

Section Clause #1 - Sample Provision Excerpt (Public Preview)

3/13
#21483
HIGHLAND PRAIRIE ESTATES PHASE III
SUBDIVISION RESTRICTIONS
KAUFMAN COUNTY, TEXAS
THE STATE OF TEXAS

ISSUE #1

KAUFMAN

KNOW ALL MEN BY THESE PRESENTS: that COUNTRYSIDE HIGHLAND PRAIRE IE, L.P., being the fee simple owner of the real property situated in Kaufman County, Texas being described by faetes and bounds in the Plat of Highland Prairie...

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: Governing document bundle authorizes fines but lacks or fails to reference the mandatory recorded Enforcement Policy & Schedule of Fines required by Tex. Prop. Code § 209.0061 (HB 614) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

Statutory / Legal Reference: Tex. Prop. Code § 209.0061 (HB 614)

Statutory Comparison: Effective January 1, 2024, HB 614 enacted Tex. Prop. Code § 209.0061, requiring every subdivision HOA with fining authority to adopt, record, and post/distribute an enforcement policy that enumerates each general category of restrictive covenants for which the association may assess a fine and a specific schedule of fines for each category.

CURRENT WORDING IN DOCUMENT:

3/13 #21483 HIGHLAND PRAIRIE ESTATES PHASE III SUBDIVISION RESTRICTIONS KAUFMAN COUNTY, TEXAS THE STATE OF TEXAS COUNTY OF KAUFMAN KNOW ALL MEN BY THESE PRESENTS: that COUNTRYSIDE HIGHLAND PRAIRE IE, L.P., being the fee simple owner of the real property situated in Kaufman County, Texas being described by faetes and bounds in the Plat of Highland Prairie...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: Adopt, record in the county real property records, and post on the Association website a compliant Fining & Enforcement Policy containing the schedule of fines by...