

**RESOLUTION OF THE BOARD OF DIRECTORS
OF SCENIC HILLS COMMUNITY ASSOCIATION, INC.**

**TO ADOPT
A DOCUMENT RETENTION POLICY**

I. RECITALS

A. The Scenic Hills Community Association, Inc. (the "Association") is a nonprofit corporation formed by the Secretary of State of Texas under File Number 6537620, and

B. The Association, acting through its Board of Directors, desires to promulgate and record a Document Retention Policy.

II. RESOLUTIONS

1. **RESOLVED** that adoption of the "Document Retention Policy" attached hereto is in the best interests of the Association.

2. **RESOLVED** that the Association, acting through its Board of Directors, hereby adopts the "Document Retention Policy" attached hereto.


3. **RESOLVED** that the Association's managing agent, the Association Manager, is hereby instructed to:

- (a) Ensure that the executed Policy is delivered to the Guadalupe County Clerk for recording in the Real Property Records of Guadalupe County, Texas.
- (b) Make the executed and publicly recorded Policy available to Association members as an electronic file without charge upon request by an owner.
- (c) Post the executed and publicly recorded Policy on the Association's website.
- (d) Include an announcement about the Policy's adoption on the Association's website and in the community-wide publication issued next after the date of recording.

III. ADOPTED

C. The Resolutions hereinabove set out were properly moved, seconded and adopted by the Board of Directors on the 10 day of January, 2012.

For the Board of Directors:



Theron Ody, President

**SCENIC HILLS
COMMUNITY ASSOCIATION, INC.**

DOCUMENT RETENTION POLICY

SUBDIVISION RECORDING DATA: Scenic Hills Community - Phase I, Subdivision Plat according to the map or plat thereof recorded May 15, 1981 in Volume 4, Pages 143-147 Map Records of Guadalupe County, Texas, as subsequently properly amended or altered.

DECLARATION RECORDING DATA: Amended and Restated Master Declaration of Covenants, Conditions, and Restrictions for Scenic Hills Community recorded on June 25, 2009 in Volume 2759, Page 421, Real Property Records of Guadalupe County, Texas, as subsequently properly amended or altered.

PURPOSE: The Purpose of this Policy is to comply with the requirements of *Texas Property Code* §209.005(m) enacted by the 82nd Texas Legislature (Texas House Bill 2761) effective January 1, 2012.

EFFECTIVE DATE AND APPLICABILITY: This Policy is effective January 1, 2012. Pursuant to Section 6(b) of House Bill 2761, this Policy applies only with respect to books and records of the Association generated on or after January 1, 2012, the effective date of the law enacted by House Bill 2761.

DOCUMENT RETENTION REQUIREMENTS: At a minimum, the Association will retain the documents required by §209.005(m), *Texas Property Code* for the periods required by said statute, which on the Effective Date consist of the documents identified on Exhibit "A" hereto.

CONSTRUCTION: The Policy may not be construed to prevent the Board of Directors from adopting, amending, and restarting, from time to time, one or more additional administrative policies pertaining to the retention of documents, records, and information of Association, including, without limitation, policies relating to the storage and destruction of the items identified on Exhibit "A", and policies pertaining to the retention, storage, and destruction of other types of documents, records, and information of the Association. This provision may also not be construed as imposing a duty on the Board of Directors to adopt such additional administrative policies.

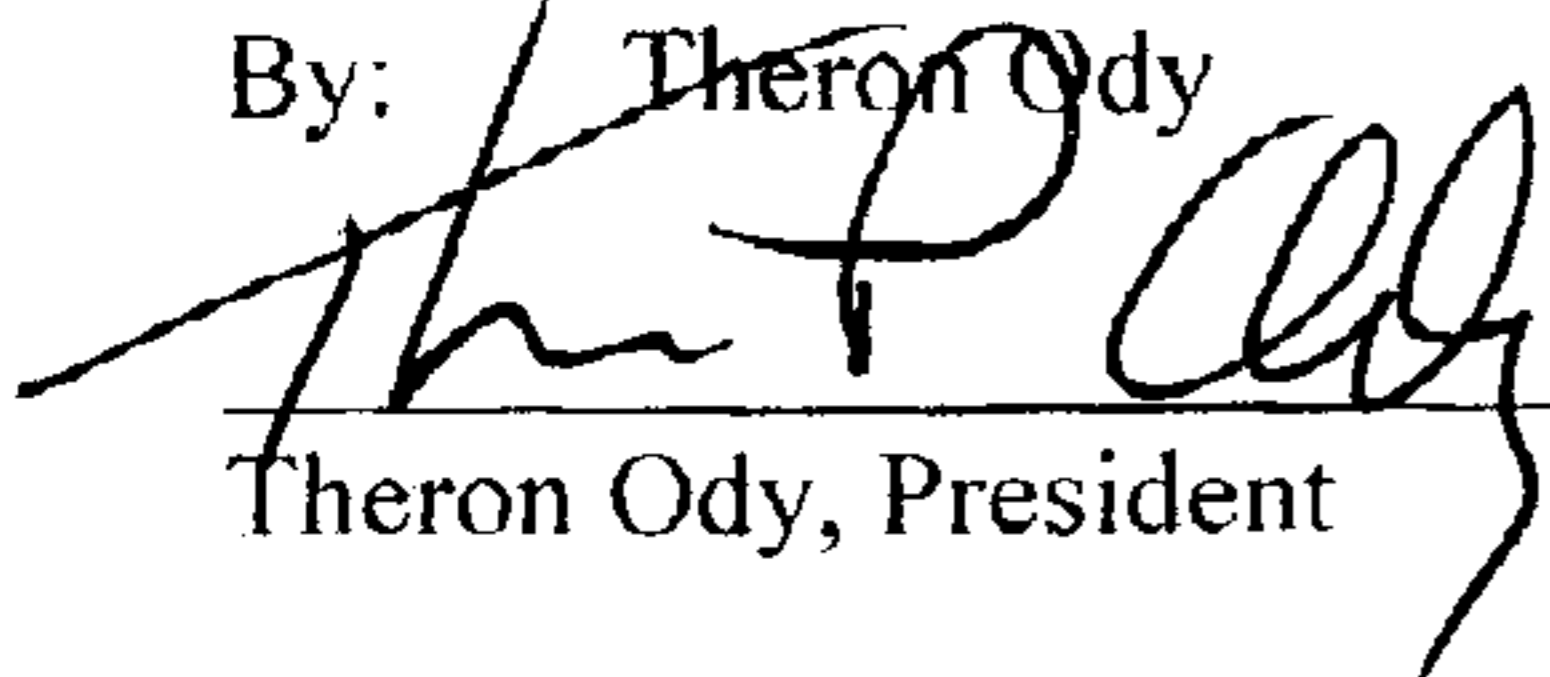
PUBLIC RECORDING: In case this administrative Policy could be construed to be a "dedicatory instrument" within the meaning of §201.001, *Texas Property Code*, it will be publicly recorded in Real Property Records of Guadalupe County, Texas pursuant to §202.006, *Texas Property Code*. All amendments, restatements, and supplements to this Policy must also be publicly recorded in said Records, unless and until State law clarifies that public recording of administrative policies, such as this Policy, is not required. This provision and the act of recording may not be construed as an assertion by the Association that this Policy, which is administrative in nature, is a "dedicatory instrument."

By signing below, the undersigned certifies that the Board of Directors of Scenic Hills Community Association, Inc. adopted this Policy to ensure that the Association complies with requirements of State Law, and that the Board of Directors instructed the undersigned to execute this Policy and effect its recording on behalf of the Association.

Scenic Hills
Document Retention
Policy

FOR SCENIC HILLS COMMUNITY ASSOCIATION, INC.


By: Theron Ody



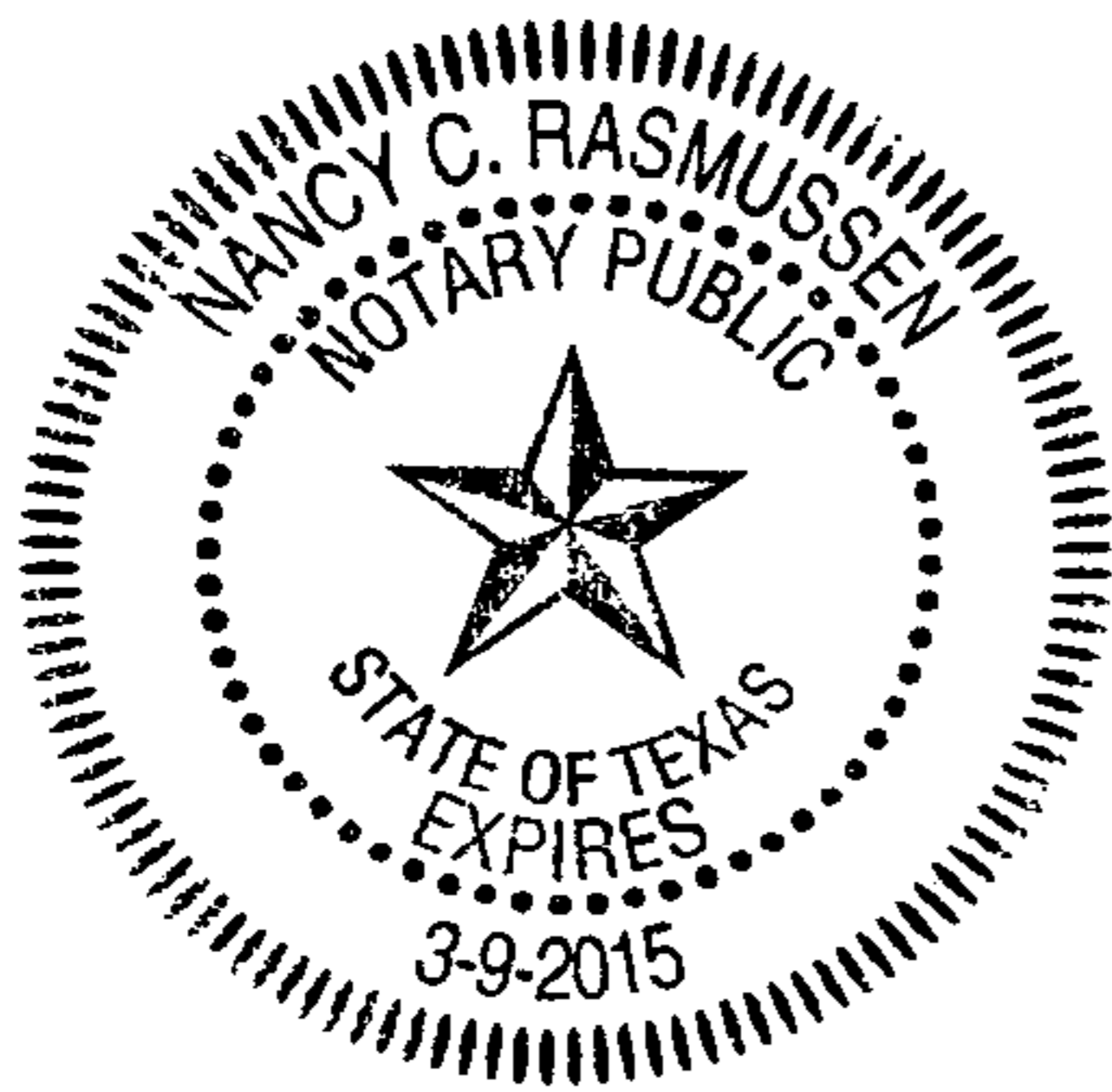
Theron Ody, President

THE STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

This instrument was acknowledged before me on this the 16 day of January 2012 by Theron Ody, known to me by examination of his driver's license, on behalf of Scenic Hills Community Association, Inc.



Notary Public, State of Texas
January ____, 2012
My Commission Expires _____



**SCENIC HILLS
COMMUNITY ASSOCIATION, INC.**

**DOCUMENT RETENTION POLICY
EXHIBIT "A"**

MINIMUM REQUIREMENTS

Effective January 1, 2012, the Scenic Hills Community Association, Inc. will retain the following documents for the below-stated periods in accordance with the *Texas Property Code*:

- a) Articles of incorporation, certificates of formation, bylaws, restrictive covenants, and all amendments to the certificates of formation, bylaws, and covenants shall be retained permanently;
- b) financial books and records shall be retained for at least seven years;
- c) account records of current owners shall be retained for at least five years;
- d) contracts with a term of one year or more shall be retained for at least four years after the expiration of the contract term;
- e) minutes of meeting of the owners and the board shall be retained for a period of, at least, seven years; and,
- f) tax returns and audit records shall be retained for a least seven years.

(End of Exhibit "A")