PI2-20120015735-3

RESOLUTION OF THE BOARD OF DIRECTORS OF SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC. REGARDING RECORDS PRODUCTION AND COPYING POLICY

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR

Pursuant to Section 209.005(i), Texas Property Code, Shavano Creek Homeowners Association, Inc., acting through its Board of Directors, has adopted the following records production and copying policy to prescribe the costs the Association will charge for the compilation, production and reproduction of information requested under Section 209.005, to-wit:

(a) Copy charge.

1) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is $.10 per page or part of a page. Each side that has recorded information is considered a page.
2) Nonstandard copy. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:
   A. Diskette--$1.00;
   B. Magnetic tape--actual cost;
   C. Data cartridge--actual cost,
   D. Tape cartridge--actual cost;
   E. Rewritable CD (CD-RW)--$1.00;
   F. Non-rewritable CD (CD-R)--$1.00;
   G. Digital video disc (DVD)--$3.00;
   H. JAZ drive-actual cost;
   I. Other electronic media--actual cost;
   J. VHS video cassette--$2.50;
   K. Audio cassette--$1.00;
   L. Oversize paper copy (e.g.: 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper)--$.50;
   M. Specialty paper (e.g.: Mylar, blueprint, blueline, map, photographic--actual cost.

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(b) Labor charge for locating, compiling, manipulating data, and reproducing information.

1) The charge for labor costs incurred in processing a request for information is $15.00 an hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.
2) A labor charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in:
   (A) Two or more separate buildings that are not physically connected with each other; or
   (B) A remote storage facility.
3) A labor charge shall not be recovered for anytime spent by an attorney, legal assistant, or any other person who reviews the requested information to determine whether the Association will raise any exceptions to disclosure of the requested information.

4) When confidential information is mixed with non-confidential information in the same page, a labor charge may be recovered for time spent to redact, blackout, or otherwise obscure confidential information in order to release the non-confidential information. A labor charge shall not be made for redacting confidential information for requests of 50 or fewer pages, unless the request the documents to be copied are located in:
   (A) Two or more separate buildings that are not physically connected with each other; or
   (B) A remote storage facility.
5) For purposes of paragraph (2) (A) of this subsection, two buildings connected by a covered or open sidewalk, an elevated or underground passageway, or a similar facility, are not considered to be separate buildings.

(c) Overhead charge.

1) Whenever any labor charge is applicable to a request, the Association may include in the charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs a depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Association chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph (3) of this subsection.
2) An overhead charge shall not be made for requests for copies of 50 or fewer pages of standard paper records unless the request also qualifies for a labor charge.
3) The overhead charge shall be computed at 20% of the charge made to cover any labor costs associated with a particular request. For example: If one hour of labor is used for a particular request, the formula would be as follows:
   Labor charge for locating, compiling, and reproducing, $15.00 x .20 = $3.00

(d) Remote document retrieval charge.

To the extent that the retrieval of documents results in a charge to comply with a request, it is permissible to recover costs of such services for requests that qualify for labor charges.

(e) Miscellaneous supplies.

The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for information.

(f) Postal and shipping charges.

The Association may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the requesting party.

By their signatures below the President and Secretary of the Association certify that the foregoing was approved by the Board of Directors of the Association at a duly-called meeting of the Board of Directors at which a quorum of Directors was present, or by signed, unanimous written consent in lieu of a meeting.

Thus executed this 19th day of Jan, 2012

SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC.

By: _____
Dick Zucker, President
SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC.

ATTEST:

By: _____
John Zirkle, Member
SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS §
§
COUNTY OF BEXAR §

I hereby certify that the forgoing instrument was acknowledge before me, the undersigned Notary, by Dick Zucker, President, SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC. on the date of execution set forth above.

MARY SCHWOPE
Notary Public, State of Texas
My Commission Expires
September 03, 2014

_____
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF BEXAR §

I hereby certify that the forgoing instrument was acknowledge before me, the undersigned Notary, by John Zirkle, Member, SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC on the date of execution set forth above.

_____
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC
7613 Tezel Road
San Antonio, Texas 78250

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JAN 27 2012

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20120015735 Fees: $24.00
01/27/2012 3:28PM # Pages 3
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK