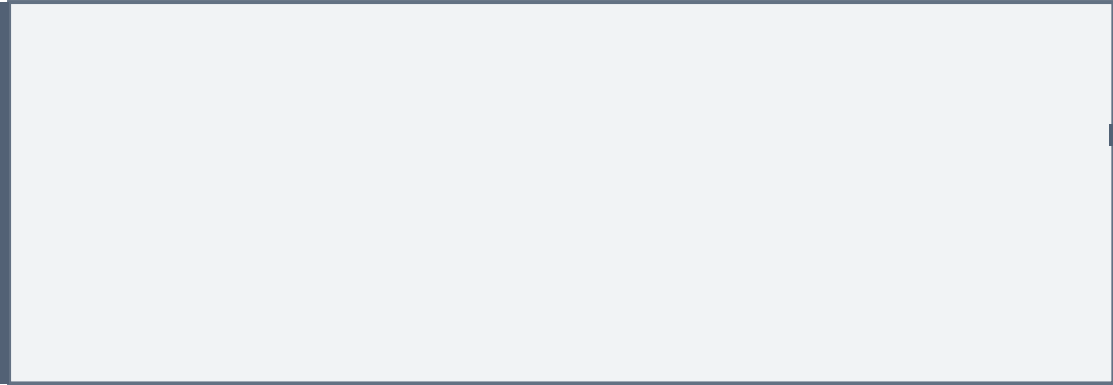


Section 2. - Sample Provision Excerpt (Public Preview)

SIGNS. No sign of any kind shall be displayed to the public view on any Lot, except one professional sign of not more than one square one sign of not more than five (5) advertising the lot for sale, or signs used by builder to advertise the Lot during construction and sales period. For rent or for lease signs are strictly prohibited.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 2. (p. 3): Declaration amendment provision requires 75% approval, which is overridden and capped at 67% of total allocated votes by Tex. Prop. Code § 209.0041(h-1).

Statutory / Legal Reference: Tex. Prop. Code § 209.0041(h)-(h-1)
Statutory Comparison: Under Tex. Prop. Code §§ 202.012, 202.018; Tex. Elec. Code § 259.002; 4 U.S.C. § 5, associations may not prohibit the display of the United States flag (4 U.S.C. § 5) or enforce blanket bans on residential yard signs that fail to carve out statutorily protected political election signs, religious door displays, or owner "For Sale/For Lease" signs where preempted by TX statute.

CURRENT WORDING IN DOCUMENT:
SIGNS. No sign of any kind shall be displayed to the public view on any Lot, except one professional sign of not more than one square one sign of not more than five (5) advertising the lot for sale, or signs used by builder to advertise the Lot during construction and sales period. For rent or for lease signs are strictly prohibited.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Amend Section 13. to carve out statutorily protected political signs during election periods, U.S./State/Military flags under 4 U.S.C. § 5, and religious displays in accordance with Tex. Prop. Code §§ 202.012, 202.018; Tex. Elec. Code § 259.002; 4 U.S.C. § 5.