



## MEMORIAL THICKET HOMEOWNERS ASSOCIATION, INC.

702 PLAINWOOD DRIVE  
HOUSTON, TEXAS 77079  
713.501.5406  
[www.MEMORIALTHICKET.ORG](http://www.MEMORIALTHICKET.ORG)

### RECORDS PRODUCTION POLICY

This Records Production Policy was approved by the Board of Directors for Memorial Thicket Homeowners Association, Inc. ("MTHA"), on the 28<sup>th</sup> day of December, 2011.

1. Copies of MTHA's records will be available to all Members upon their proper request and at their own expense. To constitute a proper request, the request must:
  - a. be sent certified mail to MTHA's address as reflected in its most recent management certificate;
  - b. be from a Member, or the Member's agent, attorney or certified public accountant; and
  - c. contain sufficient detail to identify the records being requested.
2. Members may request to inspect the records or may request copies of specific records.
  - a. If the Member makes a request to inspect the records, then MTHA will respond within 10 business days of the request, providing the dates and times the records will be made available and the location of the records. MTHA and the Member will arrange for a mutually agreeable time to conduct the inspection. MTHA will provide the Member with copies of specific documents upon the Member paying MTHA the cost thereof.
  - b. If a Member makes a request for copies of specific records, and MTHA can provide the records easily or with no cost, then MTHA will provide the records to the Member within 10 business days of the Member's request.
  - c. If the Member makes a request for copies of specific records, MTHA shall send a response letter advising on the date that the records will be made available (within 15 business days) and the cost the Member must pay before the records will be provided. Upon paying the cost to provide the records, MTHA will provide the records to the Member.

3. MTHA hereby adopts the schedule of costs contained in 1Texas Administrative Code §70.3, as amended, which as of the date of adoption of this policy are:

a. Copies:

- i. 10 cents per page, for a regular 8.5" x 11" page
- ii. 50 cents per page, for pages 11" x 17" or greater
- iii. Actual cost, for specialty paper (color, photograph, map, etc.)
- iv. \$1.00 for each CD or audio cassette
- v. \$3.00 for each DVD

b. Labor: \$15.00 per hour for actual time to locate, compile and reproduce the records (only if request is greater than 50 pages in length or records are located in a remote storage facility)

c. Overhead: 20% of the total labor charge (only if request is greater than 50 pages in length or records are located in a remote storage facility)

d. Materials: actual costs of labels, boxes, folders and other supplies used in producing the records, along with postage for mailing the records

4. MTHA hereby adopts the following form of response to Members who request to inspect MTHA's records:

**RESPONSE TO REQUEST FOR MTHA RECORDS**

[Date]

Dear Member,

On [Date], Memorial Thicket Homeowners Association, Inc. ("MTHA") received your request to inspect the records of MTHA.

Since MTHA is managed solely by volunteers, MTHA does not have regular business hours. As such, please contact [Name of Secretary], MTHA's Secretary, at [telephone and/or email address of Secretary] to arrange for a mutually agreeable time for you to come and inspect the records.

Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Regards,

**MEMORIAL THICKET HOMEOWNERS ASSOCIATION, INC.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

5. MTHA hereby adopts the following form of response to Members who request copies of specific records:

**RESPONSE TO REQUEST FOR MTHA RECORDS**

[Date]

Dear Member,

On [Date], Memorial Thicket Homeowners Association, Inc. ("MTHA") received your request for copies of specific MTHA records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.

In order to obtain the records you must first pay MTHA the cost of providing the records to you. The estimated cost to obtain the records you requested is \$ \_\_\_\_\_. Upon receiving payment, MTHA will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of MTHA, 702 Plainwood Dr., Houston, Texas 77079.

Regards,

**MEMORIAL THICKET HOMEOWNERS ASSOCIATION, INC.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

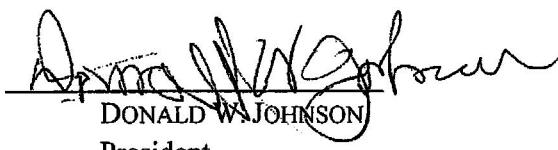
6. If the estimated cost provided to the Member is more or less than the actual cost of producing the documents, MTHA shall, within 30 days after providing the records, submit to the Member either an invoice for additional amounts owed or a refund of the overages paid by the Member.

7. Unless authorized in writing or by court order, MTHA will not permit inspection or provide copies of any records that (a) contain the personal information of a Member, including restriction violations, delinquent assessments, financial information and contact information or (b) ballots cast by Members since by law election vote tabulators are the only persons allowed access to same.

This Records Production Policy is applicable to the following described property: The recording data for Memorial Thicket is 64.0722 acres of land out of MEMORIAL THICKET, SECTION ONE, as per the map or plat of MEMORIAL THICKET, SECTION ONE, recorded on Volume 285, Page 107, of the Harris County Map Records, and 3.1455 acres of land located in the Joel Wheaton Survey, Abstract No. 80, known as MEMORIAL THICKET, SECTION THREE, according to the plat filed under clerk's file number N396306 and recorded under film code number 350088 of the Harris County Map Records, and any additional tracts or parcels of land as may thereafter have been brought within the jurisdiction of the subdivision.

#### CERTIFICATION

"I, the undersigned, being the President of Memorial Thicket Homeowners Association, Inc., hereby certify that the foregoing Records Production Policy was duly adopted at a properly called and held meeting of the Board of Directors."



DONALD W. JOHNSON  
President

Stan Stewart  
HARRIS COUNTY CLERK  
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FILED

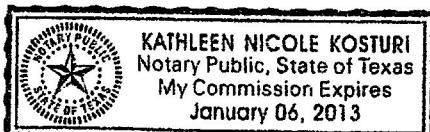
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THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

#### ACKNOWLEDGEMENT

This instrument was acknowledged before me on this 29<sup>th</sup> day of December, 2011, by Donald W. Johnson, President of Memorial Thicket Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Kathleen Kosturi  
Notary Public In and For The State of Texas



R. Holt E. Young, P.C.  
ATTORNEYS AT LAW  
11200 RICHMOND AVE., SUITE 450  
HOUSTON, TEXAS 77082

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 hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas.

JAN - 3 2012



*Stu Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS