

APRIL POINT SOUTH PROPERTY OWNERS ASSOCIATION, INC.  
RECORDS RETENTION POLICY

WHEREAS, this Records Retention Policy applies to the April Point South condominium, Sections 1A, 2A, 3A, and 4A, additions in Montgomery County, Texas, according to the maps or plats thereof, recorded in the Map Records of Montgomery County, Texas, under Clerk's File Nos., 7511610, 7620547, 7707002, 7740984 respectively, along with any amendments or supplements thereto.

WHEREAS, the April Point South Property Owners Association, Inc. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declaration for April Point South (hereafter collectively referred to as the "Declaration") in accordance with the provisions of Chapters 81 and 82 of the Texas Property Code; and

WHEREAS, the Declaration and Chapters 81 and 82 of the Texas Property Code provide that the Association shall keep certain records relating to the Association and the condominium; and

WHEREAS, the Board of Directors of the Association (the "Board") desires to establish a policy for the retention of Association records consistent with Texas Property Code, Chapters 81.209 and 82.114;

NOW THEREFORE, the Board of Directors of the Association hereby adopts the following Records Retention Policy pursuant to the Texas Property Code and the authority granted to the Board by the provisions of the By-laws:

This Records Retention Policy was approved by the Board of Directors for the April Point South Property Owners Association, Inc., on the 28 day of November, 2016, to be effective upon filing in the Real Property Records of Montgomery County, Texas.

The Association shall maintain its records as follows:

- I. The association shall keep:
  - (a) detailed written accounts of the receipts and expenditures related to the buildings and their administration specifying the expenses incurred by the Association, including financial records that comply with generally accepted accounting principles and that are sufficiently detailed to enable the association to prepare a resale certificate under Section 82.157 of the Texas Property Code;
  - (b) the plans and specifications used to construct the condominium except for buildings originally constructed before January 1, 1994;
  - (c) the name and mailing address of each unit owner;
  - (d) voting records, proxies, and correspondence relating to amendments to the declaration; and
  - (e) minutes of meetings of the association and board.
  
- II. The association shall, as a common expense, annually obtain an independent audit of the records. Copies of the audit must be made available to the unit owners.

**IV.** Not later than the 30th day after the date of acquiring an interest in a unit, the unit owner shall provide the association with:

- (a) the unit owner's mailing address, telephone number, and driver's license number, if any;
- (b) the name and address of the holder of any lien against the unit, and any loan number;
- (c) the name and telephone number of any person occupying the unit other than the unit owner; and
- (d) the name, address, and telephone number of any person managing the unit as agent of the unit owner.
- (e) a unit owner shall notify the association not later than the 30th day after the date the owner has notice of a change in any information required in this section (IV), and shall provide the information on request by the association from time to time.

**V.** The Association will maintain records containing the following information:

- (a) a general description of the condominium that includes the types of units and the maximum number of units;
- (b) the minimum and maximum number of additional units, if any, that may be included in the condominium;
- (c) a brief narrative description of any development rights reserved by a declarant and of any conditions relating to or limitations upon the exercise of development rights;
- (d) copies of the declaration, articles of incorporation of the association, the bylaws, any rules of the association, and amendments to any of them, and copies of leases and contracts;
- (e) a description of any unsatisfied judgments against the association and any pending suits to which the association is a party or which are material to the land title and construction of the condominium of which the Association has actual knowledge;
- (f) a general description of the insurance coverage provided for the benefit of unit owners;
- (g) current or expected fees or charges to be paid by unit owners for the use of the common elements and other facilities related to the condominium; and
- (h) a budget, including a statement of the amount included, or a statement that no amount is included, in the budget as a reserve; and the projected monthly common expense assessment for each type of unit.

**VI.** In addition to the above referenced records, the Association shall keep the following records for, at minimum, the length of time set forth.

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| (a) Articles of Incorporation,<br>Bylaws, Declarations and<br>all amendments to those documents. | Permanently                              |
| (b) Association Tax Returns and Tax Audits   | Seven (7) Years                          |
| (c) Financial Books and Records  | Seven (7) Years                          |
| (c) Account Records of Current Owners  | Five (5) Years                           |
| (d) Contracts with a term of more than one year  | Four (4) Years after<br>contract expires |
| (e) Minutes of Member Meetings and Board Meetings  | Seven (7) Years                          |

Records not listed above are not subject to mandatory retention, but may be retained at the Association's discretion.

The Association, through its Board of Directors, shall have and may exercise discretionary authority concerning the restrictive covenants contained herein.

CERTIFICATION

"I, the undersigned, being the President of the April Point South Property Owners Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: Richard Aiple, President

Print name: Richard Aiple

ACKNOWLEDGEMENT

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

BEFORE ME, the undersigned authority, on this day personally appeared Richard Aiple, President of the April Point South Property Owners Association, Inc., and known by me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 28 day of November, 2016.



Jennifer Marie Stanley  
Notary Public, State of Texas

**E-FILED FOR RECORD**

12/19/2016 04:47PM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**12/19/2016**



County Clerk  
Montgomery County, Texas