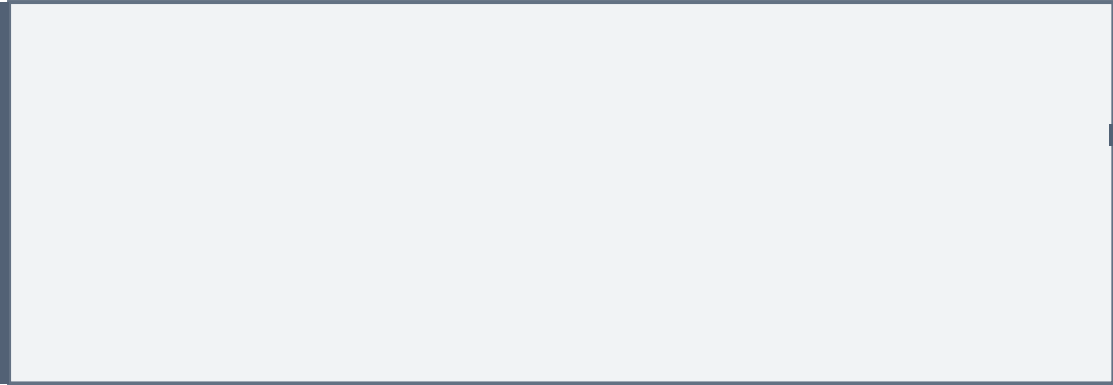


Section 3. - Sample Provision Excerpt (Public Preview)

Subject to applicable laws pertaining to same, no pole/mast, antenna, radio, television, satellite dish or other aerial shall be erected or maintained on any Lot except as approved by the ACC.
(r) No Residence containing less than an attached, two-vehicle garage shall be constructed upon any Lot.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 3. (p. 12): 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: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:

Subject to applicable laws pertaining to same, no pole/mast, antenna, radio, television, satellite dish or other aerial shall be erected or maintained on any Lot except as approved by the ACC.
(r) No Residence containing less than an attached, two-vehicle garage shall be constructed upon any Lot.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Subject to applicable laws pertaining to same, no pole/mast, antenna, radio, television, satellite dish or other aerial shall be erected or maintained on any Lot except as approved by the ACC.
(r) No Residence containing less than an attached, two-vehicle garage shall be constructed upon any Lot.