery address; or
  - e. a written notice that the requested Records cannot be produced within 10 business days but will be available within 15 business days from the date of this written 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 proxies:
  - a. the financial records associated with an individual Owner;
  - b. deed restriction violation details for an individual Owner;
  - c. personal information, including contact information other than an address for an individual Owner;
  - d. attorney work product documents;
  - e. attorney-client privileged information; and
  - f. election ballots, except for persons who tabulate ballots under 209.00594 of the Texas Property Code.
5. The information in subparagraphs a, b and c of paragraph 4 above will be released if the Association receives express written approval from the Owner whose records are the subject of the request for inspection.
6. The Association may maintain Records in hard copy or electronic format. If a request is made to inspect Records and certain Records are maintained in electronic format, the Owner or their proxy will be given access to equipment to view the electronic records. Association is required to transfer such electronic records to hard copy format unless the Owner or their proxy agrees to pay the cost of producing such hard copy copies.
7. If an Owner or their proxy inspecting Records requests copies of certain Records during the inspection, the Association shall provide them promptly, if possible, but no later than 10 business days after the inspection or payment of costs, whichever is later.

8. 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 below:

a.	black and white 8½"x11" single sided copies	\$0.10 each
b.	black and white 8½"x11" double sided copies	\$0.20 each
c.	color 8½"x11" single sided copies	\$0.50 each
d.	color 8½"x11" double sided copies	\$1.00 each
e.	Electronic PDF images of documents delivered electronically	No Cost
f.	compact disk	\$1.00 each
g.	mailing supplies	\$1.00 per
	mailing	
h.	postage	at cost
i.	other supplies	at cost
j.	third party fees	at cost

9. Any costs associated with a Records request must be paid in advance of delivery by the Owner or the Owner's proxy. An Owner who makes a request for Records and subsequently declines to accept delivery will be liable for payment of all costs incurred by the Association under this Policy.

10. On a case by case basis where an Owner request for Records is deemed to be minimal, the Association, at the discretion of the Secretary, may waive notice under section 2 and costs under paragraph 8 above.

11. An Owner who requests Records shall pay all costs associated with fulfilling the request to the Association.

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

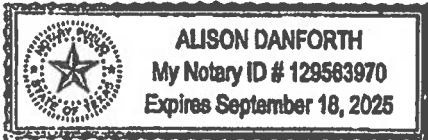
Approved and adopted by the Board of Director for the Waco Timberwood Townhomes Homeowners Association.

Signed this 4<sup>th</sup> day of December, 2023.

By:  \_\_\_\_\_

STATE OF TEXAS §  
  §  
COUNTY OF McLENNAN §

I, John Hudson, of the WACO TIMBERWOOD TOWNHOMES HOMEOWNERS ASSOCIATION, INC., a Texas nonprofit corporation, on this 4<sup>th</sup> day of December, 2023 hereby attest that the above is a true and correct copy of the *Records Production and Copying Policy* adopted by the Board of Directors of the WACO TIMBERWOOD TOWNHOMES HOMEOWNERS ASSOCIATION, INC.



Alison Danforth  
Notary Public in and for the State of Texas

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

J. A. "Andy" Harwell

J. A. "Andy" Harwell, County Clerk  
12/11/2023 10:47 AM

Fee: \$28.00  
2023037478 RESOLUTION  
McLennan County, TX