



Section DESCRIPTION OF AND RECORDTNG DATA FOR RECORDED EASEMENTS, - Sample Provision Excerpt (Public

DESCRIPTION OF AND RECORDTNG DATA FOR RECORDED EASEMENTS, AND LICENSES APPURTENANT TO OR INCLUDED TN THE CONDOMINIUM OR TO WHICH ANY PORTION OF THE CONDOMINIUM IS OR MAY BECOME SUBJECT BY RESERVATION IN THIS DECLARATION: See Exhibit "E" attached hereto and incorporated herein for all purposes. 11.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · GOVERNANCE & VOTING CONTROL RISK

BOARD & COUNSEL REVIEW

Sec. DESCRIPTION OF AND RECORDTNG DATA FOR RECORDED EASEMENTS, (p. 7): Declaration amendment provision requires 75% owner approval, exceeding the standard 67% statutory baseline in Tex. Prop. Code § 82.067.

Statutory / Legal Reference: Tex. Prop. Code Ch. 209 (Texas Residential Property Owners Protection Act) & 22 TAC § 535.401 (TREC Management Certificate Rules); Tex. Bus. Orgs. Code Ch. 22 (Nonprofit Corporations)

Statutory Comparison: Under Tex. Prop. Code § 82.067(a) (TUCA), a condominium declaration may be amended by a vote of at least 67% of the votes in the association unless a higher percentage is required for non-residential units or specific unanimous consent protections apply under § 82.067(e).

CURRENT WORDING IN DOCUMENT:
DESCRIPTION OF AND RECORDTNG DATA FOR RECORDED EASEMENTS, AND LICENSES APPURTENANT TO OR INCLUDED TN THE CONDOMINIUM OR TO WHICH ANY PORTION OF THE CONDOMINIUM IS OR MAY BECOME SUBJECT BY RESERVATION IN THIS DECLARATION: See Exhibit "E" attached hereto and incorporated herein for all purposes. 11.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
DESCRIPTION OF AND RECORDTNG DATA FOR RECORDED EASEMENTS, AND LICENSES APPURTENANT TO OR INCLUDED TN THE CONDOMINIUM OR TO WHICH ANY PORTION OF THE CONDOMINIUM IS OR MAY BECOME SUBJECT BY RESERVATION IN THIS DECLARATION: See Exhibit "E" attached hereto and incorporated herein for all purposes. 11. METHODS FOR AMENDING THE DECLARATION: See Section 2.4 and Article Ten of the Declaration, as well...