

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

Book 17779 Page 1236 3pgs
Doc# 20160060473
FIRST AMENDMENT TO THE
DECLARATION OF ANNEXATION FOR
WOODS OF PROVIDENCE
STATE OF TEXAS

ISSUE #1

KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR
The Declaration of Annexation for Woods of Providence Subdivision, recorded at
Volume 16635, Page 2159, Official Public Records of Real Property of Bexar County, Texas
(hereinafter,

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. Clause #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:

Book 17779 Page 1236 3pgs Doc# 20160060473 FIRST AMENDMENT TO THE DECLARATION OF ANNEXATION FOR WOODS OF PROVIDENCE STATE OF TEXAS
KNOW ALL MEN BY THESE PRESENTS: COUNTY OF BEXAR The Declaration of Annexation for Woods of Providence Subdivision, recorded at Volume 16635, Page 2159, Official Public Records of Real Property of Bexar County, Texas (hereinafter...

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).