

THE VILLAGE AT MASON CREEK TOWNHOME ASSOCIATION, INC.

ASSOCIATION DOCUMENTS RETENTION POLICY

1.0 Definitions.

1.1 Incorporation. In this policy the definitions set forth in Section 209.002 of the Texas Property Code control (whether or not capitalized), including "Board" which means the governing body of this Association, whether incorporated or unincorporated. To the extent not inconsistent with the foregoing, all definitions set forth in the declaration of Covenants, Conditions, Restrictions and Easements for The Village at Mason Creek Townhome Association, Inc. (whether or not capitalized), including Article I thereof, are also incorporated herein.

1.2 Additional Definitions. In this policy the following definitions also apply:

1.2.1 "Association Documents" means all books and records of the Association, including all financial records, all dedicatory instruments and all other governing documents.

1.2.2 "Retention Period" means the period of time during which Association Documents must be maintained and retained as part of the books and records of the Association. Except as provided in Section 3.4 regarding certain contracts and Section 3.5 regarding reserve studies and account records of former Owners, the Retention Period starts on the date the document is created. The Retention Period ends on the last day of the year of the applicable Retention Period. For example, as to an Association Document created on March 10, 2012 which is subject to a four year Retention Period, that Retention Period begins on March 10, 2012 and ends on December 31, 2016.

2.0 Format. Association Documents shall be maintained in paper format, or in an electronic format that can be readily transferred to a paper format.

3.0 Retention Periods.

3.1 Permanent Retention Required. The following Association Documents shall be retained permanently:

3.1.1 certificate of formation/articles of incorporation;

3.1.2 bylaws;

3.1.3 restrictive covenants, including the Declaration;

3.1.4 amendments to any of the Association Documents listed in Sections 3.1.1, 3.1.2 or 3.1.3; and

3.2 Seven Year Retention Period. The following Association Documents shall be retained for a seven year Retention Period:

3.2.1 financial books and records, including Association budgets, financial statements and bank account statements;

3.2.2 tax returns;

3.2.3 audit records; and

3.2.4 minutes of meetings of the Owners and of the Board; and

3.2.5 applications for architectural approval or variance pertaining to individual Lots, and final written decisions of the Architectural Control Committee or Board regarding the same.

3.3 Five Year Retention Period. Account records of current Owners, including records of debit and credit entries associated with amounts due and payable by the Owner to the Association, shall be retained for a five year Retention Period. Account records of former Owners shall be maintained as provided in Section 3.5 of this policy.

3.4 Four Year Retention Period. Contracts with a term of one year or more shall be retained for a four year Retention Period, starting after the expiration of the contract term.

3.5 One Year Retention Period. The following Association Documents shall be retained for a one year Retention Period:

3.5.1 reserve studies, starting after the expiration of the period covered by the reserve study; and

3.5.2 account records of each former Owner, including records of debit and credit entries associated with amounts that were or remain due and payable by the former Owner to the Association, starting after the termination of such ownership.

3.6 Discretionary Retention. Any Association Document not described in Sections 3.1 through 3.5 may be retained for such duration as deemed appropriate in the discretion of the Board, or the Association's managing agent or attorney.

4.0 Expiration of Retention Period. Upon expiration of the Retention Period for each Association Document, the Association Document may be destroyed, discarded, deleted, purged or otherwise eliminated. Paper documents should be shredded or otherwise completely destroyed. Electronic files should be destroyed in such manner as to prevent subsequent reconstruction or manipulation.

5.0 Effective Date; Amendment.

5.1 Effective Date. This policy is effective upon the date of filing in the Official Public Records of Real Property of Harris County, Texas, subject to amendment as hereafter provided.

5.2 Amendment. This policy may be amended from time to time and at any time by the Declarant, or by the Board. Any such amendment shall be effective upon the date of filing in the Official Public Records of Real Property of Harris County, Texas, or such later date as expressed in the amendment.

6.0 Controlling Effect. This policy is adopted pursuant to and in accordance with the requirements of Section 209.005 of the Texas Property Code in lieu of any other provisions of the Association's governing documents regarding the express provisions set forth in this policy or which conflict with applicable Texas law. In all other respects, all provisions of the Association's governing documents shall continue in full force and effect.