

Section 1 - Sample Provision Excerpt (Public Preview)

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FileNo.
000035563{>
County Clerk, Aransas County, Texas
THE STATE OF TEXAS
COUNTY OF ARANSAS
ISSUE #1
KEY ALLEGRO ISLAND ESTATES SUBDIVISION UNIT I
AMENDED AND RESTATED DEED RESTRICTIONS, COVENANTS AND CONDITIONS
This instrument relates to that certain plat known as "KEY ALLEGRO ISLAND
ESTATES SUBDIVISION, UNIT I," Block 1 through 5, dated July 26, 1962, and...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): 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).

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:

, . FileNo. 000035563{> County Clerk, Aransas County, Texas THE STATE OF TEXAS
COUNTY OF ARANSAS KEY ALLEGRO ISLAND ESTATES SUBDIVISION UNIT I
AMENDED AND RESTATED DEED RESTRICTIONS, COVENANTS AND CONDITIONS This
instrument relates to that certain plat known as "KEY ALLEGRO ISLAND ESTATES
SUBDIVISION, UNIT I," Block 1 through 5, dated July 26, 1962, and...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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 covenant category pursuant to Tex. Prop. Code § 209.0061 (HB 614).