

PROPERTY CODE

CHAPTER 205. RESTRICTIVE COVENANTS APPLICABLE TO REVISED
SUBDIVISIONS IN CERTAIN COUNTIES

Sec. 205.001. DEFINITIONS. In this chapter:

(1) "Restrictions" and "subdivision" have the meanings assigned by Section 201.003.

(2) "Property owners' association" has the meaning assigned by Section 202.001.

Added by Acts 1995, 74th Leg., ch. 1040, Sec. 3, eff. Aug. 28, 1995.
Amended by Acts 1997, 75th Leg., ch. 451, Sec. 4, eff. Sept. 1, 1997.

Sec. 205.002. APPLICABILITY. This chapter applies only to a county with a population of 65,000 or more.

Added by Acts 1995, 74th Leg., ch. 1040, Sec. 3, eff. Aug. 28, 1995.

Sec. 205.003. RESTRICTIONS APPLICABLE TO REVISED SUBDIVISIONS. (a) If all or part of a subdivision plat is revised to provide for another subdivision of land within all or part of the earlier subdivision, the restrictions that apply to the subdivision before the revision apply to the newly created subdivision.

(b) The property owners of the newly created subdivision must comply with the petition procedures prescribed by Chapter 204 to modify the restrictions.

Added by Acts 1995, 74th Leg., ch. 1040, Sec. 3, eff. Aug. 28, 1995.

Sec. 205.004. AMENDMENT OF RESTRICTIONS BY GOVERNING BODY OF PROPERTY OWNERS' ASSOCIATION. (a) The governing body of a property owners' association may amend the restrictions for the limited purpose of complying with United States Department of Housing and Urban Development or United States Department of Veterans Affairs requirements for subdivision property to qualify for insured or guaranteed mortgage loans.

(b) An amendment adopted under this section must:

(1) indicate that the amendment is adopted under authority of this section by specifically referencing this section;

(2) be signed by a majority of the governing body; and

(3) be filed in the real property records of the county in which the subdivision is located.

Added by Acts 1997, 75th Leg., ch. 451, Sec. 5, eff. Sept. 1, 1997.