

RIVER FALLS AIRPORT PROPERTY OWNER'S ASSOCIATION, INC. RECORDS PRODUCTION AND COPYING POLICY

WHEREAS, the RIVER FALLS AIRPORT PROPERTY OWNER'S ASSOCIATION, INC. ("the Association"), is the property owner's association for the River Falls Airport subdivision situated in Randall County, Texas, according to the Declaration recorded at Clerk's File Number 04-4205 in the Official Records of Randall County, Texas, and any amendments and supplements thereto, and the plat of said subdivision recorded in the Official Records of Randall County, Texas, and any amendments and supplements thereto: and

WHEREAS, the Board of Directors of the Association ("Board") desires to establish a policy for records production and copying:

NOW, THEREFORE, the Board has duly adopted the following records production and copying policy ("Records Production Policy"):

1. The Association shall make the books and records ("Records") open to and reasonably available for examination by an Owner or the Owner's agent, attorney, or certified public accountant (the "Owner's Representative"), in accordance with Section 209.005, as such Section may be amended from time to time. An Owner is entitled to obtain copies of the Records from the Association in accordance with Section 209.005, as such Section may be amended from time to time.
2. The Association shall not be required to release or allow inspection of any Records described in Section 209.005(k), as such Section may be amended from time to time, except as provided in Section(l), as such Section may be amended from time to time.
3. Request for access or information by an Owner or the Owner's Representative must be submitted in writing and must conform to the requirements of Section 209.005(e), as such Section may be amended from time to time.
4. Within ten (10) business days of receipt of a request in accordance with Paragraph 3 above, the Association shall provide:
 - a. the requested Records, if copies were requested and all Production Charges (as hereinafter defined) have been paid; or
 - b. a written notice that the Records are available for inspection upon payment of all Production Charges, and offer dates and times when the Records may be inspected by the Owner or the Owner's Representative during normal business hours at the office of the Association, such notice to include a statement of the Production Charges; or

- c. a written notice that the requested Records are available for delivery upon paying Production Charges, such notice to include a statement of the Production Charges; or
 - d. a written notice that the request does not contain sufficient information, including, without limitations, the Records requested, the desired delivery method, or the delivery address; or
 - e. a written notice that the requested Records cannot be reproduced within ten (10) business days but will be available within fifteen (15) additional days from the date of the Association's notice.
5. Records may be maintained in paper format or in an electronic format. If a request is made to inspect Records and certain Records are maintained in electronic format, the Owner or the Owner's Representative will be given access to equipment to view the electronic Records. The Association will be required to transfer such Electronic Records to paper format unless the Owner or the Owner's Representative pays all Production Charges with respect to such transfer.
6. If an Owner or Owner's Representative request copies of certain Records during an inspection, the Association shall provide them not less than ten (10) business days after the inspection.
7. The Association may charge an Owner for the compilation, production, and reproduction of Records in connection with a request for access, inspection, and/or copies by an Owner or an Owner's Representative ("Production Charges"). The charges may include all reasonable costs of materials, labor, and overhead (including without limitation, copy charges, postage, supplies, and third-party fees (such as archive document retrieval fees from off-site storage locations) as listed below:
- a. **Copies:** \$.10 per page for standard paper size; \$.50 per page for oversize paper;
 - b. **Electronic Media:** \$1.00 for each CD; \$3.00 for each DVD;
 - c. **Labor:** \$15.00 per hour for actual time to locate, compile, and reproduce records (no charge for requests for 50 or fewer pages);
 - d. **Overhead:** 20% of the total Labor charge (no charge for requests for 50 or fewer pages); and
 - e. **Miscellaneous:** The Association may charge for actual cost incurred in responding to the request, including cost for labels, boxes, folders, postage, and/or shipping.

8. If required by the Association, all Production Charges must be paid in advance of inspection by, or delivery of copies to, the Owner or the Owner's Representative. The Association shall not be required to make any Records available for inspection, or to provide copies of any Records, prior to receipt of payment of the Production Charges. An Owner shall be responsible for the payment of Production Charges with respect to a request for inspection or copies, whether or not the Owner or an Owner's Representative proceeds with a requested inspection or accepts the requested copies.

This Policy is effective upon recordation in the Official Public Records of Randall County, Texas, and supersedes any policy regarding document retention which may have previously been in effect. Except as affected by Section 209.005 and/or by this Policy, all provisions contained in the dedicatory instruments of the Association shall remain in full force and effect.

The undersigned, being President of the Association, hereby certifies that the foregoing Records Production Policy was duly adopted by the Board of the Association and is currently in full force and effect.

Dated this _____ day of October, 2021.

Steve Berner, President
River Falls Airport Property Owner's Association, Inc.

STATE OF TEXAS. *
COUNTY OF RANDALL *

This instrument was acknowledged before me on this the ____ day of October, 2021,
By Steve Berner, as President of River Falls Airport Property Owner's Association, Inc.

Notary Public in and for the State of Texas