

THIS IS NOT A
CERTIFIED COPY

LIVE OAK PRESERVE ASSOCIATION, INC.

**RESOLUTION REGARDING RULES AND REGULATIONS
GOVERNING INSPECTION AND COPYING OF OFFICIAL RECORDS**

WHEREAS, Live Oak Preserve Association, Inc. (the "Association") is a nonprofit corporation duly organized and existing under the laws of the State of Florida; and

WHEREAS, section 720.303(5)(c), Florida Statutes, provides that the Association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections; and

WHEREAS, the Board has determined that it is in the best interest of the Association to adopt a policy in connection with the inspection and copying of the Association's official records as provided in the attached Exhibit A.

NOW, THEREFORE, BE IT:

RESOLVED, that the Board of Directors of the Association hereby approves and adopts the attached Rules and Regulations Governing Inspection and Copying of Official Records.

IN WITNESS WHEREOF, the Board of Directors of Live Oak Preserve Association, Inc., at a duly noticed regular meeting of the Board of Directors at which a quorum was present, held on the 21 day of August, 2013, in the manner required by the Association's governing documents, has adopted the foregoing resolutions upon motion made by Frank Micalef and seconded by Anthony Leone and passing with a vote of 4 in favor and 0 opposed; therefore, a majority of the Directors approved the resolution, which is to be made a part of the minutes of the meeting of the Board of Directors held on the 21 day of August, 2013.

LIVE OAK PRESERVE ASSOCIATION,
INC., a Florida nonprofit corporation

By: [Signature]
Its: President

LIVE OAK PRESERVE ASSOCIATION,
INC., a Florida nonprofit corporation

By: [Signature]
Its: Secretary

Exhibit A – Rules and Regulations Governing Inspection and Copying of Official Records

THIS IS NOT A
CERTIFIED COPY

LIVE OAK PRESERVE ASSOCIATION, INC.

EXHIBIT A

**LIVE OAK PRESERVE ASSOCIATION, INC.
RULES AND REGULATIONS GOVERNING INSPECTION
AND COPYING OF ASSOCIATION OFFICIAL RECORDS**

INSPECTION AND COPYING OF ASSOCIATION RECORDS

I. RECORDS DEFINED

The Official Records available for inspection and copying are those designated by section 720.303(4), Florida Statutes, as amended from time to time.

II. PERSONS ENTITLED TO INSPECT OR COPY

Pursuant to section 1.5 of the Bylaws of Life Oak Preserve Association, Inc., every Member and any member's authorized representative as designated in writing, (hereinafter collectively referred to as "Member") and all holders, insurers or guarantors of any first mortgage encumbering any platted lot within the SUBJECT PROPERTY shall have the right to inspect or copy the Official Records (hereinafter "Record" or "Records"), subject to the Rules and Regulations as set forth herein.

III. MAILING ADDRESS FOR RECORD REQUESTS

Requests for access to the Association's Records must be sent by certified U.S. Mail, return receipt requested, to the following address:

LIVE OAK PRESERVE ASSOCIATION, INC.
Board of Directors
c/o Janet MacNealy
4131 Gunn Hwy
Tampa, FL 33618

A request for access to the Association's Records is considered submitted on the date received by the Association if it is sent by certified U.S. Mail, return receipt requested, to the mailing address shown above. A sample request for access to the Association's Records is attached to these Rules and Regulations as **Exhibit 1**. Requests sent to anyone other than the Board of Directors in the manner specified above will not be accepted. Communications sent to the individual homes of Directors and requests submitted verbally or sent by email or facsimile will not be accepted.

THIS IS NOT A

IV. FORM OF REQUEST CERTIFIED COPY

The request for access to the Association's Records for inspection and/or copying must specifically designate the record or records to be inspected. A general request to inspect and copy the Records is not acceptable. The record to be inspected must be described with sufficient specificity as to allow the Association to locate that Record; for example, a request to review "all records relating to Association budgets" is too vague to be acceptable. However, a request to review "the Association's budget for the years 2005 through 2007" is acceptable. The request must specify all pertinent dates or time periods and shall state whether the request is for inspection, photocopies, or both. Inspection or copying of Records shall be limited to those Records specifically requested in advance, in writing.

Notwithstanding, neither the Association nor its management company shall have an obligation to locate the specific records requested. Rather, in the interest of preserving Association resources, the Board of Directors, in its sole discretion, may elect to allow a person to access all non-privileged Records and review and/or flag the same for photocopying.

Neither the Association nor its counsel will research the Records. For example, a request to "provide the maintenance bills for the five most expensive months during the past three years" would not be acceptable. A request to "provide access to all maintenance bills for the past three years" would be acceptable.

V. NO INTERPRETATION OF RECORDS

Neither the Association nor its counsel will be required to interpret any document found within the Records and need not answer questions during the course of the inspection of the Records. Questions may be submitted to the Association's Board in writing for a later response.

VI. LIMITATIONS ON REQUESTS FOR ACCESS TO OFFICIAL RECORDS:

The Association will process and respond to no more than one written request for access to Official Records in any 30-day period by any Member or by any holder, insurer or guarantor of any first mortgage encumbering any platted lot within the SUBJECT PROPERTY, and any request submitted pursuant to these Rules shall entitle a person to one 8 hour business day of inspection time.

VII. TIME FRAME FOR INSPECTION

Records shall be made available for inspection by the Association on or before the tenth (10th) business day subsequent to actual receipt by the Association of the written request for inspection. This time frame may be extended by written request of the Member. In addition, this time frame shall be extended in the event Records are so voluminous or otherwise in such condition as to render this time frame

THIS IS NOT A
CERTIFIED COPY

unreasonable. The Association shall notify the Member, by telephone, in person, or in writing, that the Records will be made available and shall state the time, date and place for such inspection.

Inspections shall be made only by appointment, during regular business hours, on weekdays. Any person entitled to inspect or copy Association Official Records under section II of these Rules is entitled to not more than 8 hours of Records inspection in any 30-day period.

VIII. REQUESTS FROM PARTIES IN LITIGATION WITH THE ASSOCIATION

Any request for access to the Records submitted by any person who is in litigation with the Association or who has threatened litigation against the Association may be referred to the Association's counsel to facilitate the inspection of records by that Member or by that Member's attorney. Other requests for inspection of Records may be referred to the Association's counsel for assistance at the request of the Board of Directors or property manager.

IX. FORM OF DOCUMENTS PRODUCED

The Association shall not be obligated to produce any document or report in a format other than the format in which the document or report is kept in the ordinary course of business. To accommodate a request for inspection, Records which are kept in an electronic form may, at the Association's election, be printed for review. Neither the Association nor its management shall be required to deliver records in any particular form.

X. DOCUMENTS NOT SUBJECT TO INSPECTION

Notwithstanding the foregoing and in accordance with section 720.303(5)(c), neither a Member nor a holder, insurer or guarantor of any first mortgage encumbering any platted lot within the SUBJECT PROPERTY shall have the right to access or inspect the following records:

- a. Any record protected by the attorney-client privilege as described in section 90.502, Florida Statutes, and any record protected by the work-product privilege, including, but not limited to, a record prepared by an Association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the Association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.
- b. Information obtained by the Association in connection with the approval of the lease, sale, or other transfer of a parcel.

THIS IS NOT A
CERTIFIED COPY

- c. Personnel records of the Association's employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an Association employee or budgetary or financial records that indicate the compensation paid to an Association employee.
- d. Medical records of parcel owners or other Members.
- e. Social security numbers, driver's license numbers, credit card numbers, electronic mailing addresses, telephone numbers, facsimile numbers, emergency contact information, any addresses for a parcel owner other than as provided for association notice requirements, and other personal identifying information of any person, excluding the person's name, parcel designation, mailing address, and property address. However, an owner may consent in writing to the disclosure of protected information described in this subparagraph. The Association is not liable for the disclosure of information that is protected under this subparagraph if the information is included in an official record of the Association and is voluntarily provided by an owner and not requested by the Association.
- f. Any electronic security measure that is used by the association to safeguard data, including passwords.
- g. The software and operating system used by the Association which allows the manipulation of data, even if the owner owns a copy of the same software used by the association.

XI. LOCATION OF INSPECTION

All inspection of Records shall be conducted at a management company's office, legal counsel's office, or at such other location as may be designated by the Association, from time to time. No portion of the Records shall be removed by the Member from the location of inspection. Any violation of this provision may result in a suspension of the right to inspect the Records.

THIS IS NOT A CERTIFIED COPY

XII. COPIES OF OFFICIAL RECORDS

If a Member desires to obtain a copy of any Record, the Member shall designate in writing which Record is desired or, during an inspection, the Member may designate such Record by use of a tab or clip upon the pages desired. Any written request shall designate the specific Record or portion thereof.

If a request is made for copies of twenty five (25) pages or less, and if the Association has a working photocopier machine available at the location where records are produced, the Association will accommodate the request for copies immediately. If a request is made for copies in excess of twenty five (25) pages, the Association may have copies made by an outside vendor or association management company personnel. Copies of more than (25) pages shall be produced within approximately ten (10) working days of receipt of the request. In the event the above referenced time frame is impracticable due to the voluminous nature or condition of the Records, then copies will be made available as soon as is practical.

If a Member desires to, the Member or his or her authorized representative may use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the Association providing the Member or his or her authorized representative with a copy of such records. The Association will not charge a fee to a member or his or her authorized representative for such use of a portable device.

The Association may impose fees to cover the costs of providing copies of the Records, including the costs of copying and the costs required for personnel to retrieve and copy the records if the time spent retrieving and copying the records exceeds one-half hour and if the personnel costs do not exceed \$20 per hour. If a Member requests copies of twenty five (25) pages or less, and such copies are produced on the Association's photocopier machine, the person requesting copies shall pay 25 cents per page for regular or legal sized photocopies. If a person requests copies of more than twenty five (25) pages and either the Association's management company personnel or an outside vendor must make the copies, then the person requesting copies shall pay the greater of 25 cents per page or the actual cost of copying. The actual cost of copying shall include all reasonable hard costs as supported by vendor invoice and an hourly rate for vendor or employee time to cover administrative costs to the vendor or Association management company. Fees for copying shall be payable in advance by cash or cashier's check.

XIII. MANNER OF INSPECTION

No written request for inspection or copying shall be made in order to harass any Member, resident or Association agent, officer, director or employee.

THIS IS NOT A CERTIFIED COPY

All persons inspecting or requesting copies of Records shall conduct themselves in a businesslike manner and shall not interfere with the operation of a management company's office, legal counsel's office, or office where the Records are otherwise inspected or copied. There may be a staff person or Board Member present to assist in or otherwise monitor the inspection. In the event that the conduct of a Member during the inspection of the Records becomes disruptive or otherwise inappropriate for the location of the inspection, the inspection may be terminated at the discretion of the Association or its agent.

No person may mark, write upon or otherwise alter any portion of the Records during an inspection of the Records. Any violation of this provision may result in a suspension of the right to inspect the Records.

XIV. REQUESTS FOR VIDEO RECORDINGS

Surveillance, security and other video recordings owned or maintained by the Association are not part of the Association's Records and the Association is not obligated under section 720.303, Florida Statutes, to maintain the same. Notwithstanding, if the Association has any such video recording in its position, the Association may, in the discretion of the Board of Directors, produce a copy of such video recording to a Member, upon receipt of a written request, submitted in the manner specified in section III above. The Association may impose a fee to cover the costs of providing a copy of any video recording. Such fee must be paid in advance by cash or cashier's check.

XV. ENFORCEMENT OF INSPECTION AND COPYING RULES

Any violation of these rules may cause the immediate suspension of the inspection or copying until such time as the violator agrees in writing to comply herewith. Any written requests for inspection or copying that does not comply with these rules shall not be honored. The Board of Directors may take any available legal action to enforce these rules.

THIS IS NOT A CERTIFIED COPY

REQUEST FOR INSPECTION/PHOTOCOPYING OF OFFICIAL RECORDS OF LIVE OAK PRESERVE ASSOCIATION, INC.

TO: BOARD OF DIRECTORS

RE: REQUEST FOR INSPECTION and/or PHOTOCOPY OF OFFICIAL RECORDS

Pursuant to the policy contained in the Rules and Regulations Governing Inspection and Copying of Official Records, I hereby request that (check one or both):

_____ the following Records be made available for my inspection.

_____ the following Records be photocopied and produced to me.

Records Requested: (Attach additional pages if necessary)

- 1.
- 2.
- 3.
- 4.
- 5.

I understand that photocopies will not be produced to me unless I submit payment for the same Pursuant to Section XII of the Rules and Regulations Governing Inspection and Copying of Association Official Records. Enclosed herewith is cash or a cashier's check in the amount of \$_____. If additional funds are necessary, payment will be made before the Records are released. Additionally, if the costs levied by the Association for photocopying are less than tendered herewith, the Association will refund the difference.

Date: _____

Member

Address

Telephone number

Email

EXHIBIT "1"