

#### 4. INSPECTION AND COPYING OF ASSOCIATION RECORDS BY MEMBERS

1. The Association shall keep financial records sufficiently detailed to enable the Association to provide a written statement of any unpaid assessments in accordance with Section 316(8) of the Act.

2. The Association shall keep as permanent records: (a) Minutes of all meetings of Members and the Board, (b) a record of all actions taken by the Members or the Board by written ballot or written consent in lieu of a meeting, (c) a record of all actions taken by a committee of the Board in place of the Board on behalf of the Association, and (d) a record of all waivers of notices of meetings of Members and of the Board or any committee of the Board.

3. The Association or its agent shall maintain a record of Members in a form that permits preparation of a list of the names and addresses of all Members, showing the number of votes each Member is entitled to vote.

4. The Association shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time.

5. All financial and other records (other than records deemed confidential by the Board) shall be made reasonably available for examination and copying by any Member and such Member's authorized agents. All requests shall be made in writing and shall describe with reasonable particularity the records sought and the purpose of the request. The Association may charge a fee, not to exceed the Association's actual cost per page, for copies of Association records; [the Association may collect this fee in advance](#). As used in this Paragraph 5, "reasonably available" means available during normal business hours, upon notice of five (5) business days, to the extent that: (a) the request is made in good faith and for a proper purpose, (b) the request describes with reasonable particularity the records sought and the purpose of the request, and (c) the records are relevant to the purpose of the request. [The Association shall make the requested records available within five business days of the Owner's request or at the next regularly scheduled Owner or Board meeting if the next regularly scheduled Owner or Board meeting is scheduled within thirty days of the Owner's request, in the sole discretion of the Board. The Board shall advise the Owner of the time and place of such inspection in writing within five business days of the Owner's request.](#)

6. At the discretion of the Association or the Association's manager, if any, certain records may only be inspected in the presence of a Board member or employee of the Association's manager. No records may be removed from the office without the express written consent of the Board.

7. [Association records, including membership lists, shall not be used by any Owner for:](#)

[Any purpose unrelated to an Owner's interest as an Owner;](#)

[The purpose of soliciting money or property unless such money or property will be used solely to solicit the votes of the Owners in an election to be held by the Association;](#)

[Any commercial purpose](#)

For the purpose of giving, selling, or distributing such Association records to any person; or  
Any improper purpose as determined in the sole discretion of the Board.

8. In addition to the records specified in Paragraphs 1 and 2 above, the Association shall keep a copy of each of the following records at its principal office:

- Articles of Incorporation;
- Declaration;
- Bylaws;
- Filed plat map of Kernan Creek Ranch;
- Resolutions adopted by the Board relating to the characteristics, qualifications, rights, limitations and obligations of Members or any class or category of Members;
- Minutes of all meetings of the Members and records of all actions taken by Members without a meeting for the past three (3) years;
- All written communications within the past three (3) years to Members generally as Members;
- A list of the names and business or home addresses of the Association's current directors and officers;
- The Association's most recent annual report, if any;
- All financial audits or reviews conducted pursuant to Section 303(4)(b) of the Act during the immediately preceding three (3) years; and
- All tax returns filed within the past three (3) fiscal years.