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

10584
FIRST AMENDED DECLARATION OF COVENANTS. CONDITIONS
AND RESTRICTIONS FOR MEADOWLAKES SUBDIVISI.
BURNET COUNTY, TEXAS
PREAMBLE
This first

ISSUE #1

claration of Covenants, Conditions and Restrictions for
M"adowiake Subdivision, Bumet County, Texas, is made on the 9th
day of
October
- 1999, al Meadowlakes, Texas, by the MEADOWLAKES PROPERTY
OWNERS ASSOCIATION, INC., a nonprofit Texas corporation ("MEADOWLAKES POA")
its nailing address being 177 Broadmoor, Meadowlakes, Texas 78654.

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION — BOARD & COUNSEL REVIEW

Sec. Clause #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:
10584 FIRST AMENDED DECLARATION OF COVENANTS. CONDITIONS AND RESTRICTIONS FOR MEADOWLAKES SUBDIVISI. BURNET COUNTY, TEXAS PREAMBLE This first Amended Declaration of Covenants, Conditions and Restrictions for M"adowiakes Subdivision, Bumet County, Texas, is made on the 9th day of October - 1999, al Meadowlakes, Texas, by the MEADOWLAKES PROPERTY OWNERS ASSOCIATION, INC., a nonprofit Texas corporation ("MEADOWLAKES POA") its nailing address being 177 Broadmoor, Meadowlakes, Texas 78654.

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).