

**RECORDS PRODUCTION POLICY**  
**CITY BY THE SEA**  
**PROPERTY OWNERS ASSOCIATION, INC**  
Effective 1 January 2012

This Records Production Policy was approved by the Board of Directors of the City by the Sea Property Owners Association, Inc. on the 8th day of October, 2011.

- I. **Copies of Association records will be available to all Owners upon proper request and at their own expense. A proper request:**
  - a. is sent certified mail to the Association's address as reflected in its most recent management certificate;
  - b. is from an Owner, or the Owner's agent, attorney or certified public accountant; and
  - c. contains sufficient detail to identify the records being requested.
  
- II. **Owners may request to inspect the books and records or may request copies of specific records.**
  - a. If the owner makes a request to inspect the books and records, then the Association will respond within **10 business days** of the request, providing the dates and times the records will be made available and the location of the records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents upon the owner paying the Association the cost thereof.
  
  - b. If an owner makes a request for copies of specific records, and the Association can provide the records easily or with no cost, then the Association will provide the records to the owner within 10 business days of the owner's request.
  
  - c. If the owner makes a request for copies of specific records, the Association shall send a response letter advising on the date that the records will be made available (within **15 business days**) and the cost the owner must pay before the records will be provided. Upon paying

the cost to provide the records, the Association shall provide the records to the owner.

**III. The Association hereby adopts the following schedule of costs:**

|                  |  |
|------------------|--|
| <u>COPIES</u>    | 15 cents per side, for a regular 8.5" x 11" page<br>25 cents per side, for legal or 11" x 17" page<br>Actual cost, for specialty paper (color, photograph, map, etc.)<br>\$10.00 for each CD or audio cassette<br>\$15.00 for each DVD |
| <u>LABOR</u>     | \$15.00 per hour for actual time to locate, compile and reproduce the records (charged if request is greater than 50 pages in length)  |
| <u>OVERHEAD</u>  | 20% of the total labor charge (can only charge if request is greater than 50 pages in length)  |
| <u>MATERIALS</u> | Actual costs of labels, boxes, folders, and other supplies used in producing the records, along with postage for mailing the records   |

**IV. The Association hereby adopts the following form of response to Owners who request to inspect the Association's Books and Records:**

**RESPONSE TO REQUEST TO INSPECT ASSOCIATION RECORDS**  
**CITY BY THE SEA PROPERTY OWNERS ASSOCIATION, INC**

\_\_\_\_\_ (date)

Dear Homeowner:

On \_\_\_\_\_, the Association received your request to inspect the books and records of the Association. The books and records of the Association are available for you to inspect on regular business days, between the hours of 9 a.m. and 5 p.m., at Unit A-28, Kool Storage, 2517 Bypass 35, Rockport, TX 78382.

Please contact the Association's representative at \_\_\_\_\_ (phone number) to

arrange for a mutually agreeable time for you to inspect the books and records. Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Very truly yours,

City by the Sea  
Property Owners Association, Inc.

**V. The Association hereby adopts the following form of response to Owners who request copies of specific records:**

**RESPONSE TO REQUEST FOR ASSOCIATION RECORDS**  
**CITY BY THE SEA PROPERTY OWNERS ASSOCIATION**

\_\_\_\_\_ (date)

Dear Homeowner:

On \_\_\_\_\_, the Association received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.

In order to obtain the records, you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$\_\_\_\_\_. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at \_\_\_\_\_.

Very truly yours,

City by the Sea  
Property Owners Association, Inc.

VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to the owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.

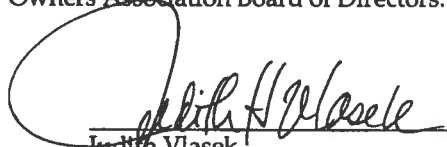
VII. Unless authorized in writing or by court order, the Association will not provide copies of any records that contain the personal information of an owner, including architectural plans, restriction violations, delinquent assessments, financial information and contact information (other than an owner's address); additionally, no privileged attorney-client communications or attorney work product documents will be provided; and no employee information (including personnel file) will be released.

VIII. With regards to the inspection of ballots, only persons who tabulate ballots under 209.00594 (TPC) may be given access to the ballots cast in an election or vote.

*[Certification and Notary signature on next page]*

CERTIFICATION

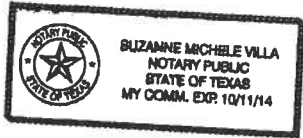
"I, the undersigned, being the President of City by the Sea Property Owners Association, Inc. hereby certify that the foregoing Resolution was adopted by at least a majority of the City by the Sea Property Owners Association Board of Directors."

  
\_\_\_\_\_  
Judith Vlasek  
President of CBTS Property Owners  
Association, Inc.

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on the 24<sup>th</sup> day of January, 2012, by Judith Vlasek, President of CBTS Property Owners' Association, Inc., on behalf of said Association.



*Suzanne Michele Villa*  
Notary Public, State of Texas

My Commission expires:

October 11, 2014

AFTER FILING, RETURN TO:

Linda Collins  
Secretary, CBTS Property Owners Association  
P.O. Box 13  
Aransas Pass, Texas 78335

INDEXED  
FILED FOR RECORD IN OPR  
AT 2:17 P.M.  
JAN 24 2012

5/32 (4)

PEGGY L. FRIEBELE, COUNTY CLERK  
ARANSAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of ARANSAS COUNTY, TX, as stamped hereon by me on 1-25-2012.



*Peggy L. Friebale*  
PEGGY L. FRIEBELE, COUNTY CLERK  
ARANSAS COUNTY, TEXAS

*Filed by & Return to:*  
*Judith Vlasek*  
*P.O. Box 13*  
*Aransas Pass, Tex.*  
*78335*