

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

DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
SOUTH OAK GROVE ESTATES
ITARRANT COUNTY, TEXASI
Declarant:
LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., a Texas

ISSUE #1 Partnership

This Declaration of Covenants, Conditions and Restrictions may be used only in connection with the residential
community known as South Oak Grove Estates in...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Governing documents omit the mandatory 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.

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:

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SOUTH OAK GROVE ESTATES ITARRANT COUNTY, TEXASI Declarant: LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., a Texas limited partnership This Declaration of Covenants, Conditions and Restrictions may be used only in connection with the residential community known as South Oak Grove Estates in...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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 with Tex. Prop. Code § 209.0062.