

**RESOLUTION OF
THE WATERVIEW COMMUNITY
ASSOCIATION, INC. BOARD OF DIRECTORS
ESTABLISHING A
RECORDS RETENTION POLICY**

WHEREAS the WaterView Community Association, Inc., (the "*Association*") keeps correct and complete books and records of account and minutes of the proceedings of its members and Board of Directors (the "*Board*"); and,

WHEREAS the Board of Directors (the "*Board*") of the Association has determined that it would be in the best interests of the Association to provide a policy establishing guidelines for effectively managing the records of the Association in order to meet legal requirements for record retention and privacy protection, optimizing the use of space, minimizing the cost of record retention, and properly destroying outdated records; and,

NOW THEREFORE BE IT RESOLVED that the following requirements are hereby established, and the Board adopts the following procedures to be observed in furtherance of the Record Retention Policy of the Association:

1. Policy
 - a. It is the Association's policy to maintain complete and accurate **Documents**. **Documents** are to be retained for the period of their immediate use, unless longer retention is required for historical reference, contractual or legal requirements, or for other purposes as set forth in this Records Retention and Destruction Policy.
 - b. **Documents** that are no longer required, or have satisfied their recommended period of retention, are to be destroyed according to the destruction procedure set forth in Paragraph 5.
 - c. The **Community Manager** is responsible for ensuring that **Documents** within his or her area of assigned responsibility are identified, retained, stored, protected and subsequently disposed of, in accordance with the guidelines set forth in this Document Retention and Destruction Policy.
2. Compliance - This Records Retention and Destruction Policy is not intended to be exhaustive and accordingly, will be implemented to meet the specific needs of the Association. The retention periods set forth herein are guidelines based on the current retention periods set forth in federal, state and local statutes and regulations and industry custom and practice.



3. Board Members - The Association does not require Board members to maintain any **Documents**. Board members, in their discretion, may dispose of **Documents** generated by the Association because the Association has maintained such **Documents** in the **Official Files**. However, if Board members receive **Documents** relating to the Association, which were not generated by the Association, or not received through the Association, Board members shall send the originals of such **Documents** to the **Community Manager** to be maintained in the **Official Files**.
4. Annual Purge of Files
 - a. The **Community Manager** and each Board member electing to maintain **Documents** shall conduct an annual purge of files that are under their control. The annual purge of files shall be completed within the first quarter of each calendar year.
 - b. When a member of the Board of Directors ceases to be a member, the Board member shall either destroy or turn over to the **Community Manager**, all **Documents** and files relating to the business of the Association. If the **Documents** and files are turned over, from that time forward, the **Community Manager** shall have the responsibility to conduct the annual purge of files maintained by the former Board member.
5. Destruction Procedure
 - a. If the **Documents** to be destroyed are of public record, it is recommended that they be recycled. If recycling is not possible, the **Documents** may be placed in a trash receptacle.
 - b. If the **Documents** to be destroyed are not of public record, they should be recycled if their confidentiality can be protected or they may be shredded, burned, chemically treated or otherwise made illegible.
6. Certification - Following the annual purge of files, the **Community Manager**, if requested by the Board, shall complete a Certification Letter directed to the Association's Board of Directors stating that all **Documents** under his or her control conform to the retention guidelines.
7. Miscellaneous - There may be immediate destruction of copies of any Document, regardless of age, provided that an original is maintained in the **Official Files** of the Association.
8. Onset of Litigation - Upon the institution of litigation, or if it is reasonably foreseeable that litigation may be imminent, all **Documents** potentially relevant to

the dispute must be preserved. Therefore, at the direction of legal counsel, the **Community Manager** will advise the Board Members, and any other person who may maintain **Association Documents**, of the facts relating to litigation. Thereafter, all **Documents** potentially relevant to the dispute shall be deemed "held" until such litigation is concluded and all appeal periods have expired. At the conclusion of the litigation, the "hold" period will cease and the time periods provided in the Records Retention Schedule will be applied.

9. Definitions

- a. **"Document"** means any documentary material, that is generated or received by the Association in connection with transacting its business, is related to the Association's legal obligations, and is retained for any period of time. The term **"Document"** includes, among others, writings, drawings, graphs, charts, photographs, tape, disc, audio recordings, microforms, and other electronic documents from which information can be obtained or translated such as electronic mail, voice mail, floppy disks, hard discs and CD ROM.
- b. **"Community Manager"** means the Community Manager of the Association.
- c. **"Official Files"** means the files maintained by the **Community Manager** of the Association. Legal documents and documents subject to the attorney-client privilege and the work product privilege maintained by the Association's legal counsel are not part of the **"Official Files"** of the Association.
- d. **"Permanent"** as a period of record retention means until the Association is dissolved.

10. Record Retention Schedule

- a. The retention periods identified with particular **Documents** are intended as guidelines. In particular circumstances, the **Community Manager** and Board Members have the discretion to determine that either a longer or shorter retention period is warranted.
- b. Although every conceivable Document is not listed below, the following list should serve as a basis for retention schedules for the Association's **Documents**.

RECORD RETENTION SCHEDULE

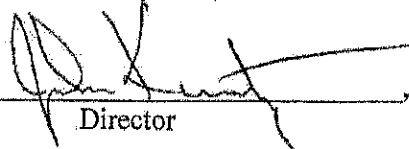
DOCUMENT TYPE		RETENTION OR TERMINATION PERIOD
Corporate Documents and Governing Instruments	Articles of Incorporation, Certificate of Formation, Bylaws, Restrictive Covenants, Resolutions, Policies, Committee Charters, Rules, Regulations, Guidelines, Dedicatory Instruments, All Amendments and Supplements, Plats/Maps, Easements, Annexation Records, Management Certificates	Permanent
	Insurance Policies, Records, Claims, Disbursements, Settlements	Five (5) years after policy terminates; Five (5) years for settled claims
	Easement Agreements	Permanent
	Voting Records, Proxies, Ballots, Sign-In Sheet	Four (4) years
	Property Deed for Common Areas	Permanent
	Committee Reports	Four (4) years
Financial Books and Records	Financial Sheets (Balance Statement, Income Statement, Statement of Liabilities), General, General Ledgers, Accounts Receivable, and Accounts Payable Ledgers, Aging Reports, Bank Statements, Approved Budgets, Vendor Invoices/Disbursements, Check Registers, Canceled Checks, Copies of Payments Received, Expense Reports, Investment Information, Signature Cards	Seven (7) years
	Loan Documents	Four (4) years after

		loan is discharged
Financial Books and Records (cont'd)	Workers' Compensation Records, Accident Reports and Insurance Claims for Workers' Compensation Claims	Permanent
	Depreciation Schedules	Life of Asset Plus Four (4) years
	Correspondence Relating to General Financial Matters	Four (4) years
Account Records of Current Owners	Owner Information, General Owner Correspondence, Violation Correspondence, Architectural Applications, Collection Correspondence, Legal Collection Correspondence, Dispute of Debt,	Period of Ownership Plus Five (5) years
	Architectural or ARC Applications/Submissions, Property Deed,	Period of Ownership Plus Five (5) years
	Liens/Release of Liens, Law/Legal Correspondence Property Specific	Period of Ownership Plus Five (5) years
	Approved Architectural or ARC Applications/Submissions	Permanent
Vendor or Contract for Labor Records	Vendor Contracts	Four (4) years after the expiration of the contract term; Contracts with warranty, seven (7) years
	Bid Proposals/ Specifications (contracts not entered into by the Association)	Two (2) years
	Contract for Labor or Employment	Four (4) years after the expiration of the contract term
	Personnel files, if any including wage rates, job description, etc.	Permanent

Meetings of Owners and Board of Directors	Approved Minutes of Meetings of Owners and Board of Directors, including General Sessions	Seven (7) years
	Meeting Audio or Video Recording	If made, destroy prior to next meeting
Tax Returns and Audit Records	Federal, State, and State Franchise Tax Returns	Seven (7) years
	Financial Audits, IRS Notices/Federal Tax ID, Texas Notice of Franchise Exemption	Permanent
Professional Reports	Legal Opinions, Engineering/Structural Reports and other Professional Reports/Opinions	Permanent
	Lawsuits	Four (4) years after litigation is concluded
	Reserve Studies Relating to Study of Common Areas	Permanent
Miscellaneous Documents, Correspondence, Statements or Records		Seven (7) years

This is to certify that the foregoing Resolution was adopted by the Board of Directors on December 11th, 2011, and shall remain effective until such Resolution is modified, rescinded or revoked.

**WATERVIEW COMMUNITY
ASSOCIATION, INC.**



Director

AFTER RECORDING, PLEASE RETURN TO:

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

**SECOND SUPPLEMENTAL
CERTIFICATE AND MEMORANDUM
OF RECORDING OF DEDICATORY INSTRUMENTS FOR
WATERVIEW COMMUNITY ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The undersigned, as attorney for the WaterView Community Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instruments affecting the owners of property with the WaterView community in Rowlett, Texas, hereby states that the dedicatory instruments attached hereto are true and correct copies of the following:

- ***Resolution of the WaterView Community Association, Inc. Board of Directors Establishing a Payment Plan Policy*** (Exhibit "A-1");
- ***Resolution of the WaterView Community Association, Inc. Board of Directors Establishing a Records Retention Policy*** (Exhibit "A-2");
- ***Resolution of the WaterView Community Association, Inc. Board of Directors Establishing a Protocol for Open Board Meetings*** (Exhibit "A-3");
- ***Resolution of the WaterView Community Association, Inc. Board of Directors Regarding the Inspection and Copying of Books and Records*** (Exhibit "A-4");

- ***Resolution of the WaterView Community Association, Inc. Board of Directors Setting Forth Procedures to Establish E-Mail Registry for Members*** (Exhibit "A-5");
- ***WaterView Community Association, Inc. (Including Broadmoor) Collection Procedure and Policy / Violation and Fine Policy*** (Exhibit "A-6");
- ***Second Amendment to the WaterView Production Homes Design Standards*** (Exhibit "A-7");
- ***WaterView Community Association, Inc. - Community Center / Pavillion Rental Agreement - Rental Fees and Refund Policy*** (Exhibit "A-8");
- ***WaterView Community Association, Inc. - Community Center / Pavillion Rental Agreement - Form and Check Out Sheet*** (Exhibit "A-9");
- ***WaterView Community Association, Inc. -Swim Park Picture ID Policy: Homeowner*** (Exhibit "A-10");
- ***WaterView Community Association, Inc. -Swim Park Picture ID Policy: Leasing a Home in WaterView*** (Exhibit "A-11");
- ***WaterView Community Association, Inc. -Swim Park Picture ID Policy: House Sitter(s)*** (Exhibit "A-12");
- ***WaterView Community Association, Inc. -Swim Park Picture ID Policy: Nanny / Babysitter*** (Exhibit "A-13");
- ***WaterView Community Association, Inc. - Swim Park Guest Policy*** (Exhibit "A-14");
- ***WaterView Swim Park Rules*** (Exhibit "A-15");

- ***WaterView Water Slide Rules [To Be Posted at Entrance to Slides and Bottom of Stairs]*** (Exhibit "A-16");
- ***WaterView Water Slide Rules [Posted at the Top of Stairs]*** (Exhibit "A-17"); and
- ***WaterView Tennis Rules*** (Exhibit "A-18");.

All persons or entities holding an interest in and to any portion of property within the WaterView community are subject to the foregoing dedicatory instruments.

IN WITNESS WHEREOF, the WaterView Community Association, Inc. has caused this First Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the Office of the Dallas County Clerk, and serves to supplement that certain Certificate and Memorandum of Recording of Association Documents for Waterview Community Association, Inc. filed on December 3, 2008, as Instrument No. 20080378811 in the Official Public Records of Dallas County, Texas, and that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Waterview Community Association, Inc. filed on June 3, 2009, as Instrument No. 200900157922 in the Official Public Records of Dallas County, Texas.

**WATerview COMMUNITY
ASSOCIATION, INC.**

By:
Its:

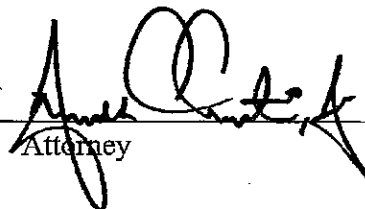

Attorney

EXHIBIT B

Those tracts and parcels of real property located in the City of Rowlett, Dallas County, Texas and more particularly described as follows:

- (a) All real property subject to the Declaration of Covenants, Conditions and Restrictions for The WaterView Community, executed by Snapdragon Properties Associates, L.P., as Declarant, recorded on July 7, 1998, in Volume 98131, Page 00453, *et seq.*, in the Real Property Records of Dallas County, Texas, and any other applicable refilings or replatings thereof or amendments, corrections or supplements thereto; and
- (b) All lots and tracts of land situated in **WaterView, PHASE ONE**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in Volume 98203, Page 10, Map Records, Dallas County, Texas; and
- (c) All lots and tracts of land situated in **WaterView, PHASE TWO**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in Volume 98203, Page 9, Map Records, Dallas County, Texas; and
- (d) All lots and tracts of land situated in **WaterView, PHASE THREE**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in Volume 98203, Page 8, Map Records, Dallas County, Texas; and
- (e) All lots and tracts of land situated in **WaterView, PHASE 4A**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in Volume 99083, Page 88, Map Records, Dallas County, Texas; and
- (f) All lots and tracts of land situated in **WaterView, PHASE 4B**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in Volume 99137, Page 723, Map Records, Dallas County, Texas; and
- (g) All lots and tracts of land situated in **WaterView, PHASE 5A**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in Volume 99191, Page 423, together with a replat thereof recorded in Volume 2000097, Page 908, Map Records, Dallas County, Texas; and
- (h) All lots and tracts of land situated in **WaterView, PHASE 5B**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in Volume 2000151, Page 2744, Map Records, Dallas County, Texas; and
- (i) All lots and tracts of land situated in **WaterView, PHASE 5C**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof

**recorded in Volume 2001129, Page 01092, Map Records, Dallas County, Texas;
and**

- (j) All lots and tracts of land situated in WaterView, PHASE 5D, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000093, Page 03565, Map Records, Dallas County, Texas;
and**
- (k) All lots and tracts of land situated in WaterView, PHASE 6A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000151, Page 2738, Map Records, Dallas County, Texas;
and**
- (l) All lots and tracts of land situated in WaterView, PHASE 6B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000151, Page 2741, Map Records, Dallas County, Texas;
and**
- (m) All lots and tracts of land situated in WaterView, PHASE 6C, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2002040, Page 00011, Map Records, Dallas County, Texas;
and**
- (n) All lots and tracts of land situated in WaterView, PHASE 7, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001001, Page 143, Map Records, Dallas County, Texas;
and**
- (o) All lots and tracts of land situated in WaterView, PHASE 8A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001058, Page 00111, Map Records, Dallas County, Texas;
and**
- (p) All lots and tracts of land situated in WaterView, PHASE 8B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2002229, Page 102, Map Records, Dallas County, Texas;
and**
- (q) All lots and tracts of land situated in WaterView, PHASE 8C, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2003102, Page 68, Map Records, Dallas County, Texas; and**

- (r) All lots and tracts of land situated in **WaterView, PHASE 9, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2004019, Page 89, Map Records, Dallas County, Texas; and**
- (s) All lots and tracts of land situated in **WaterView, PHASE 10, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001076, Page 02955, Map Records, Dallas County, Texas; and**
- (t) All lots and tracts of land situated in **WaterView, PHASE 11A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001076, Page 02961, Map Records, Dallas County, Texas; and**
- (u) All lots and tracts of land situated in **WaterView, PHASE 11B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001058, Page 00114, Map Records, Dallas County, Texas; and**
- (v) All lots and tracts of land situated in **WaterView, PHASE 12, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001076, Page 02959, Map Records, Dallas County, Texas; and**
- (w) All lots and tracts of land situated in **WaterView, PHASE 13, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2002229, Page 104, Map Records, Dallas County, Texas; and**
- (x) All lots and tracts of land situated in **WaterView, PHASE 14, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2004221, Page 208, Map Records, Dallas County, Texas; and**
- (y) All lots and tracts of land situated in **Villas at WaterView, PHASE 1, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98158, Page 00608, Map Records, Dallas County, Texas; and**
- (z) All lots and tracts of land situated in **Villas at WaterView, PHASE 2, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98158, Page 00609, Map Records, Dallas County, Texas; and**

- (aa) All lots and tracts of land situated in **Villas at WaterView, PHASE 3**, an addition to the **City of Rowlett, Dallas County, Texas**, according to the Map or Plat thereof recorded in **Volume 98158, Page 00612, Map Records, Dallas County, Texas**.

**Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
12/22/2011 08:42:32 AM
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201100333233**

