

DOCUMENT RETENTION POLICY

Date: July 27, 2012

Property Owners' Association:

Shadowcrest Homeowners Association, Inc.

Property Owners' Association Address:

c/o Randall Yates
9208 Shadowcrest Drive
College Station, Texas 77840

Subdivisions:

SHADOWCREST, WOODCREEK II, WOODCREEK III, and WOODCREEK IX, as more particularly described in the legal description attached as Exhibit "A", which is attached hereto and incorporated herein

The Board of Directors of Shadowcrest Homeowners Association, Inc., a Texas property owners association as defined by Prop. Code Chap 209, has resolved that it is the best interest of the Association to adopt this Policy, and has instructed the undersigned to execute and effect recording of this instrument on behalf of the Association.

PURPOSE. The purpose of this Policy is to comply with the minimum requirements of Prop. Code Sec. 209.005(m) enacted by the 82nd Texas Legislature as House Bill 2761, effective January 1, 2012, which requires a property owners' association composed of more than 14 lots to adopt and comply with a document retention policy.

EFFECTIVE DATE. This Policy is adopted by the Board of Directors to be effective date from January 1, 2012.

DOCUMENT RETENTION REQUIREMENTS. At a minimum, the Association will retain the documents required by Prop. Code Sec. 209.005(m), for the periods of stated required by Prop. Code Sec. 209.005(m).

CONSTRUCTION. The Policy may not be construed to prevent the board of Directors from adopting, amending, and restating, from time to time, one or more additional administrative policies pertaining to the retention of documents, records, and information of the Association, including without limitation policies relating to the storage and destruction of the items identified herein, and policies pertaining to the retention, storage, and destruction of other types of documents, records, and information of the Association. This provision may not be construed as a duty of the Board of Directors to adopt such additional administrative policies.

APPLICABILITY. Pursuant to Section 6(b) of House Bill 2761, this Policy applies only with respect to books and records of the Association generated on or after January 1, 2012, the effective date of the law enacted by House Bill 2761.

PUBLIC RECORDING. In case this administrative Policy is construed to be a "dedicatory instrument" within the meaning of Prop. Code Sec. 202.001(1), it will be publicly recorded in Brazos County, Texas, pursuant to Prop. Code Sec. 202.006(b). All amendments, restatements, and supplements to this Policy must also be publicly recorded in Brazos County, Texas, unless and until State law clarifies that public recording of administrative policies, such as this Policy is not required. This provision and the act of recording may not be construed as an assertion by the Association that this Policy, which is administrative in nature, is a "dedicatory instrument."

It is the policy of Shadowcrest Homeowners Association, Inc., (the "Association"), to retain the Association's records for the time periods shown below:

<u>Type of Record</u>	<u>Retention Period in Years</u>
<u>ACCOUNTING</u>	
- Account records of current owners	5 [Prop. Code Sec. 209.005(m)(3)]
- All other financial books and records	7 [Prop. Code Sec. 209.005(m)(2)]
<u>CORPORATE RECORDS</u>	
- Certificates of formation and all amendments	Permanent [Prop. Code Sec. 209.005(m)(1)]
- Bylaws and all amendments	Permanent [Prop. Code Sec. 209.005(m)(1)]
- Restrictive covenants and all amendments	Permanent [Prop. Code Sec. 209.005(m)(1)]
- Minutes of meetings of the owners and the board of directors	7 [Prop. Code Sec. 209.005(m)(5)]
<u>LEGAL</u>	
- Contracts with a term of one year or more	4 after expiration of the contract term [Prop. Code Sec. 209.005(m)(4)]
<u>PERSONNEL</u>	
- Employee earnings/payroll records	3 (FLSA, Equal Pay Act)
- Time cards/sheets	3 (FLSA)
- Form I-9	3 years after date of hire of 1 year after date of termination, whichever is later (Immigration Reform & Control Act)
<u>TAXES</u>	
- Income tax returns, audit records, and canceled checks (federal, state, and local)	7 (Sec. 209.005(m)(6) and IRS Code)
- Payroll tax returns	4 (IRS Code)

This Document Retention Policy was approved by the undersigned officers and directors on July 27, 2012:

President	Randall Yates	<u>Randall Yates</u>
Vice President	Sarah Tabola	<u>Sarah Tabola</u>
Secretary	Tom Wehrly	<u>Tom Wehrly</u>
Treasurer	Sam Rizzo	<u>Sam Rizzo</u>
Hospitality Chair Person	Ann Busch	<u>Ann Busch</u>
Member	Jordan Bertling	<u>Jordan Bertling</u>
Member	Cindy Richmond	<u>Cindy Richmond</u>
Member	Earl Legg	<u>Earl Legg</u>

By signing below, the undersigned certifies that the Board of Directors of Shadowcrest Homeowners Association adopted this Policy and instructed the undersigned to execute the Policy and effect its recording on behalf of the Association

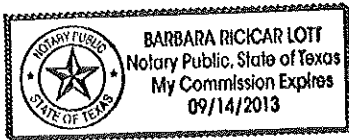
SIGNED on the 27th day of July, 2012.

SHADOWCREST HOMEOWNERS ASSOCIATION, INC.

By Tom Wehrly
Tom Wehrly, Secretary

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 27th day of July, 2012, by TOM WEHRLY, Secretary of SHADOWCREST HOMEOWNERS ASSOCIATION, INC., on behalf of the association.



Barbara Riccar Lott
NOTARY PUBLIC, State of Texas

RECORDING PAID FOR BY:
AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:
HOELSCHER, LIPSEY, ELMORE & POOLE, P.C.
1021 University Drive East
College Station, Texas 77840
MRH/BRL/RE/SHADOWCREST HOA/RETENTION

DOCUMENT RETENTION POLICY

SHADOWCREST HOMEOWNERS ASSOCIATION, INC.
to THE PUBLIC

Exhibit A
To Document Retention Policy
Shadowcrest Homeowners Association, Inc.

Description of Subdivision

Being all of the real property that is subject to the Declaration of Covenants, Conditions, and Restrictions of Woodcreek Section One, Woodcreek II, Woodcreek III, and Woodcreek IX, as follows:

- a. Shadowcrest Subdivision: Lots 1 through 15, Block 1; Lots 1 through 20, Block 2; Lots 1 through 5, Block 3; Lots 1 through 8, Block 4; and Lots 1 through 9, Block 5, WoodCreek Section One, an addition in College Station, Brazos County, Texas, according to plat recorded in Volume 529, Page 28 of the Deed Records of Brazos County, Texas, as well as any amendment thereto;
- b. Woodcreek Section II: Lots 1 and 2, Block 6; Lots 1 through 8, Block 7; Lots 1 through 7, Block 8; Lots 1 through 7, Block 9; Lots 1 through 13, Block 10; and Lots 1 through 9, Block 11, Woodcreek, Section II, and addition to the City of College Station, Texas, according to plat recorded in Volume 750, Page 347, Official Records of Brazos County, Texas, as well as any amendment thereto;
- c. Woodcreek Section III: Lots 1 through 14, Block 12, Woodcreek Section, III, an addition to the City of College Station, Texas, according to plat recorded in Volume 959, Page 797, Official Records of Brazos County, Texas, as well as any amendment thereto;
- d. Woodcreek Section IX: All that certain tract or parcel of land lying and being situated in the THOMAS CARUTHERS LEAGUE, A-9, in College Station, Brazos County, Texas, and being a portion of the tract of land called 40.50 acres out of Tract Four, said Tract Four being part of the 88.52 acres conveyed by the Federal Deposit Insurance Corporation (FDIC), in its capacity as Liquidator of the First Bank & Trust, Bryan, Texas, to TAC REALTY, INC., by Special Warranty Deed, Volume 1157, Page 194, of the Official Records of Brazos County, Texas, and being more particularly described by metes and bounds in Exhibit "A", Pages 2 and 3, attached hereto and made a part hereof for all purposes.

Exhibit A, Page 2

EXHIBIT "A"

Page 1 of 2

(CONCORD PROPERTY)
FIELD NOTES
WOODCREEK, SECTION NINE
11.373 ACRES

Being all that certain tract or parcel of land lying and being situated in the THOMAS CARUTHERS LEAGUE, A-9 in College Station, Brazos County, Texas and being a portion of the tract of land called 40.50 Acres out of Tract Four, said Tract Four being part of the 88.52 acres conveyed by the Federal Deposit Insurance Corporation (FDIC), in its capacity as Liquidator of the First Bank & Trust, Bryan, Texas to TAC REALTY, INC. by Special Warranty Deed, Volume 1157, Page 194 of the Official Records of Brazos County, Texas, and being more particularly described by metes and bounds as follows.

BEGINNING, at a found 1/2-inch iron rod marking the west corner of Lot 10, Block 7 of Foxfire, Phase II subdivision as recorded in Volume 358, Page 291, said iron rod also being an angle point in the south line of Lot 4 in said Block 7;
THENCE: S 45° 03' 33" E (called S 45° 00' 14" E) along the southwest line of said Foxfire, Phase II subdivision for a distance of 675.35 feet to a 1/2-inch iron rod set for corner;
THENCE S 58° 18' 47" W through the said 40.50 acre tract and along the northwest line of Lots 6 and 7, Block Seven of Woodcreek, Section Two as recorded in Volume 750, Page 347, for a distance of 341.64 feet to a found 1/2-inch iron rod for corner;
THENCE N 40° 00' 15" W along the northeast line of Lot 1, Block Eleven of said Woodcreek, Section Two for a distance of 120.76 feet to a found 1/2-inch iron rod in the southeast line of Concord Circle (a 7' wide street right-of-way formerly known as Courtlandt Circle);
THENCE N 36° 01' 07" W for a distance of 50.58 feet to a 1/2-inch iron rod set for corner,
THENCE S 44° 36' 17" W along the northwest line of said Concord Circle for a distance of 100.00 feet to a found 1/2-inch iron rod for the Point of Curvature of a curve to the right;
THENCE 121.70 feet along the arc of said curve having a central angle of 25° 21' 21", a radius of 275.00 feet, a tangent of 61.86 feet and a long chord bearing S 57° 36' 58" W at a distance of 120.73 feet to a 1/2-inch iron rod set for the Point of Curvature of a Compound Curve;
THENCE 39.59 feet along the arc of said compound curve having a central angle of 90° 44' 13", a radius of 25.00 feet, a tangent of 25.32 feet and a long chord bearing N 64° 20' 15" W at a distance of 35.58 feet to a 1/2-inch iron rod set for a Point of Curvature of a Reverse Curve;
THENCE 18.71 feet along the arc of said reverse curve in the northeast line of a 60' wide street right-of-way called Stonebrook Drive, said curve having a central angle of 01° 17' 26", a radius of 830.81 feet, a tangent of 9.36 feet and a long chord bearing N 19° 36' 52" W at a distance of 18.71 feet to a 1/2-inch iron rod set for corner;
THENCE S 73° 08' 01" W for a distance of 60.12 feet to a 1/2-inch iron rod set in the southwest line of said Stonebrook Drive for corner;
THENCE 200.29 feet in a clockwise direction along the arc of a curve having a central angle of 14° 53' 18", a radius of 770.81 feet, a tangent of 100.71 feet and a long chord bearing S 13° 04' 48" E at a distance of 199.73 feet to a 1/2-inch iron rod set for corner, said iron rod also marking the northeast corner of Lot 1, Block Six of the beforementioned Woodcreek, Section Two addition;
THENCE S 84° 00' 31" W along the northwest line of said Lot 1 for a distance of 109.76 feet to a 1/2-inch iron rod set for corner,
THENCE 18.01 feet in a clockwise direction along the arc of a curve in the southwest line of said Lot 1, said curve having a central angle of 01° 33' 49", a radius of 660.00 feet, a tangent of 9.01 feet and a long chord bearing S 04° 09' 55" E at a distance of 18.01 feet to a 1/2-inch iron rod set for corner,
THENCE S 86° 36' 59" W for a distance of 130.00 feet along the northwest line of a 20' wide Public Alley and along the northwest line of Block One of Woodcreek, Section Two as recorded in Volume 579, Page 345 to a 1/2-inch iron rod set for corner,
THENCE S 03° 23' 01" E along the southwest line of said Block One for a distance of 122.00 feet to a found 1/2-inch iron rod for corner,
THENCE S 86° 36' 59" W along the northwest line of Timber Knoll Drive (a 50' wide right-of-way described by plat in Volume 529, Page 23) for a distance of 50.00 feet to a 1/2-inch iron rod set for corner,
THENCE 39.27 feet in a clockwise direction along the arc of a curve having a central angle of 90° 00' 00", a radius of 25.00 feet, a tangent of 25.00 feet and a long chord bearing S 41° 36' 59" W at a distance of 35.36 feet to a found 1/2-inch iron rod for corner,
THENCE S 86° 36' 59" W along the northwest line of Shadowcrest Drive (a 50' wide right-of-way

Exhibit A, Page 3

Page 2 of 2

FIELD NOTES

Woodcreek, Section Nine
11.373 Acres

described by plat in Volume 529, Page 23) for a distance of 85.04 feet to a 1/2-inch iron rod set for corner, said iron rod also marking the southeast corner of a 6.58 acre City Park tract described in Volume 918, Page 678;

THENCE: N 03° 23' 01" W along said City Park tract for a distance of 139.96 feet to a 1/2-inch iron rod found for corner,

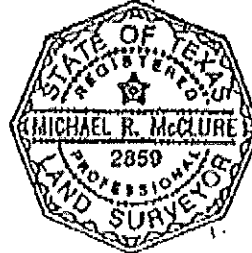
THENCE: N 41° 52' 37" W continuing along the City Park tract for a distance of 246.31 feet to a 1/2-inch iron rod set for corner, said iron rod also marking the south corner of Lot 13, Block 6 of the beforementioned Foxfire, Phase 2 subdivision;

THENCE: N 44° 52' 58" E for a distances of 998.98 feet (called N 44° 56' 17" W - 998.94') to the POINT OF BEGINNING and containing 11.373 acres of land more or less.

I, Michael R. McClure, Registered Professional Land Surveyor No. 2859 in the State of Texas do certify to the best of my knowledge information and belief and in my professional opinion that this survey is true correct and agrees with a survey made on the ground under my supervision.

Michael R. McClure 3/17/98

Michael R. McClure, R.P.L.S. #2859



Filed for Record in:
BRAZOS COUNTY

On: Aug 02, 2012 at 04:28P

As a
Recording

Document Number: 01128428

Amount 40.00

Receipt Number - 444491

By:
Amber Moshman

STATE OF TEXAS COUNTY OF BRAZOS
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the Official Public records of:

BRAZOS COUNTY

as stamped hereon by me.

Aug 02, 2012

Karen McQueen, Brazos County Clerk
BRAZOS COUNTY

AFTER RECORDING, RETURN TO:
MICHAEL R. HOELSCHER
1021 UNIVERSITY DR EAST
COLLEGE STATION TX 77840

HOELSCHER LIPSEY & ELMORE
1021 UNIVERSITY DR EAST
COLLEGE STATION TX 77840

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