

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

Kaufman County
Laura Hughes
County Clerk
Instrument Number: 2023-0001230
Billable Pages: 129
Number of Pages: 130

ISSUE #1

FILED AND RECORDED- REAL RECORDS

n:
01/13/2023 at 10:50 AM
Document Number: 2023-0001230
Receipt No:
23-1194
Amount:
\$
\$3800
Vol/Pg:
V:7950 P:323

CLERKS COMMENTS
E-RECORDNG
STATE OF TEXAS
COUNTY OF KAUFMAN
T herehy certify that this instrument...

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: Uploaded documents do not include recorded Alternative Payment Plan Policy (minimum 3-month to 18-month term) required for Texas associations with more than 14 lots under Tex. Prop. Code § 209.0062 - look for this language in other governing documents, standalone board policies/resolutions, Rules & Regulations, or amendments that were not included in this review (and confirm any applicable statutory threshold).

Statutory / Legal Reference: Tex. Prop. Code § 209.0062

Statutory Comparison: Under Tex. Prop. Code § 209.0062, a property owners' association composed of more than 14 lots must adopt and record reasonable guidelines to establish an alternative payment schedule by which an owner may make partial payments for delinquent regular or special assessments without accruing additional monetary penalties (with a minimum payment plan term of 3 months).

CURRENT WORDING IN DOCUMENT:

Kaufman County Laura Hughes County Clerk Instrument Number: 2023-0001230 Billable Pages: 129 Number of Pages: 130 FILED AND RECORDED- REAL RECORDS n: 01/13/2023 at 10:50 AM Document Number: 2023-0001230 Receipt No: 23-1194 Amount: \$ \$3800 Vol/Pg: V:7950 P:323 CLERKS COMMENTS E-RECORDNG STATE OF TEXAS COUNTY OF KAUFMAN T herehy certify that this instrument...

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 and record in the county real property records a statutory Alternative Payment Plan Policy providing a minimum three (3) month payment schedule in accordance...