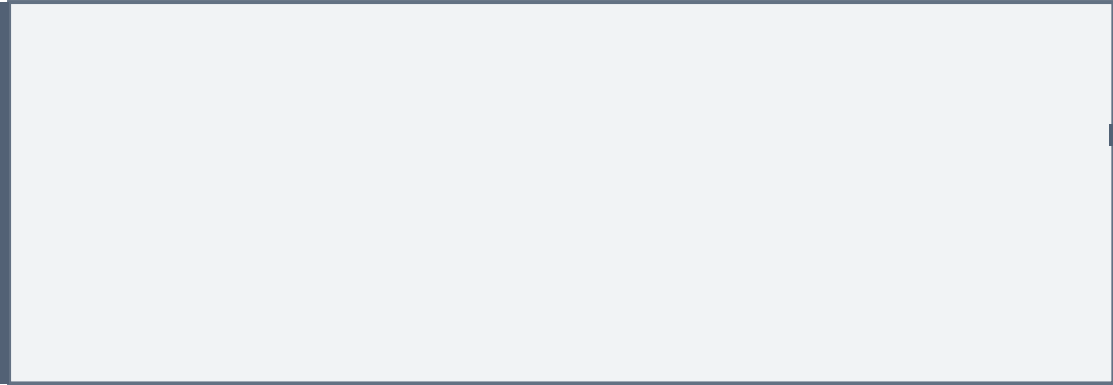


Section SECOND AMENDMENT TO THE DECLARATION - Sample Provision Excerpt (Public Preview)

passerby for reasons other than its religious content;
is located in violation of any applicable building line, right-of-way, setback,
or easement; or
is attached to a traffic control device, street lamp, fire hydrant, or utility sign,
pole, or fixture.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. SECOND AMENDMENT TO THE DECLARATION (p. 12): Clause restricts religious displays using the repealed 25-square-inch front-door cap or prohibits religious items in violation of Tex. Prop. Code § 202.018 (SB 1588).

Statutory / Legal Reference: Tex. Prop. Code § 202.018 (SB 1588)
Statutory Comparison: Effective September 1, 2021, SB 1588 amended Tex. Prop. Code § 202.018 to expand protection for religious items displayed or affixed on the owner's or resident's property or dwelling (not solely the front entry door) and repealed the former 25-square-inch size limitation.

CURRENT WORDING IN DOCUMENT:
passerby for reasons other than its religious content; is located in violation of any applicable building line, right-of-way, setback, or easement; or is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WINDHAVEN CROSSING
(c) (d)
(e) contain language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content; is located in violation of any applicable building line, right-of-way, setback, or easement; or is attached to a traffic control device, street lamp, fire...