

OPEN RECORDS POLICY
For
CHATEAU DIJON TOWNHOMES OWNERS ASSOCIATION

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

The Board of Directors (the "**Board**") of Chateau Dijon Townhomes Owners Association (the "**Association**"), do hereby approve via unanimous written consent the following Open Records Policy:

1. The property encumbered by this Open Records Policy is that property restricted by the Declaration of Covenants Conditions and Restrictions for Chateau Dijon Townhomes, recorded in the Official Public Records of Real Property of Bexar County, Texas, under Volume 1178, Pages 376-433, as same has been or may be amended and/or supplemented from time to time ("**Declaration**"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

2. Chapter 82 of the Texas Property Code was amended to add Section 82.1141 to set forth open records procedures and to require condominium unit owners' associations to adopt and record open records policies consistent with the procedures set forth in the statute.

3. The Board of the Association desires to adopt an open records policy consistent with the provisions of Section 82.1141 of the Texas Property Code.

4. This Open Records Policy replaces and supersedes any previous open records policy, if any, adopted by the Association.

POLICY:

It is the policy of the Association to make the books and records of the Association, including financial records, to the extent the books and records (including financial records) exist, open to and reasonably available for examination by an Owner, or a person designated in a writing signed by the Owner as the Owner's agent, attorney, or certified public accountant (the "Owner's Representative") in accordance with the following provisions:

1. **Request.** An Owner or the Owner's Representative must submit a written request for access or information. The written request must:

- a. be sent by certified mail to the mailing address of the Association or to the authorized representative of the Association as reflected on the most current Management Certificate of the Association filed of record in accordance with Section 82.116 of the Texas Property Code;

- b. describe with sufficient detail the books and records of the Association that are requested; and
- c. state whether the Owner or the Owner's Representative elects to inspect the requested books and records before obtaining copies or have the Association forward copies of the requested books and records.

2. **Election to Inspect.** If an inspection is requested, the Association must send written notice to the Owner or the Owner's Representative of dates during normal business hours that the Owner or the Owner's Representative may inspect the requested books and records. Such written notice must be sent on or before the tenth (10th) business day after the date the Association receives the request, unless the Association sends a notice to the Owner or Owner's Representative in accordance with Section 4 below.

3. **Election to Obtain Copies.** If copies of the identified books and records are requested, the Association must produce copies of the requested books and records on or before the tenth (10th) business day after the date the Association receives the request, unless the Association sends a notice to the Owner or Owner's Representative in accordance with Section 4.

4. **Inability to Produce Records Within 10 Days.** If the Association is unable to produce requested books and records on or before the tenth (10th) business day after the date the Association receives the request, the Association must provide written notice to the Owner or the Owner's Representative that:

- a. informs the Owner or the Owner's Representative that the Association is unable to produce the requested books and records on or before the tenth (10th) business day after the date the Association received the request; and
- b. states a date by which the requested books and records will be sent or made available for inspection, which date shall not be later than the fifteenth (15th) business day after the date such notice is given.

5. **Extent of Books and Records.** The Association must produce books and records requested by an Owner or an Owner's Representative to the extent those books and records are in the possession, custody or control of the Association.

6. **Time of Inspection; Copies.** If an inspection of books and records is requested or required, the inspection will take place at a mutually agreed upon time during normal business hours. At the inspection, the Owner or the Owner's Representative may identify the books and records to be copied and forwarded. The Association must thereafter make copies of such books and records at the cost of the Owner and forward them to the Owner or the Owner's Representative.

7. **Format.** The Association may produce books and records requested by an Owner or an Owner's Representative in hard copy, electronic or other format reasonably available to the Association.

8. **Costs.** The Association may charge an Owner for the compilation, production or reproduction of books and records requested by the Owner or the Owner's Representative, which costs may include all reasonable costs of materials, labor, and overhead. Costs will be billed at the rates established by Title 1 of the Texas Administrative Code, Section 70.3 ("Section 70.3"), as same may be amended from time-to-time. As of the date of this Policy, the rates set forth below are established by Section 70.3. Should the rates set forth in Section 70.3 ever be different than in this policy (either through amendment or error by this policy) the then current rates set forth in Section 70.3 shall control.

Labor for locating, compiling, and reproducing records	\$15.00 per hour
Overhead charge	20% of labor costs
Copies (8 ½ x 11 and 8 ½ x 14)	\$0.10 per page
Oversize paper copies (11 x 17, greenbar and bluebar)	\$0.50 per page
Specialty papers (blue print and maps)	actual cost
Diskette	\$1.00
Magnetic tape or data or tape cartridge	actual cost
CD	\$1.00
DVD	\$3.00
VHS video cassette	\$2.50
Audio cassette	\$1.00
Other	At the rate provided for in Section 70.3

9. **Advance Payment of Estimated Costs.** The Association must estimate the costs of compiling, producing and reproducing books and records requested by an Owner or an Owner's Representative on the basis of the rates set forth in Section 8 above. The Association may require advance payment of the estimated costs of compiling, producing and reproducing the requested books and records.

10. **Actual Costs.**

10.1. If the actual costs of compiling, producing and reproducing requested books and records are less than or greater than the estimated costs, the Association will submit a final invoice to the Owner on or before the thirtieth (30th) business day after the date the requested books and records are delivered.

10.2. If the final invoice includes additional amounts due from the Owner, the Owner is required to pay the additional amount to the Association before the thirtieth (30th) business day after the date the invoice is sent to the Owner.

10.3. If the final invoice indicates that the actual costs are less than the estimated costs, the Association must refund the excess amount paid by the Owner not later than the thirtieth (30th) business day after the date the invoice is sent to the Owner.

10.4. If the Owner fails to pay to the Association the additional amounts shown in the final invoice in accordance with Subsection 10.1 above, the Association may add the additional amount to the Owner's assessment account as an assessment.

11. **Books and Records Not Required to be Produced.**

11.1. An attorney's files and records relating to the Association, excluding invoices requested by an Owner for attorney's fees and other costs relating only to a matter for which the Association seeks reimbursement of fees and costs from the Owner, are not records of the Association and are not subject to inspection by the Owner or production in a legal proceeding. To the extent the requested information is not located in meeting minutes, unless an Owner whose records are the subject of a request provides express written approval to the Association or unless a court order is issued directing either the release of books and records or that books and records be made available for inspection, the Association is not required to release or allow inspection of books and records that:

- a. identify the history of violations of dedicatory instruments of an individual Owner;
- b. disclose an Owner's personal financial information, including records of payment or nonpayment of amounts due the Association;
- c. disclose an Owner's contact information or Owner's address;
- d. disclose information related to an employee of the Association, including personnel files; or
- e. constitutes attorney work product or that is privileged as an attorney-client communication.

11.2. In addition, information may be released in an aggregate or summary manner that will not identify an individual property Owner.

12. **Business Day.** As used in this policy, "business day" means a day other than a Saturday, Sunday or state or federal holiday.

We hereby certify that we are the duly elected, qualified and acting Board of the Association and that the foregoing Open Records Policy was approved via unanimous written consent of the Board as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Bexar County, Texas

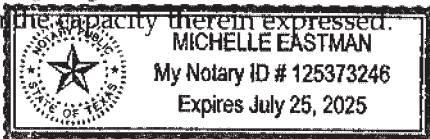
TO CERTIFY which witness my hand this the 5 day of October, 2023.

CHATEAU DIJON TOWNHOMES
ASSOCIATION OWNERS ASSOCIATION

By: Paula East
Printed: PAULA EAST
Its: President

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

BEFORE ME, the undersigned notary public, on this 5 day of October 2023 personally appeared Paula East, President of Chateau Dijon Townhomes Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.

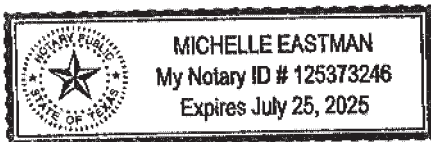


Michelle Eastman
Notary Public in and for the State of Texas

By: Vincent D. Blair
Printed: Vincent D. Blair
Its: Vice President

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

BEFORE ME, the undersigned notary public, on this 6 day of October 2023 personally appeared Vincent D. Blair, Vice President of Chateau Dijon Townhomes Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.

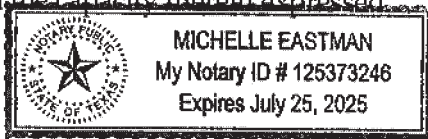


Michelle Eastman
Notary Public in and for the State of Texas

By: [Signature]
Printed: FRANK C. EASTMAN
Its: Secretary

THE STATE OF TEXAS §
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COUNTY OF BEXAR §

BEFORE ME, the undersigned notary public, on this 5 day of October 2023
personally appeared Frank Eastman, Secretary of Chateau Dijon
Townhomes Owners Association, known to me to be the person whose name is subscribed to the
foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and
in the capacity therein expressed.

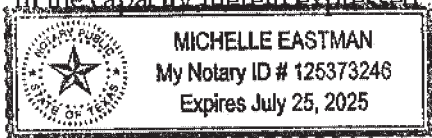


[Signature]
Notary Public in and for the State of Texas

By: [Signature]
Printed: Dolores Villarreal
Its: Treasurer

THE STATE OF TEXAS §
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COUNTY OF BEXAR §

BEFORE ME, the undersigned notary public, on this 6 day of October 2023
personally appeared Dolores Villarreal, Treasurer of Chateau Dijon
Townhomes Owners Association, known to me to be the person whose name is subscribed to the
foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and
in the capacity therein expressed.

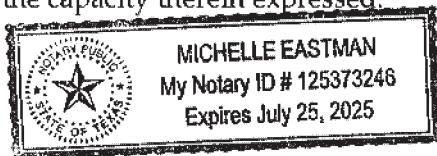


[Signature]
Notary Public in and for the State of Texas

By: [Signature]
Printed: S. Seabrook Jones
Its: Director at Large

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

BEFORE ME, the undersigned notary public, on this 9 day of October 2023
personally appeared Sarah Jones, Director at Large of Chateau Dijon
Townhomes Owners Association, known to me to be the person whose name is subscribed to the
foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and
in the capacity therein expressed.



[Signature]
Notary Public in and for the State of Texas

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 10/12/2023 3:46 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk