

Section 1 - Sample Provision Excerpt (Public Preview)

2021020760 8 PGS RESTR
BION WILL
FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
ON AND FOR
LOTS 211-222, 225-248, 251-274, 277-280 AND 283-288,

ISSUE #1

A SUBDIVISION IN LUBBOCK COUNTY, TEXAS
STATE OF TEXAS
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF LUBBOCK 8
WHEREAS, pursuant to the Declaration of Covenants, Conditions...

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:

2021020760 8 PGS RESTR BION WILL FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ON AND FOR LOTS 211-222, 225-248, 251-274, 277-280 AND 283-288, VIRIDIAN, A SUBDIVISION IN LUBBOCK COUNTY, TEXAS STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS: COUNTY OF LUBBOCK 8 WHEREAS, pursuant to the Declaration of Covenants, Conditions...

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.