

Section 1 - Sample Provision Excerpt (Public Preview)

AFTER RECORDING, PLEASE RETURN TO:

Ross Anthony

AP Saratoga LLC

12770 Coit Rd, Ste 970

Dallas, Texas 75251

SECOND AMENDMENT TO

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

SPRINGSIDE ESTATES

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPRINGSIDE ESTATES (this "Second Amendment") is made as of the 20#day of September, 2022, by AP Saratoga LLC, a Texas limited liability company (the "Declarant").

WHEREAS, Declarant entered into that certain Declaration of...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 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:

AFTER RECORDING, PLEASE RETURN TO: Ross Anthony AP Saratoga LLC 12770 Coit Rd, Ste 970 Dallas, Texas 75251 SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPRINGSIDE ESTATES THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SPRINGSIDE ESTATES (this "Second Amendment") is made as of the 20#day of September, 2022, by AP Saratoga LLC, a Texas limited liability company (the "Declarant"). WHEREAS, Declarant entered into that certain Declaration of...

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).