

TRI-COUNTY POINT PROPERTY OWNERS ASSOCIATION

RECORDS PRODUCTION POLICY

TRI-COUNTY POINT PROPERTY OWNERS ASSOCIATION (the "Association") is a Texas Non-Profit Corporation and a property owners' association. The undersigned, being the Association's President and a Director of the Association, submits this instrument on behalf of the Association. This instrument supersedes any prior Association Records Production Policy filed by the Association. The Association certifies as to the following:

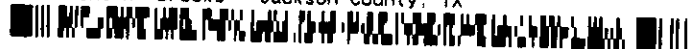
- I. The name of the Subdivision(s) is/are BOCA CHICA, Sections One (1) through Eight (8), inclusive.
- II. The name of the Corporation is TRI-COUNTY POINT PROPERTY OWNERS ASSOCIATION, sometimes referred to herein as the "Association."
- III. The Association has jurisdiction over the Boca Chica Subdivision, Sections One (1) through Eight (8), inclusive. The maps or plats, respectively, are recorded in the Plat Records of Jackson County, Texas, as follows:

- 1) Section One (1)-- Slide 156-B;
- 2) Section Two (2)-- Slide 157-A;
- 3) Section Three (3), Phase One (1)-- Slide 160-B;
- 4) Section Three (3), Phase Two (2)-- Slides 161-A and 161-B;
- 5) Section Four (4)-- Slides 162-A and 162-B;
- 6) Section Five (5)-- Slide 163-B;
- 7) Section Six (6)-- Slide 170-A;
- 8) Section Seven (7)-- Slides 169-A and 169-B; and
- 9) Section Eight (8)-- Slides 171-A and 171-B.

- IV. The "Restrictions" for each Section of Boca Chica Subdivision are recorded in the Deed Records of Jackson County, Texas, as follows:

- 1) Sections One (1) and Two (2) -- Vol. 618, P. 1035 et. seq. and Vol. 619, P. 451 et. seq.;
- 2) Section Three (3), Phases One (1) and Two (2), Section Four (4) -- Vol. 627, P. 1018 et. seq.;
- 3) Section Five (5) -- Vol. 648, P. 208 et. seq.;
- 4) Section Six (6) -- Vol. 667, P. 820 et. seq.;
- 5) Section Seven (7) -- Vol. 667, P. 829 et. seq.; and
- 6) Section Eight (8) -- Vol. 680, P. 1052 et. seq.

- V. **PRODUCTION OF ASSOCIATION RECORDS:** This Records Production Policy was approved by at least a majority vote of the Board of Directors of TRI-COUNTY POINT PROPERTY OWNERS ASSOCIATION (the "Board"), at a duly called open Meeting of the Board, at which Meeting a quorum was present.



1. Copies of Association records will be available to all Owners [i.e., the Owner(s) of any Lot within the Association's jurisdiction] upon the Owner's proper request and at the Owner's own expense. A proper request must:

- a) be sent Certified Mail (*note*: Return Receipt Requested is recommended) to the Association's address as reflected in its most recent Management Certificate;
- b) be from an Owner(s), or the Owner's agent, attorney, or certified public accountant; and
- c) contain sufficient detail to identify the Association records being requested.

2. Owners may request to inspect the Association's books and records or, alternatively, Owners may request copies of specific records.

- a) If an Owner(s) make(s) a request to inspect the books and records, then the Association will respond **within 10 business days after the Association's receipt 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(s) shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner(s) with copies of specific documents upon the owner paying the Association the cost thereof.
- b) If an Owner(s) make(s) a request for copies of specific records, and the Association is reasonably able to provide the records easily or with no cost, then the Association will provide copies of the records to the owner **within ten (10) business days after the Association's receipt of the Owner's request**.
- c) If an Owner(s) make(s) a request for copies of specific records, and the Association is unable to provide such records within ten (10) business days after receipt of the request, the Association shall send a response letter advising the Owner that the requested records (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld) will be made available to the requesting party no later than the fifteenth (15th) business day after the date of such notice letter, and specifying the cost the Owner(s) must pay before the records will be provided. Upon the Owner(s) paying the cost to provide the records, the Association shall provide the records to the Owner(s) who made the request.

VI. The Association hereby adopts the following schedule of costs:

Copy Cost for a regular 8.5" x 11" page - 10 cents per page;
for pages 11" x 17" or greater - 50 cents per page;
for specialty paper (color, photograph, map, etc.) - actual cost;
for each CD or audio cassette - \$1.00; and
for each DVD - \$3.00.

Labor Cost \$15.00 per hour for actual time expended to locate, compile and reproduce the records [*note*: the Owner(s) may only be charged such labor cost if the copies requested by the Owner(s) exceed 50 pages in length].

Overhead 20% of the total labor charge [*note: the Owner(s) may only be charged for such overhead cost if the copies requested by the Owner(s) exceed 50 pages in length*].

Materials for labels, boxes, folders, and other supplies used in producing the records, along with postage for mailing the records - actual costs.

VII. The following is an example of a form response to an Owner(s) who request(s) to inspect the Association's Books and Records:

"Date

Dear _____:

On _____, 20__, the Association received your written request to inspect certain books and records of the Association. The books and records of the Association (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld) are available for you to inspect on regular business days, between the hours of 9:00 a.m. and 5:00 p.m., at the Association's office, 14 County Road 480 Palacios, Texas 77465-1642.

Please contact the Association's Vice-President (at tel. no. _____ or e-mail address: _____) to arrange for a mutually agreeable date and time for you to inspect the Association's books and records identified in your written request (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld). You will also need to advise the Association whether you will personally attend such inspection and/or whether you intend to allow an Owner's agent, an Owner's attorney, or an Owner's certified public accountant to participate in such inspection. 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.

Sincerely,

Tri-County Point Property Owners Association"

VIII. The following is an example of a form response to an Owner(s) who request(s) copies of specific records:

"Date

Dear _____:

On _____, 20__, the Association received your written request for copies of specific Association records. Please be advised that the Association is unable to provide you with the copies of the requested records within ten (10) business days of your request; however, the copies of the requested records (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld) will be made available to you no later than fifteen (15) business days after the date of this response.

A schedule of costs is included with 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 receipt of advance payment from you, the Association will mail the requested documents to you at the address specified in your request. You may also schedule to make payment and pick up the copies of the requested documents in person at the Association's office, 14 County Road 480 Palacios, Texas 77465-1642. Should you have any questions or comments, please contact the Association's Vice-President (at tel. no. _____ or e-mail address: _____).

Sincerely,

Tri-County Point Property Owners Association"

- IX. If the estimated cost provided to the Owner(s) is more or less than the actual cost of producing the documents, the Association shall, within thirty (30) business days after providing the records, submit to the owner either an invoice for the additional amount(s) owed or refund the overage(s) paid by the Owner. In the event of an invoice for additional amount(s) owed, if the Association does not receive reimbursement before the thirtieth (30th) business day after the date the invoice is sent to the Owner(s), the additional amount(s) may be added to the Owner(s)' account as an assessment.**
- X. Unless authorized in writing by the affected Owner(s) or authorized by Court Order, the Association will not provide copies of or allow inspection of any records that contain: (i) the personal information of an Owner, including restriction violations, delinquent assessments, financial information, and contact information (other than the Owner's address); or (ii) information related to an employee of the Association, including personnel files. Please note that information may be released in an aggregate or summary manner that does not identify an individual property Owner.**

(Certification, Signature and Acknowledgment are Contained on Page 5 Hereof)

CERTIFICATION

“I, the undersigned, being the President of TRI-COUNTY POINT PROPERTY OWNERS ASSOCIATION, hereby certify that the foregoing Records Production Policy Resolution was adopted by at least a majority of the Association’s Board of Directors, and such Records Production Policy Resolution has never been modified or repealed, and is now in full force and effect.”

TRI-COUNTY POINT PROPERTY OWNERS ASSOCIATION

By: Clint Hammonds
CLINT HAMMONDS, President

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF JACKSON §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared CLINT HAMMONDS, President of TRI-COUNTY POINT PROPERTY OWNERS ASSOCIATION, a Texas Non-Profit Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and for the consideration therein expressed, and as the act and deed of such Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 12 day of January, 2021. HM



Heather Hawkins
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After recording, return to:
Tri-County Point Property Owners Association
14 County Road 480
Palacios, Texas 77465-1642

FILED and RECORDED

Instrument Number: 2022-00170 B: OR V: 653 P: 838

Filing and Recording Date: 01/13/2022 10:08:18 AM Recording Fee: 42.00

I hereby certify that this instrument was FILED on the date and time stamped heron and RECORDED in the OFFICIAL PUBLIC RECORDS of Jackson County, Texas.



A handwritten signature in black ink, appearing to read "KR Brooks", is written over a horizontal line.

Katherine R. Brooks, County Clerk
Jackson County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.