

Policy Resolution
12-02

Doc# 67529

**DOCUMENT RETENTION POLICY FOR FORT CLARK SPRINGS
ASSOCIATION, INC.**

WHEREAS, FORT CLARK SPRINGS ASSOCIATION, INC., (Association) a Texas Non-Profit Corporation is a Property Owner's Association, and

WHEREAS, the Texas Property Code, Section 209.005(m), enacted by the 82nd Texas Legislature as House Bill 2761, effective January 1, 2012, provides for any Property Owners Association composed of more than 14-lots to adopt and comply with a document retention policy, and

WHEREAS, the Association wishes to follow the statutory requirements by setting forth the Document Retention Policy as follows:

DOCUMENT RETENTION REQUIREMENTS: At a minimum, the Association will retain the documents required by Prop. Code Sec. 209.005(m), for the periods of stated required by this particular property code, which on the effective date consists of the documents identified on Exhibit "A" hereto.

CONSTRUCTION: The Policy may not be construed to prevent the Board of Directors from adopting, amending, and restating, from time to time, one or more additional administrative policies pertaining to the retention of documents, records, and information of the Association, including – without limitation – policies relating to the storage and destruction of the items identified on Exhibit "A", and policies pertaining to the retention, storage, and destruction of other types of documents, records, and information of the Association. This provision may not be construed as a duty of the Board of Directors to adopt such additional administrative policies.

APPLICABILITY: Pursuant to Section 6(b) of House Bill 2761, this Policy applies only with respect to books and records of the Association generated on or after January 1, 2012, the effective date of the law enacted by House Bill 2761.

PUBLIC RECORDINGS: In case this administrative Policy is construed to be a "dedicatory instrument", within the meaning of Prop. Code Sec. 202.001(1), it will be publicly recorded in Kinney County, Texas, pursuant to Prop. Code. Sec. 202.006(b). All amendments, restatements, and supplements to this Policy must also be publicly recorded in the Kinney County, Texas, unless and until State law clarifies that public recording of administrative policies, such as this Policy, is not required. This provision and the act of recording may not be construed as an assertion by the Association that this Policy, which is administrative in nature, is a "dedicatory instrument".

APPROVED by the Board of Directors, acting in Regular Session on March 17, 2012.

**FORT CLARK SPRINGS ASSOCIATION, INC.
A Texas Non-Profit Corporation**

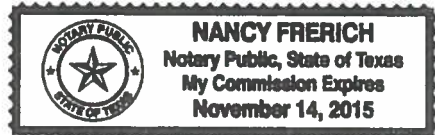


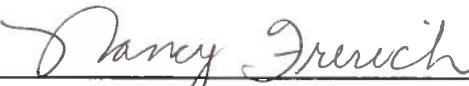
DEBBIE ISAACS, PRESIDENT

STATE OF TEXAS

COUNTY OF KINNEY

**THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED
AUTHORITY, on this 20th day of March, 2012, by DEBBIE ISAACS, President of
the Board of Directors of the Fort Clark Springs Association, Inc., on behalf of said
Corporation and in the capacity therein stated.**





Notary Public, State of Texas

**EXHIBIT "A" TO FORT CLARK SPRINGS ASSOCIATION, INC.
DOCUMENT RETENTION POLICY**

MINIMUM STATUTORY REQUIREMENTS:

Effective January 1, 2012, the Fort Clark Springs Association, Inc. will retain the following documents for the below-stated periods of time, being the stated requirements of Prop. Code Sec. 209.005(m):

1. certificates of formation, by-laws, restrictive covenants, and all amendments to the certificates of formation, by-laws, and covenants shall be retained permanently;
2. financial books and records shall be retained for at least 7-years;
3. account records of current owners shall be retained for a least 5-years;
4. contracts with a term of one year or more shall be retained for a last 4-years after the expiration of the contract term;
5. minutes of meetings of the owners and the board shall be retained for at least 7-years; and
6. tax returns and audit records shall be retained for at least 7-years.

(END OF EXHIBIT "A")

Book: 196
Pages: 0166 - 0168
Doc# 67529
Filed & Recorded
03/21/2012 9:40AM
DORA SANDOVAL
COUNTY CLERK
KINNEY COUNTY CLERK
RECORDS MANAGEMENT \$ 5.00
COURTHOUSE SECURITY \$ 1.00
RECORDING \$ 13.00
RECORDS ARCHIVE \$ 5.00

Dora Sandoval

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