Section HIDDEN TRAILS - Sample Provision Excerpt (Public Preview)

HIDDEN TRAILS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS 4872-6375-7271v.2 55663-271 Shelley Coston, Bell County TX Clerk on the entry door or door frame of the residence, does not exceed twenty-five (25) square inches;
(vii) permits as may be required by legal proceedings; and (vili) permits as may be required by any governmental entily.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING — BOARD & COUNSEL REVIEW

Sec. HIDDEN TRAILS (p. 22): Clause restricts religious displays using the repealed 25-square-inch front-door cap or prohibits religious items in violation of Tex. Prop. Code § 202.018 (SB 1588).

Statutory / Legal Reference: Tex. Prop. Code § 202.018 (SB 1588)

Statutory Comparison: Effective September 1, 2021, SB 1588 amended Tex. Prop. Code § 202.018 to expand protection for religious items displayed or affixed on the owner's or resident's property or dwelling (not solely the front entry door) and repealed the former 25-square-inch size limitation. Covenants restricting religious displays are unenforceable unless the display threatens public health or safety, violates a law other than a prohibition against religious speech, contains patently offensive language/graphics, or is installed on common property.

CURRENT WORDING IN DOCUMENT:
HIDDEN TRAILS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS 4872-6375-7271v.2 55663-271 Shelley Coston, Bell County TX Clerk on the entry door or door frame of the residence, does not exceed twenty-five (25) square inches;
(vii) permits as may be required by legal proceedings; and (vili) permits as may be required by any governmental entily.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
**HIDDEN TRAILS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS 4872-6375-7271v.2 55663-271 Shelley Coston, Bell County TX Clerk on the entry door or door frame of the residence, does not exceed twenty-five (25) square inches;
(vii) permits as may be required by legal proceedings; and (vili) permits as may be required by any governmental entily. An Owner or Resident will be permitted to post a "no soliciting" and "security warning" sign near or on the front door to their residence, provided, that the sign may not exceed twentyfi [SAMPLE DISCUSSION WORDING - FOR TEXAS HOA COUNSEL REVIEW]: Pursuant to Tex.**