

ASSOCIATION OF GREEN TRAILS PHASE II HOMEOWNERS, INC.

DOCUMENT RETENTION POLICY  
(December 2011)

WHEREAS, the Texas Legislature has adopted legislation adding Section 209.005(m) ("Section 209.005(m)"), to the Texas Property Code, effective January 1, 2012; and

WHEREAS, Section 209.005(m) relates to the retention of documents and records ("Documents"); and

WHEREAS, the Board of Directors (the "Board") of the Association of Green Trails Phase II Homeowners, Inc. (the "Association") desires to adopt a policy for retention of Documents that is consistent with Section 209.005(m) and other applicable law;

NOW, THEREFORE, the Board hereby adopts the following Document Retention Policy (the "Policy"):

1. As used herein, (a) the term "Account records of owners" includes Documents relating to assessments owed to the Association and records relating to violations of any dedicatory instrument, (b) the term "Committee" shall mean any formal committee of the Board, (c) the term "dedicatory instrument" shall have the meaning given to such term under Section 202.001 of the Texas Property Code, and (d) the term "Documents" shall include any books, records or documents originated or obtained by the Association in connection with its operations or affairs, whether in paper or electronic form.

2. Association Documents shall be retained for the durations listed below (or such longer period(s) as may otherwise be required by law):

a. Permanent. The following Documents shall be retained permanently, including any amendments to such Documents:

- Appraisals of common area properties
- ARC applications and approvals
- Architectural guidelines
- Articles of Incorporation
- Assessment notices
- Bylaws
- Construction and as-built drawings
- Deeds
- Environmental reports
- Insurance policies
- Minutes of Board /Committee meetings
- Minutes of formal owner meetings
- Notices of owners meetings
- Property tax receipts
- Restrictive covenants
- Tax returns (including IRS Forms XXX)

b. Ten Years. The following Documents shall be retained for ten years following, as appropriate, the date or expiration of the document, the end of the relevant period, or resolution of the matter:

- Audit reports
- Legal opinions
- Maps
- Meeting materials, Board/Committee meetings
- Meeting materials, formal owner meetings
- Reserve studies
- Property foreclosures
- State or county filings not otherwise covered by this Policy
- Surveys or survey reports

c. Seven Years. The following Documents shall be retained for seven years following, as appropriate, the date or expiration of the document, the end of the relevant period, or resolution of the matter (*see the following page*):

- Financial books and records, including:
  - Annual budgets
  - Audit records (other than audit reports)
  - Bank checks and deposits
  - Bank reconciliations and statements
  - Check registers
  - Depreciation schedules
  - Journal entries
  - Uncollected accounts records
- Decisions regarding owners or their properties not otherwise covered by this Policy
- Dedictory instruments not otherwise addressed in this Policy
- Government filings, miscellaneous (subject to longer retention in appropriate instances)
- Litigation records (following final resolution)
- Policies applicable to residents
- Policies, miscellaneous

d. Five Years. The following Documents shall be retained for five years following, as appropriate, the date or expiration of the document, the end of the relevant period, or resolution of the matter:

- Account records of owners, current
- Claims, insurance and miscellaneous
- Contracts and related materials
- Equipment records, miscellaneous
- Proxies and ballots (completed) with respect to
- Purchase & sales Documents, miscellaneous
- Reports, miscellaneous

e. Three Years. The following Documents shall be retained for three years following, as appropriate, the date or expiration of the document, the end of the relevant period, or resolution of the matter:

- Account records of owners, former
- Correspondence, general

3. Any Document that is not described above may be retained for (a) the period specified above for comparable documents, or (b) such other period as the Board, or the Association's attorney or management company, shall determine are useful or advisable.
4. Upon expiration of the retention period listed above, the Documents shall no longer be considered Association records and shall be destroyed, discarded, deleted, purged or otherwise eliminated as soon as it practicable and advisable; *provided that* (a) such Documents are not the subject of any pending or threatened litigation, and (b) prior to such elimination such Documents shall be reviewed, including to assure that the applicable files or file media contain only Documents eligible for elimination and to assure that there are no Documents which should be retained longer than the above-indicated retention period(s). Documents shall be eliminated in a manner designed to maintain the confidentiality of the information contained in the Documents.
5. This Policy shall supersede and replace the Association's Records Retention Schedule dated February 12, 1997. This Policy shall become effective when it is recorded in the real property records of Harris County, Texas.
6. The Association reserves the right to amend this Policy at any time.

Dated: December 16, 2011

THE BOARD OF DIRECTORS OF THE ASSOCIATION  
OF GREEN TRAILS PHASE II HOMEOWNERS, INC.

**PRESIDENT'S CERTIFICATE OF FILING**

I, Bernard L. Birkel, certify that:

I am the duly qualified and acting President of Association of Green Trails Phase II Homeowners, Inc., a duly organized and existing Texas non-profit corporation (the "Association").

The attached instruments are true copies of unrecorded Dedicatory Instruments (as that term is defined under Section 202.001 of the Texas Property Code) pertaining to the Association.

The attached instruments are being presented for recording in the Official Public Records of Real Property of Harris County, Texas, pursuant to Section 202.006 of the Texas Property Code.

Dated: December 19, 2011

**ASSOCIATION OF GREEN TRAILS PHASE II HOMEOWNERS, INC.** *10R*

*[Handwritten Signature]*

Bernard L. Birkel, President

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on the 19th day of December 2011 by Bernard L. Birkel, the President of Association of Green Trails Phase II Homeowners, Inc., a Texas non-profit corporation, on behalf of said corporation.



*[Handwritten Signature]*  
Notary Public in and for The State of Texas

AFTER RECORDING, RETURN TO:  
Bartley & Spears, P.C.  
14811 St. Mary's Lane, Suite 270  
Houston, Texas 77079

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

DEC 30 2011

*Star Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

2011 DEC 30 PM 12:49

FILED



*Star Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS