

Policy Resolution
12-01

Doc# 67528

**PRODUCTION AND COPYING 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 2009.005(i), enacted by the 82nd Texas Legislature as House Bill 2761, effective January 1, 2012, provides for any Property Owners Association to adopt and file a Production and Copying Policy, and

WHEREAS, the Association wishes to follow the statutory requirements by setting forth the Production and Copying Policy as follows:

AUTHORITY: If an Open Records request is made to the Association, the Association may charge the requestor all reasonable costs of materials, labor, and overhead for compiling, producing, and reproducing the requested information.

CHARGES: The rates which the Association may charge an owner are the same as the maximum permitted rates published in the Section 70.3 of the Texas Administrative Code (Title 1, Part 3, Chapter 70). The charges shown on Exhibit "A" hereto are some of the T.A.C. rates in effect on the date this Policy is adopted and will be deemed to change automatically with changes in the State's maximum permitted rates for Public Information requests.

SAVINGS CLAUSE: Notwithstanding anything to the contrary in any writing or communication made by the Association, the Association will not in any event be entitled to receive or collect Open Records charges from an owner in amounts greater than the maximum amounts permitted by applicable law. If from any circumstances whatsoever, the Association charges or receives an amount in excess of the maximum charges permitted by law, the excess amount will be reimbursed to the owner.

WAIVER: The Association may reduce or waive some or all of the charges addressed by this Policy on a request-by-request basis, without waiving the right to charge such fees on future requests.

PAYMENT: The Association may require advance payment of the estimated charges addressed by this Policy. Within 30-business days after delivering the requested information, the Association will provide the owner with an invoice of the actual costs. If the actual costs are less than the prepaid estimated charges, the Association will refund the difference to the owner within 30-business days after sending the invoice. If the actual costs are greater than the prepaid estimated charges, the difference is due and payable to the Association by the owner within 30-business days after the invoice is sent to the owner, after which time the Association may add the unpaid amount to the owner's assessment account.

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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

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.



Nancy Frerich

Notary Public, State of Texas

**EXHIBIT "A" TO FORT CLARK SPRINGS ASSOCIATION, INC.
PRODUCTION AND COPYING POLICY**

PRESCRIBED COSTS TO OWNER:

Copy Charges:

Electronic image transmitted by e-mail – no copy charge
Electronic image downloaded to USB drive – actual cost of drive
Standard paper copy of scan (letter or legal size) – \$0.10 per page (double sided is 2-pgs)
Oversize paper copy or scan (such as 11x17) - \$0.50
Diskette or CD - \$1.00
DVD - \$3.00

Labor Charge:

No labor charge if the request is for 50-or fewer pages of information, unless the records must be retrieved from a storage facility that is remote from the processor's office.

\$15.00 per hour, in ¼-hour increments, for actual time to locate, compile, manipulate data, reproduce information, and (if necessary) redact confidential information, for request of more than 50-pages and for records in remote storage.

No labor charge for time spent to review the requested information to determine if the information qualifies for an exemption from Open Records.

Overhead Charge:

No overhead charge if the request is for 50-or fewer pages of information. Otherwise, the overhead charge is 20-percent of the labor charge.

Remote Document Retrieval Charge:

If the requested information is stored with a commercial records storage company that charges a fee to deliver and return stored records, the Association may seek reimbursement of the third-party fee from the owner if the request otherwise qualifies for a labor charge.

Other Charges:

Actual postage and shipping charges if necessary to transmit the reproduced information the owner.

Actual cost of miscellaneous supplies, such as boxes, if used to produce the requested information.

If the Association accepts payment by credit card, the Association may recoup the amount of any actual transaction fee charged by the credit card company for the privilege.

No sales tax.

(END OF EXHIBIT "A")

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Receipt# 7386

DORA SANDOVAL
COUNTY CLERK
KINNEY COUNTY CLERK
501 ANN STREET
BRACKETTVILLE, TX
76832-
(830) 563-2521

Doc# 67528 Pgs: 4
Doc Type: OPTION
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RECORDS MANAGEMENT \$ 5.00
COURTHOUSE SECURITY \$ 1.00
RECORDING \$ 17.00
RECORDS ARCHIVE \$ 5.00

Total \$ 28.00
Cash Tendered \$ 28.00
Change Due \$ 0.00
Balance \$ 0.00

Total Documents: 1
Total Fees: 4

Client Name FORT CLARK SPRINGS ASSOCIATION
03/21/2012 09:37:51 AM

Cashier: CASHI