

Section 1 - Sample Provision Excerpt (Public Preview)

RF*2022-11622
01/06/2022
RP2
\$46.00
Parcel 6C2-16
RIGHT OF WAY AND EASEMENT AGREEMENT

ISSUE #1

THE STATE OF TEXAS
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS
§
§
THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00)
and other good and valuable consideration, the receipt and sufficiency of which are hereby
acknowledged, VILLAGE CREEK...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 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:

RF*2022-11622 01/06/2022 RP2 \$46.00 Parcel 6C2-16 RIGHT OF WAY AND EASEMENT AGREEMENT THE STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS: COUNTY OF HARRIS § § THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, VILLAGE CREEK...

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.