

MEMORIAL NORTHWEST HOMEOWNERS ASSOCIATION

C/O Consolidated Management Services

2204 Timberloch Place, Suite 245, The Woodlands, Texas 77380

Phone: 281.296.9775 Fax: 281.296.9788

Email: conmgsvc@swbell.net

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Notice
5.25

RECORDS PRODUCTION POLICY

- I. The name of the Subdivision is Memorial Northwest.
- II. The name of the Association is MEMORIAL NORTHWEST HOMEOWNERS ASSOCIATION.
- III. The recording data (i.e., Map or Plat reference) for each Section of the Subdivision, and the recording data for the Declaration (i.e., Deed Restrictions) for each Section of the Subdivision is as follows:

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Map(s) or Plat(s) Records of Harris County, Texas:

- (i) Memorial Northwest, Section One - Volume 166, Page 51;
- (ii) Memorial Northwest, Section Two - Volume 176, Page 42;
- (iii) Memorial Northwest, Section Three - Volume 193, Page 17;
- (iv) Memorial Northwest, Section Four - Volume 212, Page 15;
- (v) Memorial Northwest, Section Five - Harris County Clerk's File No. F497091;
- (vi) Memorial Northwest, Section Six - Harris County Clerk's File No. F497092;
- (vii) Memorial Northwest, Section Seven - Harris County Clerk's File No. F401825;
- (viii) Memorial Northwest, Section Eight - Harris County Clerk's File No. 473410;
- (ix) Memorial Northwest, Section Nine - Volume 319, Page 131;
- (x) Memorial Northwest, Sections Ten and Eleven - Volume 301, Page 133, *et seq.*;
- (xi) Memorial Northwest, Sections Twelve, Fourteen and Fifteen - Volume 193, Page 17;
- (xii) Memorial Northwest, Section Thirteen - Volume 326, Page 31;
- (xiii) Memorial Northwest, Reserve "A" Section Sixteen - Volume 340, Page 130;
- (xiv) Memorial Northwest, Section Seventeen - Volume 333, Page 31;
- (xv) Memorial Northwest, Section Eighteen - Film Code No. 349027;
- (xvi) Memorial Northwest Country Estates - Film Code No. 363089;
- (xvii) Memorial Northwest, Section Nineteen - Volume 341, Page 66;
- (xviii) Memorial Northwest, Section Twenty - Volume 339, Page 10;
- (xix) Memorial Northwest, Section Twenty-One - Volume 346, Page 119;
- (xx) Memorial Northwest, Section Twenty-Four - Volume 144, Page 103; and
- (xxi) 17.0289 Acres out of Nathan Fenney and John House Surveys, Harris County, Texas- Volume 7201, Page 295.

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Deed Restrictions (Deed Records of Harris County, Texas):

- (i) Memorial Northwest, Section One - Harris County Clerk's File No. D053555; as amended under Harris County Clerk's File No. Y145180;
- (ii) Memorial Northwest, Section Two - Harris County Clerk's File No. D316026; as amended under Harris County Clerk's File No. Y145188;
- (iii) Memorial Northwest, Section Three - Harris County Clerk's File No. D614438; as amended under Harris County Clerk's File No. Y145187;
- (iv) Memorial Northwest, Section Four - Harris County Clerk's File No. E233791; as amended under Harris County Clerk's File No. Y145185;
- (v) Memorial Northwest, Section Five - Harris County Clerk's File No. F624465; as amended under Harris County Clerk's File No. Y145186;
- (vi) Memorial Northwest, Section Six - Harris County Clerk's File No. F624464; as amended under Harris County Clerk's File No. Y145194;
- (vii) Memorial Northwest, Section Seven - Harris County Clerk's File No. F830883; as amended under Harris County Clerk's File No. Y145192;
- (viii) Memorial Northwest, Section Eight - Harris County Clerk's File No. F830884; as amended under Harris County Clerk's File No. Y145184;
- (ix) Memorial Northwest, Reserves "A" and "B," Section Eight - Harris County Clerk's File No. H342167; as amended under Harris County Clerk's File No. Y145184;
- (x) Memorial Northwest, Section Nine - Harris County Clerk's File No. J186262;
- (xi) Memorial Northwest, Sections Ten and Eleven - Harris County Clerk's File No. J576719;
- (xii) Memorial Northwest, Sections Twelve, Fourteen and Fifteen - Harris County Clerk's File No. H839932; as amended under Harris County Clerk's File No. Y145189;
- (xiii) Memorial Northwest, Section Thirteen - Harris County Clerk's File No. J616455;
- (xiv) Memorial Northwest, Reserve "A" Section Sixteen - Harris County Clerk's File Nos. L674177 and L681141;
- (xv) Memorial Northwest, Section Seventeen - Harris County Clerk's File No. K242549;
- (xvi) Memorial Northwest, Section Eighteen - Harris County Clerk's File No. N199873 as amended under Harris County Clerk's File Nos. N304539 and S277741;
- (xvii) Memorial Northwest Country Estates - Harris County Clerk's File No. R451699;
- (xviii) Memorial Northwest, Section Nineteen - Harris County Clerk's File No. L849097;
- (xix) Memorial Northwest, Section Twenty - Harris County Clerk's File No. L355817;
- (xx) Memorial Northwest, Section Twenty-One - Harris County Clerk's File No. M856150;
- (xxi) Memorial Northwest, Section Twenty-Four - Harris County Clerk's File No. M361032; and

(xxii) 17.0289 Acres out of Nathan Fenney and John House Surveys, Harris County, Texas- Harris County Clerk's File No. F285181; as amended under Harris County Clerk's File No. Y145193.

IV. **PRODUCTION OF ASSOCIATION RECORDS:** This Records Production Policy was approved by at least a majority vote of the Board of Directors of the Memorial Northwest Homeowners Association, (the "Board"), at a duly called Meeting of the Board held on the 13th day of September, 2011, at which Meeting a quorum was present.

1. **Copies of Association records will be available to all Owners [i.e., the Owner(s) of any Lot within the Association's jurisdiction] upon the Owner's proper request and at the Owner's own expense. A proper request must:**

- a) be sent Certified Mail (*note*: Return Receipt Requested is recommended) to the Association's address as reflected in its most recent Management Certificate;
- b) be from an Owner(s), or the Owner's agent, attorney, or certified public accountant; and
- c) contain sufficient detail to identify the Association records being requested.

2. **Owners may request to inspect the Association's books and records or, alternatively, Owners may request copies of specific records.**

- a) If an Owner(s) make(s) a request to inspect the books and records, then the Association will respond **within 10 business days after the Association's receipt of the request**, providing the dates and times the records will be made available and the location of the records. The Association and the Owner(s) shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner(s) with copies of specific documents upon the owner paying the Association the cost thereof.
- b) If an Owner(s) make(s) a request for copies of specific records, and the Association is reasonably able to provide the records easily or with no cost, then the Association will provide copies of the records to the owner **within ten (10) business days after the Association's receipt of the Owner's request**.
- c) If an Owner(s) make(s) a request for copies of specific records, and the Association is unable to provide such records within ten (10) business days after receipt of the request, the Association shall send a response letter advising the Owner that the requested records (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld) will be made available to the requesting party no later than the fifteenth (15th) business day after the date of such notice letter, and specifying the cost the Owner(s) must pay before the records will be provided. Upon the Owner(s) paying the cost to provide the records, the Association shall provide the records to the Owner(s) who made the request.

V. **The Association hereby adopts the following schedule of costs:**

Copy Cost for a regular 8.5" x 11" page - 10 cents per page;
for pages 11" x 17" or greater - 50 cents per page;
for specialty paper (color, photograph, map, etc.) - actual cost;
for each CD or audio cassette - \$1.00; and
for each DVD - \$3.00.

Labor Cost \$15.00 per hour for actual time expended to locate, compile and reproduce the records [*note*: the Owner(s) may only be charged such labor cost if the copies requested by the Owner(s) exceed 50 pages in length].

Overhead 20% of the total labor charge [*note*: the Owner(s) may only be charged for such overhead cost if the copies requested by the Owner(s) exceed 50 pages in length].

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

VI. **The Association hereby adopts the following form for response to an Owner(s) who request(s) to inspect the Association's Books and Records:**

"Date

Dear _____:

On _____, 201__, the Association received your written request to inspect certain books and records of the Association. The books and records of the Association (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld) are available for you to inspect on regular business days, between the hours of 9 a.m. and 5 p.m., at the office of **Consolidated Management Services**, located at 2204 Timberloch Place, The Woodlands, Texas 77380.

Please contact the Association's Manager (at tel. no.281.296.9775 or e-mail address: conmgsvc@swbell.net) to arrange for a mutually agreeable date and time for you to inspect the Association's books and records identified in your written request (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld). You will also need to advise the Association whether you will personally attend such inspection and/or whether you intend to allow an Owner's agent, an Owner's attorney, or an Owner's certified public accountant to participate in such inspection. 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.

Sincerely,

**Memorial Northwest Homeowners Association
Board of Directors**

VII. The Association hereby adopts the following form for response to an Owner(s) who request(s) copies of specific records:

"Date

Dear _____:

On _____, 201__, the Association received your written request for copies of specific Association records. Please be advised that the Association is unable to provide you with the copies of the requested records within ten (10) business days of your request; however, the copies of the requested records (excluding attorney work product and attorney/client privileged communications, and excluding books and records which are otherwise statutorily allowed to be withheld) will be made available to you no later than fifteen (15) business days after the date of this response.

A schedule of costs is included with this response. In order to obtain the records you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$_____. Upon receipt of advance payment from you, the Association will mail the requested documents to you at the address specified in your request. You may also make payment and pick up the copies of the requested documents in person at the office of the Association's Manager located at **Consolidated Management Services, 2204 Timberloch Place, Suite 245, The Woodlands, Texas 77380**. Should you have any questions or comments, please contact the Association's Manager (at tel. no. 281.296.9775 or e-mail address: conmgsvc@swbell.net).

Sincerely,

**Memorial Northwest Homeowners Association
Board of Directors**

VIII. If the estimated cost provided to the Owner(s) is more or less than the actual cost of producing the documents, the Association shall, within thirty (30) business days after providing the records, submit to the owner either an invoice for the additional amount(s) owed or refund the overage(s) paid by the Owner. In the event of an invoice for additional amount(s) owed, if the Association does not receive

reimbursement before the thirtieth (30th) business day after the date the invoice is sent to the Owner(s), the additional amount(s) may be added to the Owner(s)' account as an assessment.

IX. Unless authorized in writing by the affected Owner(s) or authorized by Court Order, the Association will not provide copies of or allow inspection of any records that contain: (i) the personal information of an Owner, including restriction violations, delinquent assessments, financial information, and contact information (other than the Owner's address); or (ii) information related to an employee of the Association, including personnel files. Please note that information may be released in an aggregate or personal manner that does not identify an individual property Owner.

CERTIFICATION

"I, the undersigned, being the President of Memorial Northwest Homeowners Association, hereby certify that the foregoing Records Production Policy Resolution was adopted by at least a majority of the Association's Board of Directors, and such Records Production Policy Resolution has never been modified or repealed, and is now in full force and effect."

MEMORIAL NORTHWEST HOMEOWNERS ASSOCIATION

By: *G. Craig Chaszar*
President
Printed name: G. CRAIG CHASZAR

FILED FOR RECORD
8:00 AM

JAN -3 2012

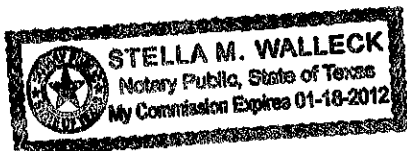
Stan Stewart
County Clerk, Harris County, Texas

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Craig Chaszar, President of the MEMORIAL NORTHWEST HOMEOWNERS ASSOCIATION, a Texas Non-Profit Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and for the consideration therein expressed, and as the act and deed of such Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 12th day of DECEMBER, 2011.



Stella M. Walleck
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Memorial Northwest Homeowners Association, / Records Production Policy

RETURN TO:

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[Signature]
Consolidated Management Services
2204 Timberloch Place, Suite 245
The Woodlands, Texas 77380

8221-96-0000

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



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS