



Frio Cielo Ranch Association
Records Production and Copying Policy

Doc# BK Vol Pg
9076 OR 73 721

STATE OF TEXAS

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF UVALDE
COUNTY OF REAL

WHEREAS, The Frio Cielo Ranch Association (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Modified Deed Restrictions for the various sections of the community (referred to collectively as “Deed Restrictions”): and

WHEREAS, chapter 209 of the Texas Property Code was amended effective January 1, 2012, to amend Section 209.005 (“Section 209.005”) thereto regarding owner access to Association documents and records (“Records”); and

WHEREAS, the Board of Directors of the Association (“Board”) desires to establish a policy for records production consistent with Section 209.005 and to provide clear and definitive guidance to property owners.

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

1. Association Records shall be reasonably available to every owner. 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 Counties public records; and
 - 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 possibly obtaining copies or if the specified Records should be forwarded. If forwarded, the letter must indicate the format, delivery and method and address:
 - i. format: electronic files, compact disk, flash drive or paper copies
 - ii. delivery method: email, certified mail or pick-up

Frio Cielo Ranch Association
Records Production and Copying Policy

Doc# BK Vol Ps
73 722

3. Since the FCRA is managed totally by Association member volunteers, within fifteen (15) business days of receipt of the request specified in section 2 above, the Association shall provide:
 - a. the requested Records. If copies were requested and any required advance payment has been made or:
 - b. a written notice that the Records are available and offer dates and times when the Records may be inspected by the owner or their proxy during normal business hours at the Records Storage Building at the main Ranch House, Frio Cielo Ranch subdivision; 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 fifteen (15) business days but will be available within (5) additional business days from the date of the notice upon payment of the cost to produce the records 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; and
 - b. deed restriction violation details for an individual owner; and
 - c. personal information, including contact information other than an address for an individual owner; and
 - d. attorney files and records in the possession of the attorney; and
 - e. attorney-client privileged information in the possession of the Association.The information in a. b. and c. above will be released if the Association receives express written approval from the owner whose records are the subject of the request for inspection.

5. Association Records may be maintained in paper format or in 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. The Association shall not be required to transfer such electronic records to paper format unless the owner or their proxy agrees to pay the cost of producing such copies.

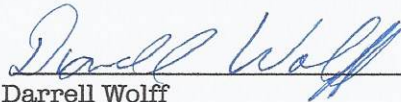
6. If an owner or their proxy inspecting Records requests copies of certain Records during the inspection, the Association shall provide copies of the requested Records no later than fifteen (15) business days after the inspection or payment of costs, whichever is later.

7. 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 document retrieval fees from off-site storage locations) as listed below:
 - a. black and white 8 1/2 x 11" single sided copies ... \$0.20 each

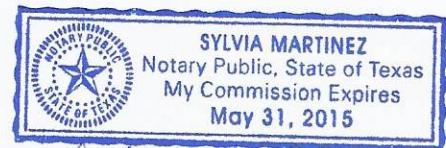
- b. black and white 8 1/2 x 11" double sided copies ... \$0.30 each
 - c. color 8 1/2 x 11" single sided copies ... \$0.50 each
 - d. color 8 1/2 x 11" double sided copies ... \$1.00 each
 - e. PDF images of documents ... \$0.10 per page
 - f. compact disk ... \$1.00 each
 - g. flash drive ... \$10.00 each
 - h. labor and overhead ... \$18.00 per hour, minimum charge of one (1) hour
 - i. mailing supplies ... \$1.50 per mailing
 - j. postage ... at cost
 - k. other supplies ... at cost
 - l. third party fees ... at cost
8. Any costs associated with a Records request must be paid in advance of delivery by the owner or their proxy. An owner who makes a request for Records and subsequently declines to accept delivery will be liable for the payment of all costs under this policy.
9. On a case-by-case basis where an owner's request for Records is deemed to be minimal, the Association or its managing agent reserves the right to waive notice under section 2 and/or fees under section 4. The failure or declination to charge for records on one or more occasions shall not operate as a waiver of the Association's right to impose such fees or charges in the future.

This Policy is effective upon recordation in the Public Records of Uvalde County and Real 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 Deed Restrictions or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this 15 day of January 2014.



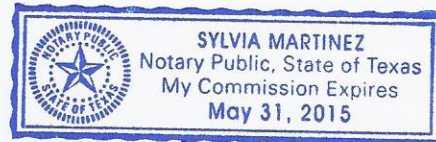
Darrell Wolff
President
Frio Cielo Ranch Association



Sylvia Martinez
1/15/2014

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority,
by *Darrell WOLFF*, the President of Frio Cielo Ranch Association on
the *15* day of *January*, 2014 to certify which witness my hand and
seal of office.

BK Vol Pg
OR 73 724



Sylvia Martinez
1/15/2014

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
RAMONA ESQUIVEL HOBBS
Ramona Esquivel Hobbs, County Clerk
Uvalde County TEXAS
January 16, 2014 09:20:36 AM
FEE: \$38.00 2014000142

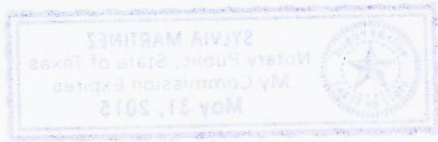
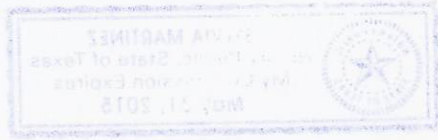
I, Ramona Esquivel Hobbs, County Clerk, do hereby certify that the foregoing instrument was FILED FOR RECORD on the date and time stamped hereon and was duly recorded in the Official Public Records of Uvalde County, Texas.



Ramona Esquivel Hobbs, County Clerk
Uvalde County, Texas

By: *Chika Antley* Deputy

Doc# BK Vol Ps
9076 OR 73 725



Handwritten text, possibly a signature or date, is present but illegible.



Receipt# 8783
BK/Vol/Pg: OR 73 725
Document Number: 9076
Amount: \$8,000

By: D Ann Green, Deputy

STATE OF TEXAS COUNTY OF REAL
I hereby certify that this instrument was
FILED on this date and time stamped herein by
me and was duly RECORDED in the OFFICIAL PUBLIC
RECORDS OF REAL COUNTY, TEXAS in the volume
and page as shown.

Bella Rubio County Clerk
Real County Texas

By: *[Signature]* Deputy

Any provision herein which restricts the sale,
rental or use of the described real property
because of color or race is invalid and
unenforceable under federal law.