

Sierra Crest Homeowners Association

Open Records Production & Copying Policy

SUBDIVISION: The Declaration of Covenants, Conditions and Restrictions for the Sierra Crest Subdivision dated November 11, 1976, is recorded in Volume 0735, Page 0621, Real Property Records of El Paso County, Texas.

ASSOCIATION: Sierra Crest Homeowners Association, Inc., aka Sierra Crest

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The purpose of this Policy is to comply with the requirement of Texas Property Code Section 209.005(i) enacted by the 82nd Texas Legislature as House Bill 2761, effective January 1, 2012.

Authority

If an Open Records request is made to Sierra Crest Homeowners Association (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 Section 70.3 of the Texas Administrative Code (T.A.C.) 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 be entitled to receive or collect Open Records charges from an owner in amounts greater than the maximum amounts permitted by applicable law. If 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 case-by-case basis. A reduction or waiver granted will not act to waive 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 will be 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.

The undersigned certifies that the Board of Directors of Sierra Crest Homeowners Association adopted this Policy to ensure that the Association complies with requirements of State Law, and that the Board of Directors instructed the undersigned to execute and record this Policy on behalf of the Association.

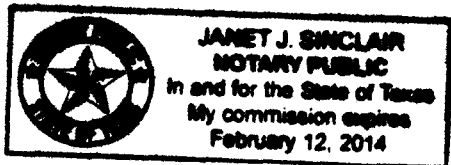
Sierra Crest Homeowners Association

Guadalupe Rivera
Guadalupe Rivera, President
Sierra Crest Homeowners Association

The State of Texas

El Paso County

Guadalupe Rivera, President on behalf of the Sierra Crest Homeowners Association, acknowledged this instrument before me on this 9th day of July 2012.



J. Sinclair
Notary Public

EXHIBIT "A"

to

**SIERRA CREST HOMEOWNERS OPEN RECORDS,
PRODUCTION AND COOPYING POLICY**

Copy Charges

Electronic image transmitted by email- no copy charge

Electronic image downloaded to USB drive- actual cost of the drive

Standard paper copy or scan (letter or legal size) .10 per page

(Double sided document constitutes two pages)

Oversized paper copy or scan (11x17) .50 per page

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 processors 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 requests 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 charges if the request is for 50 or fewer pages of information. Otherwise the overhead is 20% of the labor cost charged.

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 to the owner.

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

No sales tax.

End of Exhibit "B"

After Recording, Please Return to
Sierra Crest Homeowners Association
1 Sierra Crest Drive
El Paso, Texas 79902

Doc# 20120051483
#Pages 4 #NFPages 1
7/11/2012 4:04:28 PM
Filed & Recorded in
Official Records of
El Paso County
Dellia Briones
County Clerk
Fees \$28.00

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I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



EL PASO COUNTY, TEXAS

Dellia Briones