

**RESOLUTION 2013-4**  
of the  
**Board of Directors**  
of  
**CAMPUS EAST COMMUNITY ASSOCIATION, INC.**  
(Access to and Charges for Copies of Association Records)

WHEREAS, Campus East Associates, Inc, a Virginia corporation ("Declarant"), submitted to record various restrictive covenants to create the subdivision of Campus East ("Association") by Campus East Community Association Declaration of Covenants, Conditions and Restrictions (the "Declaration") dated September 23, 1982, and recorded on January 7, 1983, in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia ("Clerk's Office"), in Deed Book 2234, Page 0760, and the same has been or may be amended from time to time; and

WHERE AS, the Declarant did cause incorporation of Campus East Community Association, Inc., as a nonstock corporation effective October 1, 1982, and thereafter adopted Bylaws of the nonstock corporation ("Bylaws"); and

WHERE AS, the Association is managed and operated pursuant to the Declaration and the Bylaws; and

WHERE AS, all Owners in the Association are Members of the Association by pursuant to Article VI of the Declaration, and as such all Owners are subject to all of the covenants, conditions and restrictions in the Declaration pursuant to Section 9.10 of the Declaration; and

WHERE AS, the Association's Board of Directors is empowered by Article IV and Article IX of the Declaration and by Article VII of the Bylaws to enforce the covenants contained in the Declaration and to enforce any Board Resolutions, Architectural Guidelines and Rules and Regulations adopted pursuant to the Declaration and Bylaws; and

WHERE AS, for the benefit and protection of the Association and of the individual Members, the Board of Directors deems it desirable to clarify access to the Association's Records and the charges to provide copies.

WHEREAS, the Association's and By-Laws contain the following provisions regarding access and charges for copies of the Association's records:

1. Article X - Books and Records of the Association's By-Laws:

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

WHEREAS, Section 55-510 of the Property Owners' Association Act contain the following provisions regarding access and charges for copies of the Association's records:

A. The association shall keep detailed records of receipts and expenditures affecting the operation and administration of the association. All financial books and records shall be kept in accordance with generally accepted accounting practices.

B. Subject to the provisions of subsection C and so long as the request is for a proper purpose related to his membership in the association, all books and records kept by or on behalf of the association, shall be available for examination and copying by a member in good standing or his authorized agent including but not limited to:

1. The association's membership list and addresses, which shall not be used for purposes of pecuniary gain or commercial solicitation; and
2. The actual salary of the six highest compensated employees of the association earning over \$75,000 and aggregate salary information of all other employees of the association; however, individual salary information shall not be available for examination and copying during the declarant control period.

This right of examination shall exist without reference to the duration of membership and may be exercised (i) only during reasonable business hours or at a mutually convenient time and location and (ii) upon five days' written notice reasonably identifying the purpose for the request and the specific books and records of the association requested.

C. Books and records kept by or on behalf of an association may be withheld from inspection and copying to the extent that they concern:

1. Personnel matters relating to specific, identified persons or a person's medical records;
2. Contracts, leases, and other commercial transactions to purchase or provide goods or services, currently in or under negotiation;
3. 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;
4. Matters involving state or local administrative or other formal proceedings before a government tribunal for enforcement of the association documents or rules and regulations promulgated pursuant to § 55-513;
5. Communications with legal counsel that relate to subdivisions 1 through 4 or that are protected by the attorney-client privilege or the attorney work product doctrine;
6. Disclosure of information in violation of law;

7. Meeting minutes or other confidential records of an executive session of the board of directors held in accordance with subsection C of § 55-510.1;

8. 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; or

9. Individual unit owner or member files, other than those of the requesting lot owner, including any individual lot owner's or member's files kept by or on behalf of the association.

D. Prior to providing copies of any books and records to a member in good standing under this section, the association may impose and collect a charge, reflecting the reasonable costs of materials and labor, not to exceed the actual costs thereof. Charges may be imposed only in accordance with a cost schedule adopted by the board of directors in accordance with this subsection. The cost schedule shall (i) specify the charges for materials and labor, (ii) apply equally to all members in good standing, and (iii) be provided to such requesting member at the time the request is made.

E. Notwithstanding the provisions of subsections B and C, all books and records of the association, including individual salary information for all employees and payments to independent contractors, shall be available for examination and copying upon request by a member of the board of directors in the discharge of his duties as a director.

**WHEREAS**, the Board of Directors will provide notice of this policy to all current Owners by mailing a copy of this Resolution to current Owners and to all future Owners by including the Resolution in resale disclosure packages prepared pursuant to Section 55-512 of the Property Owners' Association Act and by recording this Resolution in the Clerk's Office

**NOW THEREFORE**, the Board of Directors of Campus East Community Association, Inc. (the "Board") does hereby adopt this Resolution in order to confirm and state the following:

1. Copies of Resale Disclosure Packages will be charged at a Rate of: \$150 per package.
2. All other Copies of Association Records will be charged at a rate of .15 cents per single sided page.

CERTIFICATION

The undersigned President of the Association does hereby certify that this Resolution 2013-4 of the Board of Directors of Campus East Community Association, Inc. has been approved by a vote of more than a majority of the Members of the Board of Directors, as evidenced by their approval on file with the Association.

EXECUTED on the date first written above by a duly authorized officer of the Association.

CAMPUS EAST COMMUNITY ASSOCIATION, INC.,  
A Virginia Nonstock Corporation

By: \_\_\_\_\_  
Jeffrey G. Lawn, President

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY OF Virginia Beach, to wit:

The foregoing instrument was acknowledged this 3<sup>rd</sup> day of October, 2013, before me, the undersigned Notary Public, by Jeffrey G. Lawn, President of Campus East Community Association, Inc.

\_\_\_\_\_  
Notary Public

Notary Registration Number: 7555910

My Commission Expires: June 30, 2017

