

Copying Policy, in which case the terms in the Records Retention, Production and Copying Policy will control.

EXECUTED on the date of the acknowledgment set forth herein below, to be effective as set forth above.

Windstone Colony Community Association, Inc.,
a Texas non-profit corporation

llc / ac

By: *John Deboben*
John Deboben, President

THE STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

This instrument was acknowledged before me on Nov 14, 2011, by John Deboben, President of Windstone Colony Community Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Theresa J. Graves
Notary Public, State of Texas



WHEN RECORDED, RETURN TO:

Hoover Slovacek LLP
5847 San Felipe, Suite 2200
Houston, Texas 77057

✓

File No. 122216-358 (761271)

FILED FOR RECORD
8:00 AM

DEC 9 2011

Stan Stewart
County Clerk, Harris County, Texas

RP 000-14-0284

Exhibit "A"

RECORDS RETENTION, PRODUCTION AND COPYING POLICY

Records Retention

I. General Policy: It is the policy of the Association to maintain a filing system appropriate for the daily use and long-term retention of Association's documents and records. The following list shall serve as a guideline and is not necessarily an exclusive list of all Association documents. Documents not listed below are not subject to retention. Upon expiration of the retention date, the applicable documents will be considered not maintained as a part of the Association books and records and are subject to destruction in a manner deemed appropriate by the Board.

II. Permanent Records: The Association will maintain the following records as permanent records of the Association:

- a. Certificate of Formation (or Articles of Incorporation) of the Association, and all amendments or supplements thereto;
- b. Bylaws of the Association and all amendments or supplements thereto; and
- c. Restrictive covenants, and all amendments or supplements thereto.

III. Seven Years: The Association will maintain the following documents for a period of at least seven years from the date the document was created:

- a. All financial books and records of the Association;
- b. Minutes of the meetings of the members of the Association and meetings of the Board of Directors of the Association; and
- c. The Association's tax returns and audit records.

IV. Five Years: The Association will maintain the account records of current owners for a period of at least five years from the date the document was created.

V. Four Years: The Association will maintain contracts with a term of one year or more for four years after the expiration of the contract term.

Records Production and Copying

I. Request for Books and Records: Copies of the Association's books and records will be reasonably available to all Owner's or a person designated in a writing signed by the Owner as the Owner's agent, attorney, or certified public accountant ("Owner's Authorized Representative") upon proper request and at the Owner's expense. A proper request:

- a. Must be sent by certified mail to the Association or the Association's authorized representative at the address as reflected in the Association's most recent management certificate as recorded in the Official Public Records;

- b. Must be from an Owner or an Owner's Authorized Representative (herein, the Owner and the Owner's Authorized Representative being collectively called the "Requestor");
- c. Must contain sufficient detail to identify the books and records of the Association being requested (herein the "Requested Records"); and
- d. Must designate whether the Requestor is requesting to inspect the Requested Records or requesting to have the Association forward copies of Requested Records to the Requestor.

II. Association's Response: The Association shall respond to the Requestor's request in writing.

a. Request to Inspect: Upon receipt of a proper request to inspect the Requested Records as outlined above, the Association will send written notice to the Requestor on or before ten (10) business days after the Association receives the proper request, and provide dates and times during normal business hours that the Requested Records will be made available for inspection by the Requestor (to the extent the Requested Records are in the possession, custody or control of the Association and are not otherwise privileged and therefore protected from inspection). The Association and the Requestor shall arrange for a mutually agreeable time to conduct the inspection. If copies of the Requested Records are made at the inspection, the Association shall provide the Requestor with copies upon receipt of the cost thereof as described below.

b. Request for Copies: If a request for copies of Requested Records is made, the Association shall send written notice to the Requestor on or before ten (10) business days after the Association receives the proper request advising the Requestor of the date that the Requested Records will be made available, and the cost that must be received by the Association before the Requested Records will be provided. Upon receiving payment for the Requested Records, the Association will produce the Requested Records to the Requestor by sending the Requested Records to the Requestor by regular U.S. Mail at the Requestor's address shown in the request, or upon written request, the Requestor may pick up the Requested Records from the Association's management company. The Association may provide the Requested Records in hard copy, electronic format, or other format reasonably available to the Association.

c. Additional Time: If upon review of a proper request to inspect or copy documents, the Association determines it cannot comply with the request within ten (10) business days after receipt of the request by the Association, the Association shall send the Requestor a written notice (within such ten (10) business day period) that informs the Requestor that the Association is unable to produce the Requested Records on or before the tenth (10th) business day after the Association received the request and that the Requested Records will be produced for inspection, or copied and mailed (subject to receipt of payment as set forth herein), as the case may be, on or before fifteen (15) business days from the date the notice is mailed to the Requestor.

III. Costs: The Association hereby adopts the schedule of costs set forth under Title 1, Section 70.3 of the Texas Administrative Code (1 T.A.C. 70.3).

IV. Cost Reconciliation: If the estimated cost provided to the Requestor is more or less than the actual cost of producing the Requested Records, the Association shall, within thirty (30) days after producing the Requested Records, submit to the Requestor, either an invoice for additional amounts owed or a refund of the overages paid by the Requestor. If the final invoice includes additional amounts due from the Requestor, the additional amounts, if not reimbursed to the Association before the thirtieth (30th) day after the date the invoice is sent to the Requestor, may be added to the Owner's account as an assessment by the Association.

If the estimated costs exceeded the final invoice amount, the Requestor is entitled to a refund, and the refund shall be issued to the Requestor not later than the thirtieth (30th) business day after the date the invoice is sent to the Requestor.

HP 000-14-0207

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

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.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

759319

DEC - 9 2011



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS