

Eagle Ridge Golf Community Homeowners Association, Inc.
Policy Resolution 2008-1
Access to Books and Records of the Association

WHEREAS, Article VII of the Bylaws grants the Board of Directors all of the powers and duties necessary for the administration of the affairs of the Association;

WHEREAS, Article VII of the Bylaws requires the Association to keep a complete record of all its acts and corporate affairs;

WHEREAS, Article Eight, Section 8.3 of the Master Declaration of Covenants, Conditions and Restrictions state that the Association, from time to time, may adopt, alter, amend, rescind and enforce reasonable rules and regulations governing use and operations of the Common Properties, which rules and regulations shall be consistent with the rights and duties established by this Declaration. The validity of the Association's rules and regulations, and their enforcement, shall be determined by a standard of reasonableness for the purpose of the protecting the value and desirability of the Properties;

WHEREAS, Section 47F-3-118 of the North Carolina Planned Community Act ("Act") requires the Association to keep detailed records of receipts and expenditures affecting the operation and administration of the Association and specifying the maintenance and repair expenses of the common elements and any other expenses incurred by or in behalf of the Association;

WHEREAS, Section 47F-3-118 of the Act further provides that the Association shall keep financial records sufficiently detailed to enable the Association to comply with the Act. All financial and other records shall be made reasonably available for examination by any lot owner and the lot owner's authorized agent(s) except for those records that are or should remain confidential for personnel or other, specified, reasons and for only so long as the reason for confidentiality exists. The reason that a document is considered confidential shall be specified to any member who requests and is refused access to such document;

WHEREAS, the Board of Directors believes it to be in the best interest of the Association and the unit owners to establish a procedure which ensures access to books and records in accordance with the requirements of the Act and the Bylaws and to give guidance to Association management and staff to enable a proper response to unit owners requests for information;

NOW THEREFORE, be it resolved that the following policy regarding access to books and records of the Association is hereby adopted by the Board;

1. All books and records kept by or on behalf of the Association, including, but not limited to, the Association's membership list and addresses shall be available for examination and copying by a Member.
2. Only Members in good standing or a Member's in good standing authorized agent may examine and copy the Association's books and records. "In good standing" requires that a homeowner be current on their assessment account and not currently in violation of the covenants or rules and regulations.

3. Requests by Members to examine the Association's books and records must be for a proper purpose related to the Member's membership in the Association and not for the Member's monetary gain or commercial solicitation.
4. A Member's right to examine the Association's books and records shall exist without reference to the duration of membership and may be exercised (1) only during the Association's reasonable business hours or at a mutually convenient time and location and (2) only upon five days' written notice reasonably identifying the purpose for the request and the specific books and records of the Association requested and directed to the management company.
5. Books and records kept by or on behalf of the Association may be withheld from examination or copying by Members to the extent that they concern the following and the documents listed therein shall remain confidential and not subject to disclosure or copying only for so long as the reason for maintaining the confidentiality exists:
 - a. Personnel matters relating to specific, identified persons or a person's medical records;
 - b. Contracts, leases, and other commercial transactions to purchase or provide goods or services, currently in or under negotiation;
 - c. Pending or probable litigation. Probable litigation means those instances where there has been a specific threat of litigation from a party or the legal counsel of a party;
 - d. Communications with legal counsel that relate to subsections A through D or that is protected by the attorney-client privilege or the attorney work product doctrine;
 - e. Disclosure of information in violation of law;
 - f. Meeting minutes or other confidential records of an Executive Session of the Board;
 - g. Documentation, correspondence or management or Board reports compiled for or on behalf of the Association or the Board by its agents or committees for consideration by the Board in executive session;
 - h. Individual member files, other than those of the requesting Member, including any individual member's files kept by or on behalf of the Association.
6. The Association may impose and collect a charge, reflecting the actual and reasonable costs of materials and labor, prior to providing copies of any books and records to a Member in good standing.

FILE:

Book of Minutes:

Book of Resolutions:

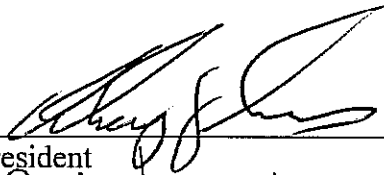
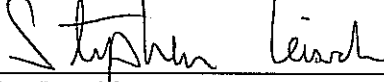
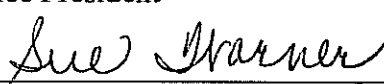
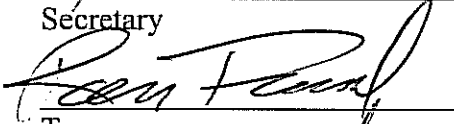
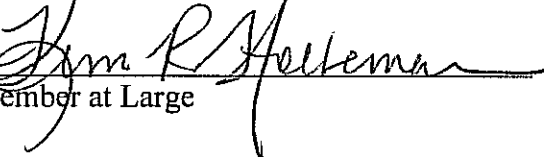
	Book No.	Page No.
Policy	<u>2008-1</u>	<u> </u>
Administrative	<u> </u>	<u> </u>
Special	<u> </u>	<u> </u>
General	<u> </u>	<u> </u>

Resolution effective: February 1, 2008

RESOLUTION ACTION RECORDED

Resolution Type: Policy No. 2008-1
Pertaining to: Owners Access to Books and Records
Duly adopted at a meeting of the Board of Directors held January 10, 2008
Motion by: Ron Tropicich Seconded by: Sue Warner

VOTE:

	Yes	No	Abstain	Absent
 President	X			
 Vice President	X			
 Secretary	X			
 Treasurer	X			
 Member at Large	X			

ATTEST:


Secretary

1-10-08
Date

Eagle Ridge Golf Community Homeowners Association, Inc.
Request for Access to Books and Records

Unit Owner: _____ Date of Request: _____

Address: _____

Home Phone Number: _____ Work Phone Number: _____

E-mail Address: _____

Pursuant to the provisions of the North Carolina Planned Community Act and Article VII of the Association Bylaws, I hereby request that the Association provide access to the books and records of the Association.

I certify that I am a Unit Owner in good standing and that my request to review the books and records of the Association is for a proper purpose related to my membership in the Association and that this request is not for my monetary gain or solicitation.

I acknowledge that the books and records will only be made available to me during normal business hours and that there may be a cost associated with making these documents available to me. I agree to pay any costs associated with viewing the books and records, which may include, but are not limited to the actual and reasonable costs of copying materials and labor. I further acknowledge that these costs may be required of me prior to viewing the books and records.

The books and records I wish to review are: _____

My purpose for reviewing the above-named books and records is: _____

If applicable: I hereby designate _____ as my authorized agent to review these documents on my behalf. My agent's address and phone number are _____.

Unit Owner Signature

For Office Use Only

Date Request Received: _____

Request Reviewed and Approved by Management/Board of Directors: _____

Date Documents Reviewed: _____ Costs: _____

Payment Received: _____ Copies Provided: _____