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## AFFIDAVIT TO THE PUBLIC

7H Ranch Property Owners Association

<u>Document Retention Policy</u>

Effective: August 22, 2013

STATE OF TEXAS

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KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF COMAL §

WHEREAS the 7 Hills Ranch Property Owners Association, Inc. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations (referred to collectively as "Declarations"); and

WHEREAS chapter 209 of the Texas Property Code was amended effective January 1, 2012, to add Section 209.005(m) ("Section 209.005") thereto regarding retention of Association documents and records ("Documents"); and

WHEREAS, the Board of Directors ("Board") of the Association desires to establish a policy for document retention consistent with Section 209.005 and to provide clear and definitive guidance to property owners.

NOW, THEREFORE, the Board has duly adopted the following Document Retention Policy.

- 1. Association Documents may be maintained in paper format or in an electronic format which can be readily transferred to paper.
- 2. Association Documents shall be retained for the durations listed below:
  - a. certificate of formation or articles of incorporation. bylaws, restrictive covenants, other dedicatory instruments and any amendments to same shall be retained permanently; and
  - b. financial books and records, including annual budgets, reserve studies, monthly financial statements and bank statements. shall be retained for seven (7) years (for example the July 2012 financial statements shall be retained until July 31, 2019); and
  - c. account records of current owners shall be retained for five (5) years (for example, invoice, payment and adjustment records on an owner's account with a transaction date of 08/15/2013 will be retained until 08/15/2018 subject to section (d) below); and
  - d. account records of former owners shall be retained as a courtesy to that former owner for one (1) year after they no longer have an ownership interest in the property; and
  - e. contracts with a term of one year or more shall be retained for four (4) years after the expiration of the contract term (for example, a contract expiring on 06/30/2012 and not extended by amendment must be retained until 06/30/2016); and
  - f. minutes of meetings of the owners and the Board shall be retained for seven (7) years after the date of the meeting (for example, minutes from a 07/20/2013 board meeting must be retained until 07/20/2020); and
  - g. tax returns and CPA audit records shall be retained for seven (7) years after the last date of the return or audit year (for example, a tax return for the calendar year 2011 shall be retained until 12/31/2018); and

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- h. decisions of the Architectural Control Committee ("ACC") or Board regarding applications, variances, waivers or related matters associated with individual properties shall be retained for seven (7) years from the decision date (for example, an application for a swimming pool approved on 10/31/2011 must be retained until 10/31/2018).
- 3. Any Documents not described above may be retained for the duration deemed to be useful to the purpose of the Association, in the discretion of the Board, its attorney or its managing agent.
- 4. Upon expiration of the retention period listed above, the Documents shall no longer be considered Association records and may be destroyed, discarded, deleted, purged or otherwise eliminated.

This Policy is effective upon recordation in the Public Records of Comal County, and supersedes any policy regarding document retention which may have previously been in effect. Except as affected by Section 209.005 and/or by this Policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

The undersigned hereby certifies that he is the qualified and acting executive officer of Seven Hills Ranch Property Owners Association, a non-profit corporation chartered under the laws of the State of Texas, and this is a true and correct copy of the current association document relating to the Document Retention Policy adopted by the Board of Directors at a meeting of the same held 08/22/2013, and has not been modified, rescinded or revoked. IN WITNESS WHEREOF, the undersigned has executed this certificate on the 23<sup>rd</sup> day of August, 2013.

John T. Zunker, President, Board of Directors 7 Hills Ranch Property Owners Association, Inc.

STATE OF TEXAS

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COUNTY OF COMAL

This instrument was acknowledged before me on the 23

This instrument was acknowledged before me on the day of day of 2013, by John T. Zunker, duly authorized agent for 7HR Property Owners Association, Inc., on behalf of said association.

Notary Public in and for the

State of Texas

CHRISTINA G. RODRIGUEZ

Notary Public
State of Texas

My Comm. Exp. 10-18-2016

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Filed and Recorded Official Public Records Joy Streater, County Clerk Comal County, Texas 08/23/2013 01:35:04 PM TERRI 2 Page(s) 201306036049

(2) Jay Streater

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