

RECORDS PRODUCTION AND COPYING POLICY

Dated: July 27, 2012

Subdivision:

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

Property Owners' Association:

SHADOWCREST HOMEOWNERS ASSOCIATION, INC.

Charges:

Charges for examining and copying Shadowcrest Homeowners Association, Inc, (the "Association") information are set out in Exhibit "B".

Except for information deemed confidential by law or court order, the Association will make its books and records open to and reasonably available for examination by an owner of property in the Subdivision, or a person designated in a writing signed by the owner as the owner's agent, attorney, or certified public accountant, in accordance with Texas Property Code Section 209.005. Owners are also entitled to obtain copies of information in the Association's books and records upon payment of the charges for the copies. To the extent the Charges in this Policy exceed the charges in 1 Texas Administrative Code Sec. 70.3, the amounts in 1 Texas Administrative Code Sec. 70.3 shall govern.

Information not subject to inspection by owners includes, but is not limited to:

1. Any document that constitutes the work product of the Association attorney or that is privileged as an attorney-client communication;
2. Files and records of the Association attorney relating to the Association, excluding invoices requested by an owner under Texas Property Code §209.008(d);
3. Except to the extent the information is provided in the meeting minutes or as authorized by Texas Property Code §209.005(1).
 - (a) Information that identified the dedicatory instrument violation history of an individual owner;
 - (b) An owner's personal financial information, including records of payment or nonpayment of amounts due the Association;
 - (c) An owner's contact information, other than the owner's address; and

- (d) Information related to an employee of the Association, including personnel files.

If a document in the Association attorney files and records relating to the Association would be responsive to a request by an owner to inspect or copy the Association document, the document will 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.

Procedures for Owners to Inspect Property Owners' Association Information and/or Obtain Copies:

1. An owner or the owner's agent must submit a written request for access or information by certified mail, with sufficient detail describing the Association's books and records requested, to the mailing address of the Association or authorized representative as reflected on the most current management certificate filed with the County Clerk of Brazos County, Texas.
2. The request must include enough description and detail about the information requested to enable the Association to accurately identify and locate the information requested. Owners must cooperate with the Association's reasonable efforts to clarify the type or amount of information requested.
3. The Request must contain an election either to inspect the books and records before obtaining copies or to have the Association forward copies of the requested books and records and:
 - (a) if an inspection is requested, the Association, on or before the 10th business day after the date the Association receives the request, shall send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Association; or
 - (b) if copies of identified books and records are requested, the Association will, to the extent those books and records are in the possession, custody or control of the Association, produce the requested books and records for the requesting party on or before the 10th business day after the date the Association receives the request.
4. If the Association is unable to produce the books or records requested that are in its possession or custody on or before the 10th business day after the date the Association receives the request, the Association must provide to the requestor written notice that:
 - (a) informs the owner that the Association is unable to produce the information on or before the 10th business day after the date the Association received the request; and

- (b) states a date by which the information will be sent or made available for inspection to the requesting party that is not later than the 15th business day after the date notice under this subsection is given.
5. If an inspection is requested or required, the inspection will take place at a mutually agreeable time during normal business hours, and the owner will identify the books and records of the Association to copy and forward to the owner.
 6. The Association may produce copies of the requested information in paper copy, electronic, or other format reasonable available to the Association.
 7. Before starting work on an owner's request, the Association must provide the owner with a written, itemized, statement of estimated charges for examining and /or copying records related to the owner's request using amounts prescribed herein when the estimated charges exceed \$40.00. Owners may modify the request in response to the itemized statement.
 8. Within 10 business days of the date the Association sent the estimate of charges, the owner must respond in writing to written estimate, or the request is considered automatically withdrawn. The response must state whether the owner (a) accepts the estimate per the request, (b) modifies the request, or (c) withdraws the request.
 9. Owners are responsible for charges relating to the compilation, production, and reproduction of the requested information in the amounts stated herein. The Association may require advance payment of the estimated charges of compilation, production, and reproduction of the requested information. The charges for some of the services are as set out on the attached Exhibit "B" which is incorporated herein. These charges will automatically be amended from time to time if the charges allowed by 1 Texas Administrative Code 70.3 are amended.
 10. If the estimated Charges are lesser or greater than the actual charges, the Association shall submit a final invoice to the owner on or before the 30th business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, 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 charge exceed 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 invoice is sent to the owner.
 11. The Association may reduce or waive some or all of the charges addressed by this Policy on a request-by-request basis without waiving the right to charge such fees in future requests.

This Records Production and Copying 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>

SHADOWCREST HOMEOWNERS ASSOCIATION, INC.

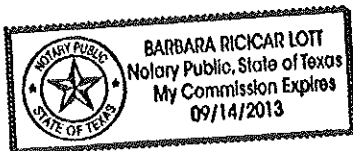
By T C Wehrly
TOM WEHRLY, Secretary

STATE OF TEXAS

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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., a Texas corporation, on behalf of said corporation, in the capacity therein stated.



Barbara Riccar Lott
NOTARY PUBLIC, State of Texas

Exhibit A
To Records Production and Copying 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
11.371 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 50' wide street right-of-way formerly known as Courtland Circle);
THENCE N 36° 11' 07" W for a distance of 50.58 feet to a 1/2-inch iron rod set for corner;
THENCE S 44° 56' 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 120.71 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 77° 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' 11" 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 Spadoverest 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

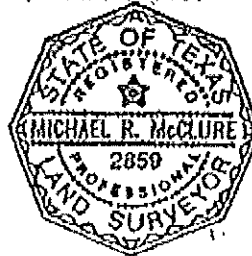


Exhibit "B"

To Shadowcrest Homeowners Association, Inc.,
Records Production and Copying Policy

Prescribed Costs to Owner

Copy Charges:

Electronic image transmitted by email - no copy charge
Electronic image downloaded to USB drive - actual cost of drive
Standard paper copy or scan (letter or legal size) - \$0.10 per page (double sided is 2 pages)
Oversize paper copy or scan (such as 11 x17) - \$0.50 per page
Diskette or CD - \$1.00
DVD - \$3.00

Labor Charge:

No labor charge if the request is for 50 or fewer pages of information, unless the records must be retrieved from a storage facility that is remote from the processor's office.

\$15.00 per hour, in 1/4 hour increments, for actual time to locate, compile, manipulate data, reproduce information, and (if necessary) redact confidential information, for requests of more than 50 pages and for records in remote storage.

No labor charges for time spent to review the requested information to determine if the information qualifies for an exemption from Open Records.

Overhead Charge:

No overhead charge if the request is for 50 or fewer pages of information. Otherwise, the overhead charge is 20 percent of the labor charge.

Remote Document Retrieval Charge:

If the requested information is stored with a commercial records storage company that charges a fee to deliver and return stored records, the Association may seek reimbursement of the third-party fee from the owner if the request otherwise qualifies for a labor charge.

Other Charges:

Actual postage and shipping charges if necessary to transmit the reproduced information to the owner.

Actual cost of miscellaneous supplies, such as boxes, if used to produce the requested information.

If the Association accepts payment by credit card, the Association may recoup the amount of any actual transaction fee charged by the credit care company for the privilege.

No sales tax.

Filed for Record in:
BRAZOS COUNTY

On: Aug 02, 2012 at 04:28P

As a
Recordings

Document Number: 01128427

Amount 48.00

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