INDEX

ABATEMENT
Mechanic’s and materialman’s liens, § 11.123

ABSTRACTS
Brokers and salespersons, notice to buyer regarding necessity, § 3.19
Sale of property, §§ 6.71, 6.113
Title insurance, §§ 8.47-8.50

ACCELERATION
Executory contracts, §§ 7.04, 7.05
Landlord and tenant, § 16.384
Mortgages and deeds of trust, §§ 10.70-10.72, 10.83, 10.88

ACCEPTANCE
Leases, § 16.16
Option contracts, § 4.04

ACCESS ROADS
Subdivisions, § 14.70

ACCOUNTING PARTNERSHIPS
Landlord and tenant, § 16.419

ACKNOWLEDGMENTS
Contracts and Agreements, this index
Sale of property, § 6.15

ADDITIONAL RENT
Landlord and tenant, §§ 16.76 et seq.

ADJOURNMENT
Sale of property, closing date, § 6.103

ADJUSTABLE MORTGAGE LOANS
Title insurance, § 8.15

ADJUSTMENTS
Closing transactions, computation, § 8.77

ADMINISTRATORS
Certificate of acknowledgment, §§ 2.83, 2.84
Deed in performance of decedent’s contract, § 9.87

ADVANCEMENTS
Mortgages and deeds of trust, § 10.26

ADVERSE POSSESSION
Title insurance, §§ 8.71, 8.72

ADVERTISEMENTS
Landlord and tenant, § 16.158

AFTER-ACQUIRED PROPERTY
Durable powers of attorney, § 2.19

AGENCY
Brokers and salespersons, § 3.02
INDEX

AGREEMENTS
Contracts and Agreements, this index

AGRICULTURE
Farms, this index

AIR CONDITIONING
Landlord and tenant, §§ 16.108 et seq., 16.260

ALIENS
Capacity to contract, § 2.10

ALTERATIONS
Landlord and Tenant, this index

ALTERNATIVE DISPUTE RESOLUTION
Residential Property Owners’ Protection Act, § 14.55

AMENDMENT
Timeshares, registration of, § 13.35

ANIMALS
Landlord and tenant, §§ 16.290-16.292

ANNULMENT OF MARRIAGE
Durable powers of attorney, § 2.25

APARTMENTS
Landlord and Tenant, this index

APPLIANCES
Mortgages and deeds of trust, § 10.44

APPRAISERS AND APPRAISALS
Generally, §§ 3.31 et seq.
Certification requirements, §§ 3.33, 3.34, 3.36
Complaint process, information about, § 3.72
Condominiums, § 12.54
Definitions, § 3.32
Endorsement on appraisal, § 3.35
Enforcement of certification and licensing requirements, § 3.36
Landlord and Tenant, this index
Licensing requirements, §§ 3.33, 3.34, 3.36, 3.71
Liens. Brokers and Salespersons, this index
Misrepresentation of appraisal credentials, § 3.34
Mortgages and deeds of trust, §§ 10.09 et seq., 10.125-10.129
Request for license or registration history, § 3.71
Signature on appraisal, § 3.35

APPROVAL
Consent or Approval, this index

ARBITRATION
Landlord and Tenant, this index
Partition, § 5.19

ARCHITECTS
Construction Contracts, this index
Deed restrictions, architectural approval for improvements, § 14.91
Mechanic’s and materialman’s liens, indemnification, § 11.129

ARMED FORCES
Certificate of acknowledgment, § 2.90
Persons authorized to take proofs of written instruments, § 2.48

ARTICLES OF INCORPORATION
Condominiums, unit owners’ associations, § 12.42
Deed restrictions, property owners’ association, § 14.84
INDEX

AS IS SALE
Generally, §§ 6.10, 6.101

ASSESSMENTS
Mortgages and deeds of trust, § 10.26
Sale of property, §§ 6.112, 6.118

ASSIGNMENTS
Landlord and Tenant, this index
Mortgages and Deeds of Trust, this index
Option contracts, §§ 4.05, 4.14
Sale of property, §§ 6.16, 6.134, 6.135

ATTORNEYS
Brokers and salespersons, unauthorized practice of law, § 3.15
Contracts and Agreements, this index
Fees. Attorney’s Fees, this index
Landlord and tenant, law partnerships, § 16.419

ATTORNEY’S FEES
Landlord and tenant, payment by lessee, § 16.445
Mechanic’s and materialman’s liens, §§ 11.47, 11.118
Mortgages and deeds of trust, § 10.26
Residential Property Owners’ Protection Act, § 14.56

BAD FAITH
Durable powers of attorney, § 2.21

BALLOON MORTGAGES
Title insurance, § 8.19

BANKRUPTCY
Landlord and tenant, § 16.341
Timeshares, § 13.05

BAY FRONT PROPERTY
Deeds, exception for sovereign rights, § 9.63

BEAUTY SALON
Landlord and tenant, exclusion of competitors, § 16.171

BLIND PERSONS
Contracts and agreements, § 2.92

BONDS
Construction contracts, §§ 11.137, 11.139
Mechanic’s and Materialman’s Liens, this index
Title insurance, § 8.55

BOOT
Exchange of real property, § 5.16

BOUNDARY LINE AGREEMENT
Deeds, § 9.83

BRICK WORKS
Landlord and tenant, description of premises, § 16.40

BROADCASTING
Landlord and tenant, exclusion of competitors, § 16.177

BROKERS AND SALESPERSONS
Generally, §§ 3.01 et seq., 3.37 et seq., 3.60 et seq.
Abstract, notice to buyer regarding necessity for, § 3.19
Acting as broker or salesperson, what constitutes, § 3.13
Agency, applicability of law of, § 3.02
Broker, defined, § 3.05
Brokerage commissions, §§ 3.24-3.26
INDEX

BROKERS AND SALESPERSONS—Continued
Certificate holder, defined, § 3.06
Closing of sale, payment of commission at, §§ 3.26, 3.64
Compensation, §§ 3.22 et seq.
Complaint process, information about, § 3.72
Definitions, §§ 3.04 et seq.
Developer and broker, agreement between, § 3.67
Discharge of right to lien, § 3.41
Disclosure of representation, §§ 3.17, 3.18
Division of commission between brokers, § 3.65
Easements and rights of way, notice concerning, § 3.73
Enforcement of lien by suit for foreclosure, § 3.48
Exchange of real property, use of TREC forms, § 5.05
Exclusive agent contracts, §§ 3.30, 3.62
Exemptions from license requirement, § 3.14
Inception of lien, § 3.45
Information about brokerage services, § 3.61
Intermediary between parties, acting as, §§ 3.20, 3.21
Landlord and tenant, § 16.133
Law, unauthorized practice of, § 3.15
License holder, defined, § 3.07
License requirements, §§ 3.12-3.14, 3.71
Liens
   Generally, §§ 3.37 et seq.
   Applicability of lien provisions, § 3.38
   Commercial real estate, §§ 3.40, 3.41
   Commissions, when payable, § 3.39
   Contents of notice of lien, § 3.43
   Enforcement of lien by suit for foreclosure, § 3.48
   Inception of lien, § 3.45
   Notice of filing notice of lien, § 3.44
   Notice of lien, §§ 3.42 et seq.
   Priority of liens, §§ 3.46, 3.47
   Procedure for filing notice of lien, §§ 3.42 et seq.
   Subordination of lien, § 3.47
   Waiver and discharge of right to lien, § 3.41
Multiple listing service, authorization to employ, § 3.66
Non-exclusive brokerage contracts, § 3.28
Notice of lien, §§ 3.42 et seq.
Option contracts, use of TREC forms, § 4.06
Priority of liens, §§ 3.46, 3.47
Real estate, defined, § 3.08
Reimbursement by Real Estate Recovery Fund, § 3.03
Request for license or registration history, § 3.71
Residential rental locator, defined, § 3.09
Sale of property, use of TREC forms, § 6.27
Salesperson, defined, § 3.10
Sole agent brokerage contracts, §§ 3.29, 3.63
Subagent, defined, § 3.11
Subordination of lien, § 3.47
Title policy, notice to buyer regarding necessity for, § 3.19
TREC forms, §§ 3.16, 3.60 et seq.
Types of brokerage contracts, §§ 3.27-3.30
Waiver of right to lien, § 3.41
Written memorandum, recovery of sales commission contingent on, § 3.23
Written statement of representation, § 3.18

BUILDING CODES
Condominiums, § 12.05

BUILDING LOANS
Mechanic's and Materialman's Liens, this index
INDEX

BYLAWS
Condominiums, §§ 12.17, 12.40, 12.41
Deed restrictions, property owners’ association, § 14.85
Timeshares, council of purchasers, § 13.39

CANCELLATION
Condominium purchase, § 12.23
Landlord and Tenant, this index
Subdivisions, § 14.22
Timeshares, §§ 13.23, 13.24, 13.26

CAPACITY TO ENTER INTO CONTRACT
Contracts and Agreements, this index

CAPTIONS
Leases, § 16.446

CARPETING
Landlord and tenant, § 16.243

CERTIFICATE OF OCCUPANCY
Landlord and tenant, commencement of term, § 16.50

CERTIFICATION
Appraisers, §§ 3.33, 3.34, 3.36

CERTIFIED MAIL
Landlord and tenant, notices, § 16.431

CIGAR STORE
Landlord and tenant, exclusion of competitors, § 16.175

CIGARETTE VENDING MACHINE
Landlord and tenant, § 16.32

CLEANING
Landlord and tenant, §§ 16.226, 16.227

CLOSING TRANSACTIONS
Generally, §§ 8.01 et seq., 9.01 et seq., 10.01 et seq.
Adjustments, computation of, § 8.77
Borrower’s statement, § 8.92
Brokers and salespersons, payment of commission, §§ 3.26, 3.64
Checklists, §§ 8.82, 8.83
Closing data, § 8.88
Closing statement, §§ 8.86, 8.87
Deeds, this index
Deeds of trust. Mortgages and Deeds of Trust, this index
Delivery of closing documents, § 8.81
Disbursements, attorney’s statement of, § 8.89
Escrow, transfer of amount held in, § 8.78
HUD disclosure settlement statement, § 8.96
Insurance, transfer of funds in escrow to pay, § 8.78
Mortgages and Deeds of Trust, this index
Persons present at closing, § 8.80
Post-closing responsibilities, §§ 8.84, 8.85
Preparation for closing, §§ 8.77 et seq.
Purchaser’s statement, § 8.93
Real Estate Settlement Procedures Act, § 8.95
Receipts, attorney’s statement of, § 8.89
Seller’s statement, § 8.94
Taxes, transfer of funds in escrow to pay, § 8.78
Title Insurance, this index
Uniform closing and settlement statements, § 8.91
Verification of services rendered, § 8.90
INDEX

COASTAL PROPERTY
Sale of property, §§ 6.28, 6.32, 6.33, 6.75

COLLECTION OF DEBTS
Durable powers of attorney, § 2.64

COLLECTION OF RENT
Durable powers of attorney, § 2.63

COMMERCIAL DEVELOPMENTS
Shopping Centers and Commercial Developments, this index

COMMERCIAL FRUSTRATION
Lease, termination of, § 16.410

COMMERCIAL LEASES
Landlord and Tenant, this index

COMMISSIONER OF GENERAL LAND OFFICE
Certificate of acknowledgment, § 2.87

COMMISSIONS
Brokers, §§ 3.24-3.26
Sale of property, real estate agent, § 6.127

COMMITMENT
Mortgages and deeds of trust, § 10.18
Title insurance, §§ 8.05, 8.45

COMMON AREAS
Condominiums, §§ 12.09, 12.10, 12.28, 12.39
Subdivisions, §§ 14.73, 14.74

COMMON LAW
Deeds, §§ 9.05, 9.22

COMMUNITY PROPERTY
Contracts and agreements, authority of spouse, § 2.08
Partition, §§ 5.23, 5.24

COMPENSATION
Brokers and Salespersons, this index

COMPETITION
Landlord and Tenant, this index

CONDEMNATION
Eminent Domain, this index

CONDITIONS SUBSEQUENT
Deeds, §§ 9.13, 9.68

CONDOMINIUMS
Generally, §§ 12.01 et seq.
Addendum to mortgage, § 12.46
Addendum to sales contract, § 12.44
Appraisal report, FNMA, § 12.54
Articles of incorporation for unit owners' association, § 12.42
Building codes, application of, § 12.05
Bylaws, §§ 12.17, 12.40, 12.41
Cancellation of condominium purchase by purchaser, § 12.23
Cash deed, § 12.45
Common elements, §§ 12.09, 12.10, 12.28, 12.39
Consent of mortgagor to declaration of condominium, § 12.33
Contents of condominium information statement, § 12.21
Covenants, § 12.34
Creation by recording declaration, §§ 12.06, 12.07
Deeds
INDEX

CONDOMINIUMS—Continued
Deeds—Continued
   Cash deed, § 12.45
   Requirements, §§ 12.27, 12.28
   Warranty deed, § 12.53
Definition of condominium, § 12.03
Description of property, §§ 12.08, 12.29
Disclosure provisions, §§ 12.19 et seq.
Easement rights of condominium declarant, §§ 12.14, 12.15
Federal law, § 12.30
FHA financing, resale contract, § 12.51
Insurance risk, use of condominium, § 12.37
Leasehold condominium, declaration for, § 12.13
Liens, §§ 12.18, 12.47
Limited common elements, § 12.10
Long form declaration, § 12.32
Management of real property, § 17.12
Mortgage, addendum to, § 12.46
1994, Condominium Act for condominiums created before, §§ 12.24 et seq.
1993, Uniform Condominium Act for condominiums created after, §§ 12.02 et seq.
Notice of lien, § 12.48
Nuisances, prohibition of, § 12.36
Obstruction of common elements, § 12.39
Ordinances, application of, § 12.05
Plats and plans, § 12.11
Preparation of condominium information statement, § 12.20
Recording of declaration, creation by, §§ 12.06, 12.07
Regulations, application of, § 12.05
Release of lien, § 12.49
Renovation of condominium, § 12.38
Resales
   Certificate, § 12.52
   Contracts, TREC forms, §§ 12.50, 12.51
   Disclosure provisions, § 12.22
Restrictions, § 12.34
Sales contract, §§ 12.43, 12.44
Secured lenders, protection of, § 12.12
Separate titles and taxation, § 12.04
Short form declaration, § 12.31
Taxation, separate, § 12.04
Termination of contracts and leases by declarant, § 12.16
Titles, separate, § 12.04
Transfer of easement rights of condominium declarant, § 12.15
Uniform Condominium Act, §§ 12.02 et seq.
Unlawful use, prohibition of, § 12.35
VA financing, resale contract, § 12.51
Warranty deed, § 12.53

CONFECTIONERY STORE
Landlord and tenant, exclusion of competitors, § 16.176

CONSENT OR APPROVAL
Condominium, declaration of, § 12.33
Landlord and Tenant, this index
Subdivisions, §§ 14.11, 14.12, 14.14, 14.21, 14.65

CONSIDERATION
Option contracts, § 4.02

CONSOLIDATION AGREEMENT
Mortgages and deeds of trust, § 10.103

CONSTRUCTION CONTRACTS, § 11.02
   Generally, §§ 11.01 et seq., 11.130 et seq.
INDEX

CONSTRUCTION CONTRACTS, § 11.02—Continued
Architects
  Certificates, §§ 11.140-11.142
  Contract with architect, § 11.138
  Contract without architect, § 11.133
Authorized encumbrances for homestead property, § 11.02
Bonds, §§ 11.137, 11.139
Building loan contract, § 11.155
Completion certificate by architect, § 11.141
Disbursements by lender, schedule of, § 11.156
Disclosure statement, § 11.131
Escrow, liquidated damages held in, § 11.136
Expense for building loan contract, affidavit, § 11.159
Federal regulation, § 11.04
Final certificate by architect, § 11.142
General construction contract, § 11.144
Homestead exemption requirements for home improvement contracts, §§ 11.01-11.03
Homestead protection notice, § 11.132
House, contract for, § 11.130
Independent contractor, contract for work or labor as, § 11.143
Liquidated damages, §§ 11.135, 11.136
Mechanic’s and Materialman’s Liens, this index
Mortgage, § 11.158
Notice required for home improvement contracts on homesteads, § 11.03
Progress certificate by architect, § 11.140
Promissory note, § 11.157
Statutory retainage clause, § 11.134
Trust, liquidated damages held in, § 11.135

CONTIGUITY
Sale of property, §§ 6.104-6.107

CONTRACTS AND AGREEMENTS
  Generally, §§ 1.01 et seq., 2.01 et seq., 3.01 et seq., 4.01, 5.01 et seq., 6.01 et seq., 7.01 et seq., 11.10 et seq.
Acknowledgments and proofs of instruments
  Generally, §§ 2.30 et seq., 2.72 et seq.
Acknowledgments, generally, §§ 2.34 et seq.
  Armed forces officer, certificate of acknowledgment taken before commissioned, § 2.90
  Armed forces personnel and spouses, persons authorized to take proofs of written instruments executed by, § 2.48
  Blind party to instrument, witness clause, § 2.92
  Commissioner of general land office, certificate of acknowledgment for, § 2.87
  Corporate acknowledgments, §§ 2.49, 2.81, 2.82
  Definition of acknowledged, § 2.35
  Deputy sheriff, certificate of acknowledgment for, § 2.86
  Evidentiary effect of acknowledgment, § 2.40
  Evidentiary effect of recording, § 2.33
  Foreign countries, persons authorized to take proofs of written instruments executed in, § 2.47
  Foreign state, persons authorized to take proofs of written instruments executed in, § 2.46
  Formal requisites for recording, §§ 2.30-2.33
  Grantee designations, § 2.74
  Grantor designations, § 2.72
  Handwriting, proof by, §§ 2.42, 2.43, 2.89
  Identity of acknowledging person, proof of, § 2.39
  Interest in transaction, disqualification to take acknowledgments, § 2.45
  Interlineations and erasures in deed, witness clause, § 2.94
  Jurat, §§ 2.36, 2.91
  Mark used to sign instrument, witness clause, § 2.93
  Natural person, certificate of acknowledgment for, §§ 2.76-2.78
  Ordinary certificate of acknowledgment, § 2.75
INDEX

CONTRACTS AND AGREEMENTS—Continued
Acknowledgments and proofs of instruments—Continued
  Partnership, certificate of acknowledgment for, §§ 2.79, 2.80
  Persons authorized to take acknowledgments and proofs of written instruments, §§ 2.44 et seq.
  Public officer, trustee, executor, administrator, guardian, or other representative, certificate of acknowledgment for, §§ 2.83, 2.84
  Record of acknowledgments and proofs of written instruments, § 2.50
  Seals or scrolls, use of, § 2.32
  Sheriff, certificate of acknowledgment for, §§ 2.85, 2.86
  Short form certificate of acknowledgment, §§ 2.76, 2.77, 2.79, 2.81, 2.83
  Signature lines, § 2.73
  Statute of limitations for formal defects in instruments, § 2.51
  Statutory forms for certificates of acknowledgment, § 2.38
  Subscribing witness, proof by, §§ 2.41, 2.88
  Taking of acknowledgment, manner of, § 2.37
  Unrecorded instruments, validity of, § 2.31
  Administrator, certificate of acknowledgment for, §§ 2.83, 2.84
  After-acquired property, durable powers of attorney, § 2.19
  Aliens, capacity of, § 2.10
  Annulment of marriage, durable powers of attorney, § 2.25
  Appraisers and Appraisals, this index
  Armed forces officer, certificate of acknowledgment taken before commissioned, § 2.90
  Armed forces personnel and spouses, persons authorized to take proofs of written instruments executed by, § 2.48
  Assignment of mortgage, deed or trust, or vendor's lien, durable powers of attorney, § 2.61
  Attorneys
    Durable powers of attorney, below
    Preparation by attorneys, below
  Blind party to instrument, witness clause, § 2.92
  Borrowing of money and giving mortgage or deed of trust, durable powers of attorney, § 2.56
  Brokerage agreement, information disclosed by, § 1.08
  Brokers and Salespersons, this index
  Capacity to enter into contract
    Generally, §§ 2.01 et seq., 2.66 et seq.
    Aliens, § 2.10
    Appointment of attorney-in-fact to handle corporate transaction, § 2.70
    Community property, authority of spouse over, § 2.08
    Corporations, §§ 2.11-2.13, 2.66 et seq.
    Directors, authorization of sale, lease, mortgage, etc. of corporate property, §§ 2.66 et seq.
    Foreign corporations, § 2.12
    Homestead, consent of both spouses necessary to convey, § 2.09
    Minority, age of, §§ 2.01-2.04
    Marriage, acquisition of adult capacity upon, § 2.04
    Married persons, §§ 2.06-2.09
    Mentally impaired persons, § 2.05
    Partnerships, §§ 2.14, 2.15
    Principal and agent, § 2.16
    Ratification, §§ 2.02, 2.71
    Separate property, authority of spouse over, § 2.07
    Shareholders, authorization of sale or lease of corporate property, §§ 2.66, 2.67
    Collection of debts secured by liens on real property, durable powers of attorney, § 2.64
    Collection of rent, durable powers of attorney, § 2.63
    Commissioner of general land office, certificate of acknowledgment for, § 2.87
    Community property, authority of spouse over, § 2.08
    Construction Contracts, this index
    Corporations
      Acknowledgments, §§ 2.49, 2.81, 2.82
      Capacity to enter into contract, §§ 2.11-2.13, 2.66 et seq.
    Covenants, preliminary investigation of, § 1.12
INDEX

CONTRACTS AND AGREEMENTS—Continued
Deed restrictions, preliminary investigation of, § 1.12
Deeds, information disclosed by, § 1.03
Deputy sheriff, certificate of acknowledgment for, § 2.86
Directors, authorization of sale, lease, mortgage, etc. of corporate property, §§ 2.66 et seq.
Divorce, durable powers of attorney, § 2.25
Durable powers of attorney
   Generally, §§ 2.17 et seq., 2.52 et seq.
   Affidavit that principal is disabled or incapacitated, § 2.23
   After-acquired property, § 2.19
   Assignment of mortgage, deed or trust, or vendor’s lien, § 2.61
   Borrowing of money and giving mortgage or deed of trust, § 2.56
   Collection of debts secured by liens on real property, § 2.64
   Collection of rent, clause giving power, § 2.63
   Commencement and duration, § 2.18
   Conduct transaction, § 2.54
   Construction of power granted, §§ 2.28, 2.29
   Divorce or annulment of principal’s marriage, § 2.25
   Erection of building, clause giving power, § 2.58
   Execution and indorsement of promissory notes, § 2.55
   General power of attorney, form, § 2.53
   Good faith, liability of third parties, § 2.21
   Guardian of estate of principal, appointment of, § 2.24
   Incapacity of principal, effect of acts of attorney-in-fact or agent during, § 2.22
   Knowledge of termination of power, lack of, § 2.27
   Leasing of farms and agency, § 2.57
   Management of real property, § 2.59
   Recording power of attorney, § 2.20
   Release of mortgage, deed or trust, or vendor’s lien, § 2.62
   Renewal of commercial lease, § 2.60
   Revocation of power by or death of principal, § 2.26
   Substitution of attorney-in-fact, § 2.65
Erasures in deed, witness clause, § 2.94
Erection of building, durable powers of attorney, § 2.58
Exchange of Real Property, this index
Executor, certificate of acknowledgment for, §§ 2.83, 2.84
Executory Contracts, this index
Financing, making purchase contingent on, § 1.16
Financing documents, information disclosed by, § 1.04
Foreign countries, capacity of, § 2.12
Foreign countries, persons authorized to take proofs of written instruments executed in, § 2.47
Foreign countries, persons authorized to take proofs of written instruments executed in, § 2.46
   Goodman faith, durable powers of attorney, § 2.21
   Guardians, §§ 2.24, 2.83, 2.84
   Handwriting, proof of instrument by, §§ 2.42, 2.43, 2.89
   Homestead, consent of both spouses necessary to convey, § 2.09
   Identity of acknowledging person, proof of, § 2.39
   Incapacity of principal, durable powers of attorney, § 2.22
   Inspections and Inspectors, this index
   Installment Contracts, this index
   Interest in transaction, disqualification to take acknowledgments, § 2.45
   Interlineations, witness clause, § 2.94
   Jurat, §§ 2.36, 2.91
   Lease documents, information disclosed by, § 1.07
   Leasing of farms and agency, durable powers of attorney, § 2.57
   Liens. Brokers and Salespersons, this index
   Majority, age of, §§ 2.01-2.04
   Management of real property, durable powers of attorney, § 2.59
   Mark used to sign instrument, witness clause, § 2.93
   Marriage, capacity to enter into contract, §§ 2.04, 2.06-2.09
   Mechanic’s and Materialman’s Liens, this index

506
INDEX

CONTRACTS AND AGREEMENTS—Continued
Mentally impaired persons, capacity of, § 2.05
Natural person, certificate of acknowledgment for, §§ 2.76-2.78
Option Contracts, this index
Outstanding leases, examination before contract of sale, § 1.15
Partition, this index
Partnerships, §§ 2.14, 2.15, 2.79, 2.80
Plats, §§ 1.05, 1.13
Preparation by attorneys
- Generally, §§ 1.01 et seq.
  Brokerage agreement, information disclosed by, § 1.08
  Covenant and deed restrictions, preliminary investigation of, § 1.12
  Deeds, information disclosed by, § 1.03
  Financing, making purchase contingent on, § 1.16
  Financing documents, information disclosed by, § 1.04
  Inspection of premises, § 1.14
  Lease documents, information disclosed by, § 1.07
  Lessor, representation of, §§ 1.02 et seq.
  Lessor, representation of, §§ 1.02 et seq.
  Outstanding leases, examination before contract of sale, § 1.15
  Purchaser, representation of, §§ 1.10 et seq.
  Seller, representation of, §§ 1.02 et seq.
  Surveys and plats, §§ 1.05, 1.13
  Title insurance company documents, information disclosed by, § 1.06
Principal and agent, capacity of, § 2.16
Promissory notes, durable powers of attorney, § 2.55
Proofs of instruments. Acknowledgments and proofs of instruments, above
Public officer, certificate of acknowledgment for, §§ 2.83, 2.84
Ratification, §§ 2.02, 2.71
Record of acknowledgments and proofs of written instruments, § 2.50
Release of mortgage, deed or trust, or vendor’s lien, durable powers of attorney, § 2.62
Renewal of commercial lease, durable powers of attorney, § 2.60
Revocation of power of attorney by or death of principal, § 2.26
Sale of Property, this index
Salespersons. Brokers and Salespersons, this index
Scrolls, use of, § 2.32
Seals, use of, § 2.32
Separate property, authority of spouse over, § 2.07
Shareholders, authorization of sale or lease of corporate property, §§ 2.66, 2.67
Sheriff, certificate of acknowledgment for, §§ 2.85, 2.86
Statute of limitations for formal defects in instruments, § 2.51
Subscribing witness, proof of instrument by, §§ 2.41, 2.88
Substitution of attorney-in-fact, durable powers of attorney, § 2.65
Surveys, §§ 1.05, 1.13
Title insurance company documents, information disclosed by, § 1.06
Trustee, certificate of acknowledgment for, §§ 2.83, 2.84
Zoning variance for buyer’s proposed use of property, § 1.09

CORPORATIONS
Contracts and Agreements, this index
General warranty deeds, § 9.75

CORRECTION DEEDS
Generally, §§ 9.27, 9.84

COSTS AND EXPENSES
Attorney’s Fees, this index
Mechanic’s and Materialman’s Liens, this index
Mortgages and Deeds of Trust, this index
INDEX

COSTS AND EXPENSES—Continued
Residential Property Owners’ Protection Act, redemption after foreclosure sale, §§ 14.60, 14.61

COURSE AND DISTANCE
Sale of property, description of property, §§ 6.82, 6.83

COVENANTS AND CONDITIONS
Condominiums, § 12.34
Contracts and agreements, preliminary investigation, § 1.12
Deeds, § 9.61
Landlord and tenant, § 16.439

DAMAGES
Liquidated Damages, this index
Sale of property, §§ 6.53, 6.59
Subdivisions, violations of regulations, §§ 14.08, 14.18

DATE
Time and Date, this index

DEATH
Lease, termination of, § 16.393

DECEPTIVE TRADE PRACTICES ACT
Timeshares, § 13.28

DEDICATION
Subdivisions, streets and other subdivision features, §§ 14.68 et seq.

DEED RESTRICTIONS
Generally, §§ 14.37 et seq., 14.83 et seq.
Addendum for property subject to mandatory membership in owners’ association, § 14.87
Architectural approval for improvements, § 14.91
Articles of incorporation for property owners’ association, § 14.84
Bylaws of property owners’ association, § 14.85
Committee procedure, populous cities and counties, § 14.39
Construction and enforcement, §§ 14.42, 14.43
Contracts and agreements, preliminary investigation, § 1.12
Conveyance subject to restrictions, §§ 9.61, 9.62
Declaration of covenants, conditions, and restrictions, § 14.83
Disclosure of assessment information by property owners’ associations, §§ 14.45-14.48
Enforcement, §§ 14.42, 14.43, 14.49, 14.50
Failure to deliver assessment information, remedies for, § 14.48
Limitations on validity, § 9.28
New subdivision, deed restrictions for, § 14.90
Notice
Effectiveness of petition and certificate of compliance, populous cities and counties, § 14.41
Extension of building restrictions by all lot owners, § 14.93
Restrictions and enforcement authority, § 14.50
Petitions, populous cities and counties, § 14.40
Populous cities and counties, §§ 14.38-14.41
Property owners’ associations, § 14.44
Release of deed restrictions for all lot owners, § 14.92
Residential Property Owners’ Protection Act, this index
Subdivision information with resale certificate for owners’ association, § 14.86

DEEDS
Generally, §§ 9.01 et seq., 10.01 et seq.
Administrator, deed in performance of decedent’s contract, § 9.87
Alleyway across adjoining parcels, § 9.81
Assumption of indebtedness by purchaser, §§ 9.40 et seq.
Attorney-in-fact, general warranty deed by, § 9.74
Bay front property, exception for sovereign rights, § 9.63
INDEX

DEEDS—Continued
Boundary line agreement, § 9.83
Building restriction, reverter provision in connection with, § 9.69
Citation to real property records, § 9.26
Class of persons, conveyance of future estate to, § 9.23
Common law, §§ 9.05, 9.22
Condition subsequent, conveyance subject to, §§ 9.13, 9.68
Condominiums, this index
Contracts and agreements, information disclosed, § 1.03
Corporation, general warranty deed by, § 9.75
Correction deeds, §§ 9.27, 9.34
County commissioners, deed from, § 9.78
Covenants, conveyance subject to, § 9.61
Deed Restrictions, this index
Deed without covenants or warranty, § 9.33
Deeds of trust. Mortgages and Deeds of Trust, this index
Defective deed, enforcement as contract to convey, § 9.29
Dependent remainder interest, effect of conveyance on, § 9.10
Description, statute of frauds, § 9.07
Drain pipes, reservation of right to lay, § 9.56
Driveway easement between neighbors, § 9.53
Easements, §§ 9.59, 9.60, 9.90, 9.91
Encumbrances, conveyance subject to, § 9.47
Equal undivided interests, conveyance of, §§ 9.12, 9.79
Erasures, witness clause, § 2.94
Exchange of real property, § 5.18
Execuor of decedent’s estate, deed by, § 9.86
Executory limitation, conveyance subject to, §§ 9.14, 9.72
Existing lease, conveyance subject to, § 9.50
Existing mortgage liens, conveyances of property with, § 9.17
Full covenants of warranty, clause giving, § 9.34
Future estates
Generally, §§ 9.21-9.24
Class of persons, conveyance to, § 9.23
Common law rules, abolition of, § 9.22
Rule against perpetuities, reformation of interests in violation of, § 9.24
Gas pipeline easement, § 9.55
Gulf front property, exception for sovereign rights, § 9.63
Highway, fee simple estate granted to state with mineral reservation, § 9.57
Insurance premiums, payment of, § 9.48
Joint tenancy, § 9.80
Judgment, validity of conveyance by officer authorized to sell property under, § 9.18
Lease contract for easement on state land, §§ 9.90, 9.91
Life estates
Creation, §§ 9.19, 9.20
Grantor, reservation in, § 9.65
Remainder over, §§ 9.66, 9.67
Sale and reinvestment of property by life tenant, § 9.20
Third party, exception for life estate devised to, § 9.64
Unborn children remainder over to, § 9.67
Merchantable title, determinable fee on condition of, § 9.71
Mineral reservation, fee simple estate granted to state for highway with, § 9.57
Mortgages and Deeds of Trust, this index
Oil pipeline easement, § 9.55
Partial release of vendor’s lien, § 9.49
Partition, §§ 5.20 et seq.
Partnership, conveyance to, § 9.76
Presumptions
Equal undivided interests, conveyance to multiple grantees, § 9.12
Fee simple, conveyance of, §§ 9.08-9.10
Probate court, deed by estate representative to property sold through, § 9.88

509
INDEX

DEEDS—Continued
Quitclaim deeds, §§ 9.04, 9.32
Recorded encumbrances, general warranty subject to, § 9.35
Recording, formal requirements for, §§ 9.25, 9.26
Reinvestment of life estate property, duties of life tenant with power, § 9.20
Remainder over, life estates, §§ 9.66, 9.67
Replacement deed, § 9.85
Restrictions. Deed Restrictions, this index
Right of way, §§ 9.51, 9.52
Rule against perpetuities, reformation of interests in violation of, § 9.24
Sale of life estate property, duties of life tenant with power, § 9.20
Sale of property by life tenant, § 9.20
School purposes, determinable fee for, § 9.70
Separate property of married grantee, designation of, § 9.37
Sewers, §§ 9.54, 9.56
Sheriff, deed under order of sale by, § 9.77
Shifting executory interests, § 9.16
Special warranty deeds, §§ 9.03, 9.31
Spouse, explanation of non-joinder of, § 9.36
Springing executory interests, §§ 9.15, 9.73
Statute of conveyances, § 9.06
Statute of frauds, legal description, § 9.07
Subject to clause, effect of, § 9.11
Submerged state land, lease contract for easement on, § 9.91
Subordination and transfer of second vendor’s lien, § 9.45
Taxes, payment of, §§ 9.46, 9.48
Temporary guardian of minor, deed by, § 9.89
Third party, life estate devised to, § 9.64
Timeshares, warranty deeds, § 13.42
Trust, deeds of. Mortgages and Deeds of Trust, this index
Trustee to hold and convey property, § 9.82
Unborn children, life estates, § 9.67
Vendor’s liens
   General warranty deed, §§ 9.38, 9.39
   Partial release, § 9.49
   Reservation, § 9.42
   Subordination and transfer of second lien, § 9.45
Warranty deeds
   Generally, §§ 9.02, 9.03, 9.30 et seq.
   Condominiums, § 12.53
   Special warranty deeds, §§ 9.03, 9.31
   Timeshares, § 13.42
Water pipes, reservation of right to lay, § 9.56
Water wells and water tanks, §§ 9.58-9.60
Wrap-around mortgage, § 9.41

DEFAULT
Landlord and Tenant, this index

DEFICIENCY JUDGMENT
Mortgages and deeds of trust, § 10.113

DELINQUENCY CHARGE
Mortgages and deeds of trust, § 10.72

DELIVERY
Closing documents, § 8.81
Landlord and Tenant, this index

DEMAND FOR POSSESSION
Landlord and tenant, § 16.424

510
INDEX

DEMOLITION
Landlord and tenant, §§ 16.408, 16.409
Mortgages and deeds of trust, § 10.77

DEPENDENT REMAINDER INTERESTS
Deeds, § 9.10

DEPOSIT
Sale of property, earnest money, § 6.108

DEPUTY SHERIFF
Certificate of acknowledgment, § 2.86

DERIVATIVE CLAIMS
Mechanic’s and Materialman’s Liens, this index

DESCRIPTION OF PROPERTY
Condominiums, §§ 12.08, 12.29
Deeds, statute of frauds, § 9.07
Landlord and Tenant, this index
Management of real property, § 17.03
Sale of property, §§ 6.22, 6.23, 6.81 et seq.
Subdivisions, § 14.03
Timeshares, § 13.33

DESEÑTÍON
Lease, termination of, § 16.416

DESTRUCTION OF PREMISES

DEVELOPMENT OF REAL PROPERTY
   Generally, §§ 11.01 et seq., 12.01 et seq., 13.01 et seq., 14.01 et seq., 15.01 et seq.
Broker, agreement with, § 3.67
Commercial developments. Shopping Centers and Commercial Developments, this index
Condominiums, this index
Construction Contracts, this index
Deed Restrictions, this index
Mechanic’s and Materialman’s Liens, this index
Shopping Centers and Commercial Developments, this index
Subdivisions, this index
Timeshares, this index

DISBURSEMENTS
Closing transactions, attorney’s statement, § 8.89
Construction contracts, schedule, § 11.156

DISCHARGE
Brokers and salespersons, right to lien, § 3.41
Mechanic’s and materialman’s liens, § 11.48

DISCLOSURE
Brokers and salespersons, representation, §§ 3.17, 3.18
Condominiums, §§ 12.19 et seq.
Construction contracts, § 11.131
Deed restrictions, assessment information, §§ 14.45-14.48
Mechanic’s and materialman’s liens, residential construction, §§ 11.86, 11.128
Subdivisions along Mexican border, § 14.29

DISPUTES
Landlord and tenant, § 16.443

DIVORCE
Durable powers of attorney, § 2.25

511
INDEX

DRAIN PIPES
Deeds, reservation of right to lay, § 9.56
Landlord and tenant, maintenance and repair, § 16.201

DRAPEs
Landlord and tenant, § 16.243

DRIVEWAYS
Deeds, easement between neighbors, § 9.53
Sale of property, easements, §§ 6.88, 6.96

DRUG STORES
Landlord and tenant, §§ 16.152, 16.170

DUE ON SALE CLAUSE
Mortgages and deeds of trust, § 10.89

DURABLE POWERS OF ATTORNEY
Contracts and Agreements, this index

DWELLING HOUSES
Landlord and Tenant, this index

EARNEST MONEY
Sale of property, §§ 6.124, 6.132

EASEMENTS
Brokers and salespersons, notice, § 3.73
Condominium declarant, §§ 12.14, 12.15
Deeds, §§ 9.59, 9.60, 9.90, 9.91
Inspectors, § 3.73
Title insurance, § 8.31

ECONOMICALLY DISTRESSED COUNTIES
Subdivisions, §§ 14.31-14.33

ELECTRICITY

ELEVATORS
Landlord and tenant, §§ 16.144, 16.145

EMINENT DOMAIN
Landlord and Tenant, this index
Mortgages and deeds of trust, § 10.74
Title insurance, § 8.44

ENCUMBRANCES
Liens and Encumbrances, this index

ENDANGERED SPECIES REPORT
Sale of property, § 6.74

ENDORSEMENTS
Appraisals, § 3.35
Title Insurance, this index

ENERGY ADDENDUM
Mortgages and deeds of trust, Uniform Residential Appraisal, § 10.11

ENGINEERS
Mechanic’s and materialman’s liens, indemnification, § 11.129
Subdivisions, § 14.67

ENVIRONMENTAL ASSESSMENT
Sale of property, § 6.74

ENVIRONMENTAL PROTECTION
Title insurance, § 8.18

512
INDEX

EQUIPMENT
Mortgages and deeds of trust, § 10.44

ESCALATION OF RENT
Landlord and tenant, §§ 16.81 et seq.

ESCROW
Closing transactions, transfer of amount held in escrow, § 8.78
Construction contracts, liquidated damages, § 11.136
Exchange of real property, § 5.17
Sale of property, §§ 6.128, 6.129
Timeshares, §§ 13.27, 13.44

EXCHANGE OF REAL PROPERTY
Generally, §§ 5.01 et seq., 5.15 et seq.
Boot, contract to exchange with, § 5.16
Brokers and salespersons, use of TREC forms, § 5.05
County property, exchange for private property, § 5.03
Deed exchanging property, § 5.18
Enforcement of exchange between spouses, § 5.13
Escrow agent, contract to exchange with, § 5.17
Non-taxable exchanges, § 5.02
Offer to exchange with attached acceptance, § 5.15
Spouses, exchange between, §§ 5.12, 5.13
State park property, exchange for private property, § 5.04
Statute of frauds, § 5.06
Timeshares, this index
TREC forms, use by brokers and salespersons, § 5.05

EXECUTION
Leases, §§ 16.16, 16.65, 16.66

EXECUTORS
Certificate of acknowledgment, §§ 2.83, 2.84
Deeds, § 9.86

EXECUTORY CONTRACTS
Generally, §§ 7.01 et seq.
Acceleration, §§ 7.04, 7.05
Annual accounting statements, § 7.19
Cancellation of contract without cause by purchaser, §§ 7.16, 7.17
Condition of property, disclosure of, §§ 7.08, 7.09
Default, defined, § 7.06
Financing terms, disclosure of, § 7.10
Forfeiture, §§ 7.04, 7.05
Installment contract, § 7.22
Insurance coverage, disclosure of, §§ 7.11, 7.12
Notice
  Cancellation, § 7.17
  Prohibition against oral agreements, § 7.13
Pledge of interest in property, § 7.18
Prohibited terms, § 7.14
Recording requirements, § 7.15
Rescission, §§ 7.04, 7.05
Sale of purchaser’s interest in event of default, § 7.20
Spanish language requirement, § 7.07
Statute of frauds, § 7.02
Tax payments, disclosure of, § 7.11
Title, transfer of, § 7.21

EXEMPTIONS
Brokers and salespersons, license requirement, § 3.14

EXTENSION AGREEMENTS
Landlord and Tenant, this index
INDEX

EXTENSION AGREEMENTS—Continued
Mortgages and Deeds of Trust, this index

EXTERMINATION
Landlord and tenant, § 16.202

EXTRAORDINARY REPAIRS
Landlord and tenant, § 16.189

FACULTATIVE REINSURANCE
Title insurance, § 8.32

FANNIE MAE
Mortgages and Deeds of Trust, this index

FARMS
Landlord and Tenant, this index
Management of real property, §§ 17.02, 17.10, 17.11
Sale of property, § 6.69

FEDERAL LAW
Condominiums, § 12.30
Construction contracts, § 11.04

FENCES
Landlord and tenant, maintenance and repair, § 16.213

FHA
Condominium resale, financing, § 12.51

FIRES
Landlord and Tenant, this index

FIRST REFUSAL OPTION
Landlord and tenant, destruction of premises, § 16.296

FIRST RIGHT TO PURCHASE
Landlord and tenant, §§ 16.349 et seq.

FIXTURES
Mechanic’s and materialman’s liens, fixture security interests, §§ 11.105 et seq.
Mortgages and deeds of trust, § 10.44

FLOOD INSURANCE
Mortgages and deeds of trust, § 10.66

FMHA
Mortgages and deeds of trust, § 10.123

FORECLOSURE
Mechanic’s and materialman’s liens, §§ 11.45-11.47
Mortgages and Deeds of Trust, this index
Residential Property Owners’ Protection Act, §§ 14.57 et seq.

FOREIGN CORPORATIONS
Capacity to contract, § 2.12

FOREIGN COUNTRIES
Persons authorized to take proofs of written instruments, § 2.47

FOREIGN STATE
Persons authorized to take proofs of written instruments, § 2.46

FORFEITURE
Executory contracts, §§ 7.04, 7.05
Landlord and tenant, § 16.384
Mortgages and deeds of trust, § 10.83

514
INDEX

FRAUD
Appraisal credentials, § 3.34

FRAUDS, STATUTE OF
Deeds, legal description, § 9.07
Exchange of real property, § 5.06
Executory contracts, § 7.02
Landlord and tenant, §§ 16.04, 16.05
Mechanic’s and materialman’s liens, description of property, § 11.114
Sale of Property, this index
Shopping centers and commercial developments, description of real property, § 15.03
Subdivisions, description of real property, § 14.03

FREDDIE MAC
Mortgages and deeds of trust, § 10.140

FRIVOLOUS ACTIONS
Mechanic’s and materialman’s liens, attorney’s fees and costs, § 11.118

FURNITURE
Landlord and tenant, §§ 16.204, 16.205, 16.241, 16.242

FUTURE ADVANCES
Mortgages and deeds of trust, §§ 10.57, 10.58

FUTURE ESTATES
Deeds, this index

GARBAGE REMOVAL
Landlord and tenant, §§ 16.210, 16.227

GARDEN AND GROUNDS
Landlord and tenant, maintenance and repair, § 16.211

GAS
Oil and Gas, this index

GENERAL WARRANTY DEEDS

GOOD FAITH
Durable powers of attorney, § 2.21

GOVERNMENT BONDS
Landlord and tenant, security deposit, § 16.342

GRACE PERIOD
Landlord and tenant, default and remedy, § 16.383

GRAZING LEASE
Generally, § 16.459

GROUND RENTAL
Generally, § 16.75

GUARDIANS
Contracts and agreements, §§ 2.24, 2.83, 2.84

GULF FRONT PROPERTY
Deeds, exception for sovereign rights, § 9.63

GULF INTRACOASTAL WATERWAY
Sale of property, §§ 6.34, 6.35, 6.76

HANDWRITING
Contracts and agreements, proof of instrument, §§ 2.42, 2.43, 2.89

HAZARDS
Inspectors, § 3.69

515
INDEX

HEARINGS
Residential Property Owners’ Protection Act, § 14.55  
Subdivisions, § 14.80

HEDGES
Landlord and tenant, maintenance and repair, § 16.213

HEIRSHIP
Title insurance, § 8.65

HIGHWAYS
Deeds, fee simple estate granted to state with mineral reservation, § 9.57

HOLDOVER TENANTS
Eviction, § 16.63

HOME EQUITY LOANS
Mortgages and deeds of trust, §§ 10.143, 10.145

HOMESTEADS
Consent of both spouses necessary to convey, § 2.09  
Construction contracts, §§ 11.01-11.03, 11.132  
Mechanic’s and materialman’s liens, §§ 11.84, 11.85, 11.154  
Mortgages and Deeds of Trust, this index  
Title insurance, § 8.73

HUD
Closing transactions, disclosure settlement statement, § 8.96  
Mortgages and Deeds of Trust, this index

HUNTING LEASE
Generally, § 16.462

HUSBAND AND WIFE
Spouses, this index

ICE REMOVAL
Landlord and tenant, § 16.209

IDENTIFICATION
Landlord and tenant, § 16.06

IMPROVEMENTS
Landlord and Tenant, this index  
Mortgages and deeds of trust, § 10.78  
Title insurance, § 8.74

INDEMNITY
Landlord and Tenant, this index  
Mechanic’s and Materialman’s Liens, this index  
Title insurance, § 8.04

INDEPENDENT CONTRACTORS
Construction contracts, § 11.143

INJUNCTIONS
Timeshares, late annual fee and expense statement, § 13.32

INSPECTIONS AND INSpectORS
Generally, §§ 3.49 et seq.  
Apprentice inspector, defined, § 3.53  
Complaint process, information about, § 3.72  
Contracts and agreements, § 1.14  
Definitions, §§ 3.52 et seq.  
Easements and rights of way, notice concerning, § 3.73  
Hazards, notice concerning recognized, § 3.69  
Inspector, defined, § 3.54  
Landlord and tenant, §§ 16.235, 16.236, 16.355
INDEX

INSPECTIONS AND INSPECTORS—Continued
License, defined, § 3.55
License requirements, §§ 3.59, 3.71
Mechanic’s and materialman’s liens, residential construction liability, §§ 11.120, 11.122, 11.123
Mortgages and deeds of trust, § 10.85
Professional inspector, defined, § 3.56
Real estate inspection, defined, § 3.57
Real estate inspector, defined, § 3.58
Reimbursement by Real Estate Inspection Recovery Fund, § 3.51
Reimbursement, exemption for, § 3.50
Report of inspection, §§ 3.68-3.70
Request for license or registration history, § 3.71
Sale of property, §§ 6.116, 6.117
Tradesmen, exemption for, § 3.50

INSTALLMENT CONTRACTS
Executory contracts, § 7.22
Mortgages and deeds of trust, § 10.33
Option contracts, § 4.11

INSURANCE
Closing transactions, transfer of funds in escrow, § 8.78
Condominium, use of, § 12.37
Deeds, payment of premiums, § 9.48
Executory contracts, disclosure of coverage, §§ 7.11, 7.12
Landlord and Tenant, this index
Mortgages and deeds of trust, §§ 10.26, 10.65-10.67
Timeshares, § 13.29
Title Insurance, this index

INTERLINEATIONS
Contracts and agreements, witness clause, § 2.94

JOINT TENANCY
Deeds, § 9.80

JURAT
Contracts and agreements, §§ 2.36, 2.91

LANDLORD AND TENANT
Generally, §§ 16.01 et seq.
Acceleration of rent, § 16.354
Acceptance of lease, § 16.16
Access to premises, §§ 16.239, 16.240
Accounting partnerships, § 16.419
Additional rent, §§ 16.76 et seq.
Additional space, option for, §§ 16.356, 16.357
Additions, installation of, § 16.261
Advance payment of rent for last year with discount, § 16.87
Advances on account of landlord, reimbursement of tenant for, § 16.100
Advertisements, § 16.158
Air conditioning, §§ 16.108 et seq., 16.260
Alterations
Generally, §§ 16.245 et seq.
Additions, installation of, § 16.261
Air conditioning, installation of, § 16.260
Conditions, §§ 16.256, 16.257
Consent of lessee, § 16.270
Consent of lessor, §§ 16.247-16.250
Contractors, approval of, §§ 16.253-16.255
Contributions by lessor, § 16.257
End of term, restoration of building at, § 16.266
Expense of lessee, § 16.275
INDEX

LANDLORD AND TENANT—Continued
Alterations—Continued
   Expense of lessor, §§ 16.258, 16.259
   Lawful conduct of business, necessary to permit, § 16.268
   Lessee, alterations by, §§ 16.245 et seq.
   Lessor, alterations by, §§ 16.269 et seq.
   Liability insurance, § 16.267
   Limitations, § 16.257
   Materials to be used, § 16.276
   Offices, remodeling of, § 16.260
   Plan, in accordance with, § 16.271
   Plans, approval of, §§ 16.251-16.254
   Plans submitted by tenant, §§ 16.272-16.274
   Remodeling, §§ 16.260, 16.261
   Replacement of buildings, § 16.262
   Sharing of expense by lessor, § 16.259
   Shopping centers, § 16.277
   Television antenna, erection of, §§ 16.263-16.265
   Termination, § 16.402
   Workmen’s compensation insurance, § 16.267
Animals, §§ 16.290-16.292
Apartments, generally, §§ 16.23, 16.37
Appearance of premises, § 16.199
Appraisals
   Arbitration, § 16.121
   Extension of term at option of lessee, § 16.374
Arbitration
   Generally, §§ 16.440-16.442
   Appraisals, § 16.121
   Rent, § 16.89
Assignment. Sublease or assignment, below
   Attorney’s fees, payment by lessee, § 16.445
   Bankruptcy of tenant, security, § 16.341
   Beauty salon, exclusion of competitors, § 16.171
   Brick works, description of premises, § 16.40
   Broadcasting, exclusion of competitors, § 16.177
   Broker clause, § 16.133
Business, not to be used for, § 16.151
Cancellation. Termination, below
   Captions contained in lease, § 16.446
   Carpeting, use of, § 16.243
   Certificate of occupancy, commencement of term, § 16.50
   Certified mail, notice by, § 16.431
   Cigar store, exclusion of competitors, § 16.175
   Cigarette vending machine, lease of space for, § 16.32
   Cleaning, §§ 16.226, 16.227
   Commercial frustration, termination, § 16.410
   Commercial leases, generally, §§ 16.24 et seq., 16.149
   Competitors, exclusion of
      Generally, §§ 16.169 et seq.
      Beauty salon, § 16.171
      Broadcasting, § 16.177
      Cigar store, § 16.175
      Confectionery store, § 16.176
      Drug store, § 16.170
      Men’s clothing, § 16.173
      Public stenography, § 16.172
      Smoking articles, § 16.174
   Condemnation. Eminent domain, below
      Condition of premises, §§ 16.122-16.126, 16.304
      Confectionery store, exclusion of competitors, § 16.176
518
INDEX

LANDLORD AND TENANT—Continued

Consent
- Alterations, §§ 16.247-16.250, 16.270
- Sublease or assignment, §§ 16.317 et seq., 16.335

Construction finance, subordination, § 16.362
Contributions by lessor, alterations, § 16.257
Covenants and conditions, insistence on, § 16.439
Cure of mortgage defaults by lessor, § 16.386
Death of lessee, termination, § 16.393
Death of partner, termination, § 16.394

Default and remedy
- Generally, §§ 16.376 et seq.
- Cure of mortgage defaults by lessor, § 16.386
- Damages other than those specifically provided for, recovery of, § 16.385
- Forfeiture and acceleration of rent, § 16.384
- Grace period, § 16.383
- Reletting, liability of original lessee, § 16.382

Delay or inability to deliver, §§ 16.58-16.62
Delivery of possession
- Generally, §§ 16.16, 16.51 et seq.
- Completion of alterations, §§ 16.56, 16.57
- Delay or inability to deliver, §§ 16.58-16.62
- Existing tenancy, subject to, § 16.55
- Holdover tenant, eviction of, § 16.63
- Immediately on signing of lease, § 16.53
- Present tenant, eviction of, § 16.64
- Prior to commencement date, § 16.54

Demand for possession, § 16.424
Demolition of building by lessor, §§ 16.408, 16.409

Description of premises
- Generally, §§ 16.15, 16.37 et seq.
- Apartment, § 16.37
- Brick works, § 16.40
- Office building, space in, § 16.38
- One family dwelling, § 16.39
- Wharf, § 16.41

Desertion of building, termination, § 16.416

Discontinuance of services, § 16.238

Display of signs, §§ 16.166-16.168

Disputes, § 16.443

Division of excess rentals, sublease or assignment, § 16.330

Drain pipes, maintenance and repair, § 16.201

Drapes, use of, § 16.243

Drug stores, §§ 16.152, 16.170

Dwelling houses, generally, §§ 16.21, 16.148


Elevator service, §§ 16.144, 16.145

Eminent domain
- Generally, §§ 16.298 et seq.
- Lessee not to claim award, § 16.302
- Rent reduction if part of premises taken, § 16.300
- Restoration of premises by lessee, § 16.301
- Termination, § 16.417
- Encumbrances, creation by lessee, § 16.337
- End of term, restoration of building at, § 16.266

Escalation of rent, §§ 16.81 et seq.

Excess assessment, payment by lessor of proportionate share of taxes imposed on basis of, § 16.94

Execution of lease, §§ 16.16, 16.65, 16.66

Expiration, rights and obligations of lessor following, § 16.444

519
INDEX

LANDLORD AND TENANT—Continued
Extension of term
  Appraised value, § 16.374
  Indorsement, § 16.375
  Option of lessee, §§ 16.373, 16.374
Extermination, § 16.202
Extraordinary repairs, § 16.189
Farms
  Division of profits, § 16.461
  Durable powers of attorney, § 2.57
  Maintenance and repair, § 16.212
  Term of years, § 16.460
Fences, maintenance and repair of, § 16.213
Fires
  Damages, liability of lessor, § 16.307
  Hazard not to be increased, § 16.289
  Notice, § 16.432
  Repairs, §§ 16.228-16.233
First refusal option, destruction of premises, § 16.296
First right to purchase, §§ 16.349 et seq.
Fixed tenancy, §§ 16.08, 16.42
Forfeiture and acceleration of rent, § 16.384
Form of word, no particular form needed, § 16.03
Furnished house lease, § 16.22
Garbage removal, §§ 16.210, 16.227
Garden and grounds, maintenance and repair of, § 16.211
Gasoline filling station, lease of site for, § 16.28
Government bonds, deposit of, § 16.342
Government regulations and requirements, §§ 16.141-16.143, 16.190
Grace period, default and remedy, § 16.383
Grazing lease, § 16.459
Ground rental, § 16.75
Hedges, maintenance and repair of, § 16.213
Heir, binding of, § 16.120
Holdover tenant, eviction of, § 16.63
Hunting lease, § 16.462
Ice removal, § 16.209
Identification of parties, § 16.06
Illegal or immoral purposes, §§ 16.119, 16.157
Improvements by lessees
  Generally, §§ 16.279 et seq.
  Lessor to pay for buildings at expiration of lease, § 16.284
  Lighting fixtures, title to, § 16.285
  Obligation to build, §§ 16.280, 16.281
  Ownership by lessee, § 16.282
  Ownership by lessor, § 16.283
  Removal of buildings, structure, and fixtures, § 16.288
  Removal of fixtures on termination of lease, §§ 16.286, 16.287
  Specified sum, expending of, § 16.279
  Tax increase caused by improvements, § 16.93
Indemnity
  Generally, §§ 16.309 et seq.
  Insurance, § 16.312
  Liquor violations, § 16.315
  Negligence, loss by, § 16.313
  Signs, § 16.314
Indorsement, extension of term, § 16.375
Inflammable and non-inflammable film, care and storing of, § 16.163
Insistence on covenants and conditions, § 16.439
Inspection of premises, §§ 16.295, 16.296, 16.355
Insurance
INDEX

LANDLORD AND TENANT—Continued
Insurance—Continued
   Alterations, liability insurance, § 16.267
   Destruction of premises, insurance proceeds, § 16.297
   Indemnity, § 16.312
   Lessee, insurance by, §§ 16.178 et seq.
   Lessor, insurance by, §§ 16.184, 16.185
   Liability, §§ 16.181, 16.182
   Partnerships, § 16.420
   Pay increase, § 16.180
   Plate glass, § 16.183
   Waiver of claim for damages caused by lessor when covered by insurance, § 16.308
Interest bearing account, security deposit in, § 16.344
Law partnerships, § 16.419
Lead-based paint disclosure, § 16.126
Lease, defined, § 16.01
Liability insurance, alterations, § 16.267
Liability of lessor
   Generally, §§ 16.303 et seq.
   Condition of premises, § 16.304
   Fire or water damages, § 16.307
   Insurance, waiver of claim for damages caused by lessor when covered by, § 16.308
   Property in buildings, § 16.305
   Roof leaks, § 16.306
Licenses, §§ 16.49, 16.413, 16.414
Life of lessee, term of lease, § 16.45
Lighting fixtures, improvements by lessees, § 16.285
Liquor violations, indemnity, § 16.315
Machines, conditions for use, § 16.165
Maintenance and repair
   Generally, §§ 16.186 et seq.
   Apartment, taking care of, § 16.203
   Appearance of premises, § 16.199
   Cleaning, §§ 16.226, 16.227
   Drain, waste, and sewer pipes, § 16.201
   Entire premises, § 16.220
   Exterior, § 16.222
   Extermination, § 16.202
   Failure of lessee to repair, § 16.234
   Failure of lessor to make repairs, § 16.215
   Farm, § 16.212
   Fires, repairs after, §§ 16.228-16.233
   Furniture, preservation of, §§ 16.204, 16.205
   Garbage and waste removal, §§ 16.210, 16.227
   Garden and grounds, § 16.211
   Governmental authority, requirements of, § 16.190
   Hedges and fences, § 16.213
   Ice and snow removal, § 16.209
   Injure, overload, or deface, not to, § 16.198
   Inspection, §§ 16.235, 16.236
   Interior, § 16.200
   Laws and ordinances, compliance with, § 16.217
   Lessee, maintenance and repair by, §§ 16.192 et seq.
   Lessor, maintenance and repair by, §§ 16.218 et seq.
   Lessor and lessee, maintenance and repair by, §§ 16.186 et seq.
   Misuse or neglect, repairs necessitated by, § 16.191
   Municipal orders, compliance with, § 16.216
   Outside walls and roof, § 16.221
   Painting, §§ 16.206, 16.223-16.225
   Redecoration by lessor, § 16.227
   Roads, share of expenses for repair of, § 16.214

521
INDEX

LANDLORD AND TENANT—Continued
Maintenance and repair—Continued
   Sidewalk, § 16.208
   Structural and extraordinary repairs, § 16.189
   Window cleaning, § 16.226
   Windows broken, § 16.207
Manufacturing prohibited, § 16.164
Materials to be used, alterations, § 16.276
Mechanical equipment, conditions for use, § 16.165
Mechanics liens, discharge of, § 16.338
Memorandum of lease, § 16.449
Men’s clothing, exclusion of competitors, § 16.173
Mini storage agreement, §§ 16.35, 16.36
Misuse, repairs necessitated by, § 16.191
Modification agreement
   Generally, §§ 16.450 et seq.
   Electricity, change from metered to unmetered basis, §§ 16.452, 16.453
   Rent increase for free use of electricity, § 16.453
Rent increase for free use of electricity
Month to month tenancy, § 16.44
Mortgages and deeds of trust, §§ 10.51-10.53, 10.120
Name of building to be constructed, § 16.147
Neglect, repairs necessitated by, § 16.191
Negligence, indemnity, § 16.313
Neighboring building, erection of, § 16.412
Ninety-nine year lease, § 16.29
Notice
   Breach of covenant to pay rent, notice to quit after, § 16.422
   Surrender of possession at end of term, § 16.425
Termination, below
Nuisance, termination, § 16.411
Offices, generally, §§ 16.31, 16.38, 16.260
Options
   Generally, §§ 16.348 et seq.
   Additional space, option for, §§ 16.356, 16.357
   Appraised value, extension of term at option of lessee, § 16.374
   Demolition or rebuilding of building by lessor, first right of refusal of new lease, § 16.409
   Extension of term at option of lessee, §§ 16.373, 16.374
   First right to purchase, §§ 16.349 et seq.
   Inspection of premises, first right to purchase, § 16.355
   Purchase, option to, §§ 16.348 et seq.
   Renewal of lease at option of lessee, below
   Taking of lease, § 16.19
Painting, §§ 16.206, 16.223-16.225
Parking lot, use restrictions, § 16.154
Parking space lease, § 16.34
Partial invalidity of lease, § 16.448
Partnerships, §§ 16.364, 16.419, 16.420
Party wall clause, § 16.132
Percentage rent, §§ 16.14, 16.27, 16.68 et seq.
Periodic tenancy, §§ 16.09, 16.43, 16.44
Permits, commencement of term, § 16.49
Persons bound by agreement, § 16.447
Plate glass, insurance by lessee, § 16.183
Posting of bills prohibited, § 16.161
Protest, payment of rent under, § 16.443
Public stenography, exclusion of competitors, § 16.172
Quiet enjoyment covenant, §§ 16.134-16.138
Reappraisal, rent, § 16.80
Rebuilding of building by lessor, §§ 16.408, 16.409
Receipt and shipment of merchandise, use restrictions, § 16.162

522
INDEX

LANDLORD AND TENANT—Continued
Recording of lease, § 16.17
Redecoration by lessor, § 16.237
Registered mail, notice by, §§ 16.429-16.431
Reimbursement of tenant for advances on account of landlord, § 16.100
Release of lease, § 16.427
Reletting, liability of original lessee, § 16.382
Remedy. Default and remedy, above
Remodeling, §§ 16.260, 16.261
Removal of buildings, structure, and fixtures, §§ 16.286-16.288
Removal of tenant’s property, § 16.428
Renewal of lease at option of lessee
Generally, §§ 16.12, 16.365 et seq.
Multiple renewals, § 16.372
Sale, inoperative in event of, § 16.371
Rent
Additional rent, §§ 16.76 et seq.
Advance payment of rent for last year with discount, § 16.87
Arbitration, § 16.80
Base rent plus percentage of sales, §§ 16.72, 16.73
Completion of work, commencement on, § 16.86
Cumulative or noncumulative limit on escalation of rent, §§ 16.83, 16.84
Electricity, increase for free use of, § 16.453
Eminent domain, rent reduction if part of premises taken, § 16.300
Escalation of rent, §§ 16.81 et seq.
Ground rental, § 16.75
Guaranteed minimum, percentage of gross sales with, §§ 16.68-16.71
Percentage rent, §§ 16.14, 16.27, 16.68 et seq.
Protest, payment under, § 16.443
Reappraisal, § 16.80
Taxes, percentage of, § 16.74
Taxes in excess of fixed amount as additional rent, § 16.76
Time of payment under escalation clause, § 16.85
Waiver, § 16.436
Repair. Maintenance and repair, above
Replacement of buildings, § 16.262
Representations by landlord, none other than expressed in lease, § 16.433
Requirements for effective lease, § 16.02
Residence on premises clause, § 16.140
Residential lease, generally, § 16.20
Restaurant, ventilation of, § 16.244
Restoration of premises by lessee, eminent domain, § 16.301
Return of security, § 16.346
Roads, share of expenses for repair of, § 16.214
Roof leaks, liability of lessor, § 16.306
Sale and leaseback transaction, § 16.30
Sale of premises, termination, §§ 16.387-16.391
Savings and loan association, use restrictions, § 16.153
Security
Generally, §§ 16.339 et seq.
Bankruptcy of tenant, § 16.341
Demand letter for return of wrongfully withheld security deposit, § 16.347
Government bonds, deposit of, § 16.342
Interest bearing account, deposit in, § 16.344
Return of security, § 16.346
Securities, deposit of, § 16.343
Substitution of security, § 16.345
Services, discontinuance of, § 16.238
Sewer pipes, maintenance and repair, § 16.201
Sewer rent, payment by lessee, §§ 16.95-16.99

523
INDEX

LANDLORD AND TENANT—Continued
Shopping centers and commercial developments, §§ 15.04-15.06, 16.138, 16.146, 16.277
Sidewalks, §§ 16.159, 16.208
Smoking articles, exclusion of competitors, § 16.174
Snow removal, § 16.209
Soft drinks of designated company, use restrictions, § 16.156
Statute of frauds, §§ 16.04, 16.05
Stock brokerage partnerships, § 16.420
Store lease, § 16.27
Structural repairs, § 16.189
Subdivisions, lease of land along Mexican border, § 14.27
Sublease or assignment
   Generally, §§ 16.316 et seq., 16.454, 16.455
   Breach of covenant against sublease or assignment, § 16.331
   Conditions to be performed by lessee, § 16.323
   Consent not to be unreasonably withheld, §§ 16.320-16.322
   Consent of lessor, §§ 16.317 et seq., 16.335
   Corporation affiliated with or controlled by tenant, § 16.325
   Corporation to be formed at later date, § 16.326
   Corporation to be formed by lessee, § 16.324
   Division of excess rentals, § 16.330
   First offer to other tenants, § 16.332
   Landlord to sublease part of space, § 16.329
   Lessee remaining liable, § 16.328
   Purpose, assignment for certain, § 16.333
   Tenant satisfactory to lessor, § 16.327
Subordination
   Generally, §§ 16.358 et seq.
   Construction financier, interest of, § 16.362
   Non-disturbance clause, § 16.363
Subrogation, waiver, §§ 16.437, 16.438
Substitution of security, § 16.345
Substitution of space, §§ 16.127-16.131
Sufferance, tenancy at, § 16.11
Supermarket, use restrictions, § 16.155
Surety's engagement, § 16.118
Surrender of lease, § 16.456
Take-over of lease, § 16.336
Taxes, §§ 16.74, 16.76, 16.89 et seq.
Television antenna, erection of, §§ 16.263-16.265
Tenement lease, § 16.119
Term of lease
   Generally, §§ 16.07 et seq., 16.42 et seq.
   Certificate of occupancy, commencement of term, § 16.50
   Commencement of term, §§ 16.46 et seq.
   Completion of improvements, commencement of term, § 16.47
   Extension of term, above
   Fixed tenancy, §§ 16.08, 16.42
   Licenses and permits, commencement of term, § 16.49
   Life of lessee, § 16.45
   Month to month tenancy, § 16.44
   Ninety-nine year lease, § 16.29
   Periodic tenancy, §§ 16.09, 16.43, 16.44
   Tenancy at sufferance, § 16.11
   Tenancy at will, § 16.10
   Week to week tenancy, § 16.43
Termination
   Generally, §§ 16.387 et seq.
   Alteration work, payment of cost of, § 16.402
   Assignment to party designated by lessor, § 16.403
   Cancellation by either party, §§ 16.404, 16.405

524
INDEX

LANDLORD AND TENANT—Continued
Termination—Continued
  Cancellation by lessee, §§ 16.399-16.403
  Cancellation by lessor, §§ 16.395-16.398
  Cash payment to lessee on sale of premises, § 16.391
  Commercial frustration, § 16.410
  Condemnation, § 16.417
  Death of lessee, § 16.393
  Death of partner, § 16.394
  Demolition or rebuilding of building by lessor, §§ 16.408, 16.409
  Desertion or vacation of building, § 16.416
  Destruction or untenantability of building, § 16.407
  Intention to build, cancellation of lease upon notice of lessor’s, § 16.33
  Lease of space in same building, § 16.406
  License approval, failure to receive, §§ 16.413, 16.414
  Neighboring building, erection of, § 16.412
  Notice
    Intent to terminate lease, § 16.426
    Prior to expiration of term, § 16.418
    Stipulated amount, payment of, § 16.398
    Year to year lease, § 16.423
  Nuisance, § 16.411
  Option of purchaser of premises, § 16.392
  Rights and obligations of lessor following termination, § 16.421
  Sale of premises, §§ 16.387-16.391
  Use of premises for designated purpose, failure of, § 16.415
Title, covenant of, § 16.139
Title insurance, §§ 8.21, 8.22
Trees, §§ 16.278, 16.293
Use restrictions
  Generally, §§ 16.148 et seq.
  Advertisements, § 16.158
  Business, not to be used for, § 16.151
  Commercial space, § 16.149
  Drug store, § 16.152
  Dwelling house, § 16.148
  Illegal or immoral purposes, § 16.157
  Inflammable and non-inflammable film, care and storing of, § 16.163
  Lease, as provided in, § 16.150
  Machines and mechanical equipment, conditions for use, § 16.165
  Manufacturing prohibited, § 16.164
  Parking lot, § 16.154
  Posting of bills prohibited, § 16.161
  Receipt and shipment of merchandise, § 16.162
  Savings and loan association, § 16.153
  Sidewalk, no display of merchandise on, § 16.159
  Signs, § 16.160
  Soft drinks of designated company, § 16.156
  Supermarket, § 16.155
Utilities to be furnished and paid for by lessee, § 16.107
Vacation of building, termination, § 16.416
Ventilation of restaurant, § 16.244
Waiver
  Generally, §§ 16.434 et seq.
    Rent, § 16.436
    Subrogation, §§ 16.437, 16.438
Waste pipes, maintenance and repair, § 16.201
Waste removal, §§ 16.210, 16.227
Water
  Damages, liability of lessor, § 16.397
  Meter, installation by lessee, § 16.99
  Rent, payment by lessee, §§ 16.95-16.99

525
INDEX

LANDLORD AND TENANT—Continued
Week to week tenancy, § 16.43
Wharf, description of premises, § 16.41
Will, tenancy at, § 16.10
Windows, §§ 16.207, 16.226
Workmen’s compensation insurance, alterations, § 16.267

LEAD-BASED PAINT
Landlord and tenant, disclosure, § 16.126
Sale of property, hazards disclosure, §§ 6.54, 6.66

LEASES
Landlord and Tenant, this index

LIABILITY INSURANCE
Landlord and tenant, § 16.267

LICENSES
Appraisers, §§ 3.33, 3.34, 3.36, 3.71
Brokers and salespersons, §§ 3.12-3.14, 3.71
Inspectors, §§ 3.59, 3.71
Landlord and tenant, §§ 16.49, 16.413, 16.414

LIENS AND ENCUMBRANCES
Brokers and Salespersons, this index
Condominiums, §§ 12.18, 12.47
Deeds, § 9.47
Mechanic’s and Materialman’s Liens, this index
Timeshares, § 13.13

LIFE ESTATES
Deeds, this index

LIGHTING FIXTURES
Landlord and tenant, improvements by lessees, § 16.285

LIMITATION OF ACTIONS
Formal defects in instruments, § 2.51

LIQUIDATED DAMAGES
Construction contracts, §§ 11.135, 11.136
Option contracts, § 4.09
Sale of property, earnest money, § 6.124

LIQUOR VIOLATIONS
Landlord and tenant, indemnity, § 16.315

MACHINERY
Mortgages and deeds of trust, § 10.44

MAINTENANCE AND REPAIR
Landlord and Tenant, this index
Mortgages and deeds of trust, §§ 10.86, 10.87, 10.115
Subdivisions, improvements, § 14.76

MANAGEMENT OF REAL PROPERTY
Generally, §§ 17.01 et seq.
Agricultural property management, § 17.02
Application by prospective tenant to rent property, §§ 17.07, 17.11
Condominium complex, management agreement, § 17.12
Description of property in contracts and leases, § 17.03
Durable powers of attorney, § 2.59
Exclusive management agreement, § 17.04
Exclusive rental agency contract in letter form, § 17.05
Farm, application to rent or manage, § 17.11
Farm management service agreement, § 17.10

526
INDEX

MANAGEMENT OF REAL PROPERTY—Continued
Orchard management agreement, § 17.09
Realtor, exclusive management agreement with, § 17.08
Rent collection, agency agreement for, § 17.06

MANUFACTURED HOMES
Mechanic’s and materialman’s liens, § 11.112
Subdivisions, rental communities, §§ 14.35, 14.36
Title insurance, § 8.14

MARRIAGE
Capacity to enter into contract, §§ 2.04, 2.06-2.09

MECHANIC’S AND MATERIALMAN’S LIENS
   Generally, §§ 11.05 et seq., 11.145 et seq.
Abatement of action for notice and inspection, § 11.123
Accrual of indebtedness or claim for retainage, § 11.16
Actions on liens. Priority, release, and actions on liens, below
Affidavit, contents of, §§ 11.17, 11.18
Architects, indemnification of, § 11.129
Assignment of lien note as collateral with assignee subrogated to assignor’s rights, § 11.151
Attorney’s fees, §§ 11.47, 11.118
Bonds
   Generally, §§ 11.62 et seq.
   Indemnity bonds, below
   Order to remove lien or claim, §§ 11.59, 11.60
   Payment bonds, below
   Public works contractors, money due to, §§ 11.79, 11.80
Building loans and mortgages
   Generally, §§ 11.103 et seq.
   Construction mortgages, fixture security interests, § 11.113
   Contracts, § 11.155
   First to file or record, fixture security interests, § 11.108
   Fixture security interests, §§ 11.105 et seq.
   Judicial liens, fixture security interests, § 11.111
   Manufactured homes, security interests in, § 11.112
   Priority, §§ 11.104 et seq.
   Purchase money fixture security interests, § 11.109
   Readily removable goods, § 11.110
   Residual priority rule, fixture security interests, § 11.107
   Statute of frauds requirements for description of property, § 11.114
Civil and criminal liability for false affidavit, withholding and retainage, § 11.28
Closing of loan for construction of improvements to residential construction, §§ 11.89-11.91
Commencement of construction or delivery of materials, affidavit of, § 11.41
Completion affidavits, §§ 11.34-11.36, 11.147, 11.148
Costs
   Foreclosure, recovery on, § 11.47
   Frivolous actions, residential construction liability, § 11.118
   Furnishing information about construction project, payment of costs, § 11.54
Cure of dangerous defects, duty of contractor, § 11.126
Definitions, § 11.07
Demand, payment by owner to lien claimant on, § 11.24
Derivative claims
   Contractual retainage, notice of lien, § 11.20
   Non-residential lien, notice of, § 11.19
   Non-residential special fabrication, notice of lien, § 11.21
   Residential construction, §§ 11.82, 11.83
Discharge of liens, methods of, § 11.48
Disclosure statement, residential construction, §§ 11.86, 11.128
Enforcement of creditors’ remedies against money due to contractors, § 11.42
Engineers, indemnification of, § 11.129
Equality of liens, § 11.39
Evidence, residential construction liability, §§ 11.120, 11.122, 11.123
INDEX

MECHANIC’S AND MATERIALMAN’S LIENS—Continued

Extension of time for notice, inspection, and offer of settlement, residential construction
liability, § 11.122

Final bills paid affidavit, closing of loan for construction of improvements, § 11.90

First to file or record, fixture security interests, § 11.108

Fixture security interests, §§ 11.105 et seq.

Foreclosure, method of, §§ 11.45-11.47

Frivolous actions, attorney’s fees and costs for, § 11.118

Homesteads, §§ 11.84, 11.85, 11.154

Inception of statutory liens, § 11.40

Indemnity bonds

Generally, §§ 11.62 et seq.

Action on bond, § 11.67

Effect of bond, § 11.63

Notice, §§ 11.65, 11.66

Recording, § 11.66

Requirements, § 11.64

Information about construction project, furnishing of, §§ 11.50 et seq.

Inspection of damages, residential construction liability, §§ 11.120, 11.122, 11.123

Interest on overdue payments to contractors, § 11.97

Judicial liens, fixture security interests, § 11.111

Landlord and tenant, § 16.338

Limitations on liability of contractor for damages, residential construction liability,
§ 11.117

Manufactured homes, security interests in, § 11.112

Mediation, residential construction liability, § 11.127

Notice

Generally, § 11.08

Filed affidavit, § 11.18

Indemnity bonds, §§ 11.65, 11.66

Payment bonds, notice of claim to surety by owner, § 11.74

Prompt payment of contractors, suspension of work, § 11.101

Public works contracts, § 11.78

Ordinary retainage lien, limitation on, § 11.14

Paving contract and lien with special assessment, § 11.152

Payment bonds

Generally, §§ 11.68 et seq.

Action on bond, § 11.75

Attempted compliance with bond, effect of, § 11.76

Notice of claim to surety by owner, § 11.74

Perfection of claim against bond, § 11.73

Persons protected, § 11.69

Recording, § 11.71

Reliance on bond, § 11.72

Requirements, § 11.70

Payments secured by liens, §§ 11.12-11.14

Payments to subcontractors, laborers, and materialmen, affidavits of, §§ 11.149, 11.150

Perfection, §§ 11.15, 11.16, 11.73

Persons entitled to liens, §§ 11.09, 11.10

Preferences, §§ 11.32, 11.37-11.39

Priority, release, and actions on liens

Generally, §§ 11.37 et seq.

Building loans and mortgages, above

Commencement of construction or delivery of materials, affidavit of, § 11.41

Cost of furnishing information about construction project, payment of, § 11.54

Costs and attorney’s fees, recovery on foreclosure, § 11.47

Discharge of liens, methods of, § 11.48

Enforcement of creditors’ remedies against money due to contractors, § 11.42

Equality of liens, § 11.39

Failure to furnish information about construction project, § 11.55

Foreclosure, method of, §§ 11.45-11.47

Inception of statutory liens, § 11.40

528
INDEX

MECHANIC’S AND MATERIALMAN’S LIENS—Continued
Priority—Continued
Information about construction project, furnishing of, §§ 11.50 et seq.
Lien or bond claimant’s obligation to furnish information about construction project, § 11.53
Original contractor, liability for actions on other liens, § 11.44
Preference for lien claimants over other creditors, §§ 11.37-11.39
Release of claim or lien, § 11.43
Subcontractor’s obligation to furnish information about construction project, § 11.52
Summary judgment, below
Time periods for bringing foreclosure action, § 11.49
Transfer of property sold on foreclosure, § 11.46
Workers, obligation of contractor to furnish information about construction project to, § 11.51
Prompt payment of contractors
Generally, §§ 11.92 et seq.
Action to enforce prompt payment, § 11.98
Definitions, § 11.93
Failure of lender to disburse funds, § 11.95
Interest on overdue payments, § 11.97
Notice to lender of suspension of work, § 11.101
Suspension of work, §§ 11.100-11.102
Time periods for payments, § 11.94
Waiver of prompt payment provisions, § 11.99
Withholding authorized in disputes over payment, § 11.96
Property to which liens extend, § 11.11
Public works contracts
Generally, §§ 11.77 et seq.
Action on bond, § 11.80
Bond for release of lien, §§ 11.79, 11.80
Notice of lien, § 11.78
Purchase money fixture security interests, § 11.109
Readily removable goods, building loans and mortgages, § 11.110
Recording
Indemnity bonds, § 11.66
Payment bonds, § 11.71
Rejection of reasonable offer, residential construction liability, § 11.125
Release. Priority, release, and actions on liens, above
Reliance on payment bond, § 11.72
Residential construction
Generally, §§ 11.81 et seq.
Affidavit of lien on homestead, § 11.85
Availability of lien, §§ 11.81-11.83
Closing of loan for construction of improvements, §§ 11.89-11.91
Derivative claimant, notice by, §§ 11.82, 11.83
Disclosure statement, § 11.86
Final bills paid affidavit, closing of loan for construction of improvements, § 11.90
Homesteads, procedure for fixing liens on, §§ 11.84, 11.85
Residential construction liability, below
Specially fabricated items, notice by derivative claimant, § 11.83
Subcontractors and suppliers, requirement for original contractor’s list of, §§ 11.87, 11.88
Waiver of list of subcontractors and suppliers, § 11.88
Residential construction liability
Generally, §§ 11.115 et seq.
Abatement of action for notice and inspection, § 11.123
Amount of damages, §§ 11.124, 11.125
Architects and engineers, indemnification of, § 11.129
Attorney’s fees and costs for frivolous actions, § 11.118
Cure of dangerous defects, duty of contractor, § 11.126
Definitions, § 11.116
Disclosure statement, § 11.128

529
INDEX

MECHANIC’S AND MATERIALMAN’S LIENS—Continued
Residential construction liability—Continued
   Evidence and inspection of damages, §§ 11.120, 11.122, 11.123
   Limitations on liability of contractor for damages, § 11.117
   Mediation, § 11.127
   Rejection of reasonable offer, § 11.125
   Written notice to contractor, §§ 11.119-11.123
   Written offer of settlement by contractor and repairs, §§ 11.121, 11.122
Residual priority rule, fixture security interests, § 11.107
Retainage. Withholding and retainage, below
Revival of removed lien, § 11.61
Sham contracts, persons entitled to liens under, § 11.10
Specially fabricated items, notice by derivative claimant, § 11.83
Statute of frauds requirements for description of property, § 11.114
Statutory scheme, generally, § 11.06
Subcontractors, limitation on amount of lien, § 11.13
Summary judgment
   Generally, §§ 11.56 et seq.
   Bond requirements after order to remove lien or claim, §§ 11.59, 11.60
   Failure to file bond or deposit, effect of, § 11.60
   Grounds, § 11.57
   Procedure, § 11.58
   Revival of removed lien, § 11.61
Suspension of work, prompt payment of contractors, §§ 11.100-11.102
Time
   Foreclosure action, commencement of, § 11.49
   Payments to contractors, § 11.94
   Withholding of funds, § 11.23
Transfer and subordination of mechanic’s lien contract to secure construction financing,
   § 11.153
Transfer of property sold on foreclosure, § 11.46
Waiver, §§ 11.88, 11.99
Withholding and retainage
   Generally, §§ 11.22 et seq.
   Affidavit required for labor or materials provided for improvements, §§ 11.26-11.28
   Authority of owner to withhold funds for benefit of lien claimants, §§ 11.22-11.25
   Civil and criminal liability for false affidavit, § 11.28
   Completion of improvements, affidavit of, §§ 11.34-11.36
   Copies of affidavit of completion, persons entitled to, § 11.36
   Demand, payment by owner to lien claimant on, § 11.24
   Disputes over payment of contractors, § 11.96
   Liability of owner for failure to retain funds, § 11.33
   Liability of owner for payments not withheld, § 11.25
   Lien on retained fund, § 11.31
   Preferences to retained funds, § 11.32
   Required retainage by owner, §§ 11.29-11.33
   Seller of real property, affidavit required of, § 11.27
   Time period during which funds are withheld, § 11.23
   Types of payments secured by retainage, § 11.30
Workers, obligation of contractor to furnish information about construction project to,
   § 11.51

MEDIATION
Mechanic’s and materialman’s liens, residential construction liability, § 11.127

MEN’S CLOTHING
Landlord and tenant, exclusion of competitors, § 16.173

MENTALLY IMPAIRED PERSONS
Capacity to contract, § 2.05

METES AND BOUNDS
Sale of property, description of property, §§ 6.81, 6.86
INDEX

MEXICAN BORDER
Subdivisions, §§ 14.24 et seq.

MINERAL LEASES
Title insurance, §§ 8.67-8.70

MINERAL RESERVATION
Deeds, fee simple estate granted to state for highway, § 9.57

MINI STORAGE AGREEMENT
Landlord and tenant, §§ 16.35, 16.36

MISREPRESENTATION
Appraisal credentials, § 3.34

MISUSE
Landlord and tenant, repairs, § 16.191

MODIFICATION
Landlord and Tenant, this index

MORTGAGES AND DEEDS OF TRUST
Generally, §§ 9.42, 10.01 et seq.
Acceleration, §§ 10.70-10.72, 10.83, 10.88
Acceptance of deed in lieu of foreclosure, deed of trust foreclosure after, § 10.114
Advancements, covenants and provisions as to, § 10.26
Alteration of buildings, § 10.77
Appliances, embracing of, § 10.44
Application for loan, generally, §§ 10.06 et seq.
Appraisals, §§ 10.09 et seq., 10.125-10.129
Assessments, covenants and provisions as to, § 10.26
Assignments
Generally, §§ 10.93 et seq.
Lien, § 10.95
Mortgage, generally, § 10.94
Mortgage with covenant, § 10.96
Notice of assignment, § 10.101
Part interest in mortgage, § 10.97
Rents and profits as further security, § 10.93
Assurance of completion by mortgagee, § 10.138
Attorney’s fees, covenants and provisions as to, § 10.26
Basic deed of trust, § 10.25
Buyers’ and sellers’ certificate, § 10.15
Carrying forward of previous security, § 10.35
Closing affidavit, § 10.16
Collateral assignment of and agreement as to first lien, § 10.34
Commencement of construction, affidavit, § 10.116
Commitment letter, § 10.18
Comprehensive insurance, agreement for, § 10.67
Condominiums, addendum to mortgage, § 12.46
Consolidation agreement, § 10.103
Construction contracts, § 11.158
Conveyances, covenants and provisions as to, § 10.26
Costs. Expenses
Debts and liens, affidavit regarding, § 10.13
Deficiency judgment after foreclosure, § 10.113
Delinquency charge and acceleration clause, § 10.72
Demolition of buildings, § 10.77
Distinctions, § 10.02
Due on sale clause, § 10.89
Eminent domain awards, § 10.74
Employment, request for verification of, §§ 10.130-10.132
Energy addendum, Uniform Residential Appraisal, § 10.11
Equipment, embracing of, § 10.44
Expenses
INDEX

MORTGAGES AND DEEDS OF TRUST—Continued
Expenses—Continued
  Covenants and provisions, § 10.26
  Litigation, § 10.75
  Remedy of default or preservation of lien, § 10.76
Extension agreements
  Generally, §§ 10.26, 10.102, 10.103
  Existing deed of trust lien, §§ 10.36, 10.37
  Maturity of note secured by lien, § 10.91
Fannie Mae
  Deed of trust, § 10.140
  Deed of trust and note, § 10.124
  Uniform Instrument, note, § 10.23
  Uniform Residential Appraisal, §§ 10.10, 10.11
  Uniform Residential Loan Application, §§ 10.07, 10.08
FHA deed of trust and note, § 10.121
First lien, covenants and provisions as to, § 10.26
Fixtures, embracing of, § 10.44
Flood insurance, § 10.66
FMHA deed of trust and note, § 10.123
Foreclosure
  Generally, § 10.04
  Home equity loans, § 10.145
  Sale in one parcel, § 10.81
Forfeiture due to failure of mortgagee to exercise option to accelerate, clause against,
  § 10.83
Forms, generally, § 10.05
Freddie Mac deed of trust, § 10.140
Future advances, §§ 10.57, 10.58
Future indebtedness, § 10.59
Gas and oil, §§ 10.51-10.53
Home equity loans, §§ 10.143, 10.145
Homesteads
  Affidavit, § 10.118
  Disclaimer, § 10.50
  Old debt secured by homestead, § 10.47
HUD
  Certificate of commitment, § 10.136
  National Housing Act, application for commitment for insurance under, §§ 10.133, 10.134
  Uniform Residential Loan Application, addendum to, § 10.137
  Verification of deposit, request for, § 10.139
Improvements by mortgagor, § 10.78
Inferior lien, creation of, §§ 10.38, 10.39
Inspection of premises by mortgagee, § 10.85
Installment note with first lien as collateral, § 10.33
Insurance, §§ 10.26, 10.65-10.67
Leases, §§ 10.51-10.53, 10.120
Lien theory of mortgages, § 10.01
Liens and debts, affidavit regarding, § 10.13
Litigation expenses, § 10.75
Machinery, embracing of, § 10.44
Mechanic’s and Materialman’s Liens, this index
New structures, embracing of, § 10.44
Non-commencement of construction, affidavit, § 10.117
Non-merger provision in deed, § 10.106
Notes, §§ 10.20 et seq.
Notice, §§ 10.68, 10.69, 10.101
Oil and gas, §§ 10.51-10.54
Options, covenants and provisions as to, § 10.26
Parcels, sale in, § 10.48
Part interest in mortgage, assignment, § 10.97

532
INDEX

MORTGAGES AND DEEDS OF TRUST—Continued
Partial foreclosure, § 10.49
Partial release, § 10.105
Partial sale, § 10.48
Participation agreement, §§ 10.98, 10.99
Payments, covenants and provisions as to, § 10.26
Personal liability of mortgagor, exemption, § 10.79
Possession on default, § 10.45
Prepayment, §§ 10.40-10.42
Preservation of lien, expenses, § 10.76
Price of sale, statement of, § 10.14
Prior mortgage, compliance with provisions of, § 10.80
Purchase money mortgage clause, §§ 10.29, 10.30
Re-advances, §§ 10.57, 10.58
Real estate forms, generally, § 10.05
Receivership, § 10.46
Release
  Collateral transfer of note, § 10.107
  Durable powers of attorney, § 2.62
  Liens, § 10.104
  Part of land, §§ 10.55, 10.56
Remedy default, expenses to, § 10.76
Removal of buildings, § 10.77
Rents on default, § 10.45
Repairs, §§ 10.86, 10.87, 10.115
Reverse mortgages, §§ 8.27, 10.144
Rural homestead, designation to procure loan, § 10.19
Sales price, statement of, § 10.14
Separate property, note limiting payment and security to, § 10.22
Spreader agreement, § 10.103
State bar real estate forms, generally, § 10.05
Subject to sale, preclusion of, § 10.90
Subordinate mortgage clause with acceleration provision, § 10.88
Subordination agreement, §§ 10.31, 10.32
Substitute trustees, §§ 10.108, 10.110, 10.112
Successor trustee, appointment of, § 10.108
Supplemental agreement, incorporation by reference, § 10.84
Taxes, §§ 10.26, 10.141, 10.142
Tenant at will after sale, § 10.43
Timeshares, § 13.43
Transfer of deed of trust, § 10.92
Trustees, §§ 10.108 et seq.
Truth in lending, §§ 10.17, 10.62
Uniform Residential Appraisal, Fannie Mae, §§ 10.10, 10.11
Uniform Residential Loan Application, §§ 10.07, 10.08, 10.137
Unlimited prepayment clause, § 10.40
USDA-FMHA application for FMHA guaranteed loan, §§ 10.133, 10.134
Use of deed of trust, § 10.03
Usury, prohibition of, §§ 10.63, 10.64
Veterans administration
  Addendum to Uniform Residential Loan Application, § 10.137
  Application for home loan guaranty, §§ 10.133, 10.134
  Certificate of commitment, § 10.135
  Deed of trust and note, § 10.122
  Request for determination of reasonable value/HUD application for property appraisal
    and commitment, §§ 10.125-10.129
  Request for verification of deposit, § 10.139
Waiver
  Demand and presentment for payment, § 10.69
  Limited to particular instance, § 10.82
  Option to accelerate, failure of mortgagee to exercise, § 10.83
Warranty of title, §§ 10.60, 10.61

533
INDEX

MORTGAGES AND DEEDS OF TRUST—Continued
Waste, covenants and provisions as to, § 10.26

MULTIPLE LISTING SERVICE
Brokers and salespersons, authorization to employ, § 3.66

MUNICIPAL ANNEXATION
Sale of property, disclosure of possibility, §§ 6.40-6.42

NEGLECT
Landlord and tenant, repairs, § 16.191

NEGligence
Landlord and tenant, indemnity, § 16.313

NOTES
Promissory Notes, this index

NOTICE
Brokers and Salespersons, this index
Condominiums, liens, § 12.48
Deed Restrictions, this index
Executory Contracts, this index
Home improvement contracts on homesteads, § 11.03
Landlord and Tenant, this index
Mechanic’s and Materialman’s Liens, this index
Mortgages and deeds of trust, §§ 10.68, 10.69, 10.101
Residential Property Owners’ Protection Act, §§ 14.54, 14.58
Timeshares, §§ 13.24, 13.31

NUISANCE
Condominiums, § 12.36
Lease, termination of, § 16.411

OBSTRUCTION
Condominiums, common elements, § 12.39

OFFICES
Landlord and Tenant, this index

OIL AND GAS
Deeds, pipeline easements, § 9.55
Landlord and tenant, gasoline filling station, § 16.28
Mortgages and deeds of trust, §§ 10.51-10.54
Title insurance, oil companies, § 8.66

OPTION CONTRACTS
Generally, §§ 4.01 et seq.
Acceptance of offer in option contract, § 4.04
Assignment of option contract, §§ 4.05, 4.14
Attachment to sales contract, § 4.16
Brokers and salespersons, use of TREC forms, § 4.06
Consideration, § 4.02
Extension of option term, § 4.12
Insertion of option clause in sales contract, § 4.17
Installment payments, § 4.11
Landlord and Tenant, this index
Liquidated damages clause, § 4.09
Memorandum of option to purchase for recording, § 4.15
Mortgages and deeds of trust, § 10.26
Notice of election to exercise option, § 4.13
Partial payment of purchase price, § 4.08
Rental property, § 4.10
TREC forms, use by brokers and salespersons, § 4.06
Writing requirement, § 4.03
Written notice to optionor, § 4.07
INDEX

ORCHARDS
Management of real property, § 17.09

OWELTY LIEN
Partition, § 5.21

PAINTING
Landlord and tenant, §§ 16.206, 16.223-16.225

PARKING LOT
Landlord and tenant, § 16.154

PARKING SPACE
Landlord and tenant, § 16.34

PAROL EVIDENCE
Sale of property, § 6.19

PARTIAL PERFORMANCE
Sale of property, statute of frauds, §§ 6.24, 6.25

PARTICIPATION AGREEMENT
Mortgages and deeds of trust, §§ 10.98, 10.99

PARTITION
Generally, §§ 5.07 et seq., 5.19 et seq.
Appointment of commissioners, § 5.10
Arbitration, contract to partition by, § 5.19
Community property, deed of partition, §§ 5.23, 5.24
Decedent’s estate, property of, § 5.14
Deed of partition, §§ 5.20 et seq.
Effect of partition, § 5.11
Enforcement of partition between spouses, § 5.13
Owelty lien, deed of partition creating, § 5.21
Procedure in suit for partition, § 5.09
Report of commissioners, § 5.10
Spouses, partition between, §§ 5.12, 5.13
Suit for partition, §§ 5.08 et seq.
Surface of real property, deed of partition, § 5.22
Timeshares, §§ 13.04, 13.12, 13.13

PARTNERSHIPS
Contracts and agreements, §§ 2.14, 2.15, 2.79, 2.80
Deeds, § 9.76
Landlord and tenant, §§ 16.364, 16.419, 16.420

PARTY WALLS
Landlord and tenant, § 16.132
Shopping centers and commercial developments, § 15.08

PAVING CONTRACT
Mechanic’s and materialman’s liens, special assessment, § 11.152

PAYMENT BOND
Mechanic’s and Materialman’s Liens, this index

PAYMENTS
Mechanic’s and materialman’s liens, §§ 11.12-11.14, 11.149, 11.150

PENALTIES
Subdivisions, violations of regulations, §§ 14.08, 14.18
Timeshares, §§ 13.15, 13.32

PERCENTAGE RENT
Landlord and tenant, §§ 16.14, 16.27, 16.68 et seq.

PERFECTION
Mechanic’s and materialman’s liens, §§ 11.15, 11.16, 11.73
INDEX

PIPELINES
Sale of property, unimproved residential property, § 6.39

PLATE GLASS
Landlord and tenant, insurance by lessee, § 16.183

PLATS AND PLANS
Condominiums, § 12.11
Contracts and agreements, §§ 1.05, 1.13

PLEDGES
Executory contracts, § 7.18

POWERS OF ATTORNEY
Contracts and Agreements, this index

PREFERENCES
Mechanic’s and materialman’s liens, §§ 11.32, 11.37-11.39

PREPARATION BY ATTORNEYS
Contracts and Agreements, this index

PREPAYMENT
Mortgages and deeds of trust, §§ 10.40-10.42

PRESUMPTIONS
Deeds, this index

PRINCIPAL AND AGENT
Capacity to contract, § 2.16

PRIORITY
Brokers and salespersons, liens, §§ 3.46, 3.47
Mechanic’s and Materialman’s Liens, this index

PROBATE COURT
Deed by estate representative to property sold through court, § 9.88

PROMISSORY ESTOPPEL
Sale of property, statute of frauds, § 6.26

PROMISSORY NOTES
Construction contracts, § 11.157
Durable powers of attorney, § 2.55
Mortgages and deeds of trust, §§ 10.20 et seq.
Sale of property, execution by buyer, § 6.109
Timeshares, § 13.41

PROMPT PAYMENT
Mechanic’s and Materialman’s Liens, this index

PROOFS OF INSTRUMENTS
Contracts and Agreements, this index

PROTEST
Landlord and tenant, payment of rent, § 16.443

PUBLIC OFFICERS
Certificate of acknowledgment, §§ 2.83, 2.84

PUBLIC STENOGRAPHY
Landlord and tenant, exclusion of competitors, § 16.172

PUBLIC WORKS CONTRACTS
Mechanic’s and Materialman’s Liens, this index

PURCHASE MONEY MORTGAGES
Generally, §§ 10.29, 10.30
INDEX

QUIET ENJOYMENT
Landlord and tenant, §§ 16.134-16.138

QUITCLAIM DEEDS
Generally, §§ 9.04, 9.32

RANCHES
Sale of property, § 6.69

RATIFICATION
Contracts and agreements, §§ 2.02, 2.71

READILY REMOVABLE GOODS
Mechanic’s and materialman’s liens, building loans and mortgages, § 11.110

REAL ESTATE COMMISSION
Timeshares, § 13.08

REAL ESTATE SETTLEMENT PROCEDURES ACT
Closing transactions, § 8.95

RECEIPTS
Closing transactions, attorney’s statement, § 8.89

RECEIVERSHIP
Mortgages and deeds of trust, § 10.46

RECIPROCAL EASEMENTS
Sale of property, driveways, § 6.96

RECORDS AND RECORDING
Acknowledgments and proofs of written instruments, § 2.50
Condominiums, §§ 12.06, 12.07
Executory contracts, § 7.15
Leases, § 16.17
Mechanic’s and Materialman’s Liens, this index
Power of attorney, § 2.20
Subdivision plats, § 14.02

REDEMPTION
Residential Property Owners’ Protection Act, §§ 14.59 et seq.

REFUND
Timeshares, cancellation of contract, § 13.24

REGISTERED MAIL
Landlord and tenant, notice, §§ 16.429-16.431

REGISTRATION
Timeshares, §§ 13.14, 13.15, 13.34, 13.35

REIMBURSEMENT
Brokers and salespersons, Real Estate Recovery Fund, § 3.03
Inspectors, Real Estate Inspection Recovery Fund, § 3.51

REINSURANCE
Title insurance, §§ 8.32-8.34, 8.41

RELEASES
Condominiums, liens, § 12.49
Deed restrictions for all lot owners, § 14.92
Leases, § 16.427
Mechanic’s and Materialman’s Liens, this index
Mortgages and Deeds of Trust, this index
Sale of property, assumption of loan, § 6.72

537
INDEX

RELIANCE
Mechanic’s and materialman’s liens, payment bond, § 11.72
Sale of property, notice of certificated service area of utility service provider, § 6.52

REMAINDER OVER
Deeds, life estates, §§ 9.66, 9.67

REMEDY
Landlord and Tenant, this index

REMODELING
Landlord and tenant, §§ 16.260, 16.261

RENEWAL OF LEASE
Landlord and Tenant, this index

RENOVATION
Condominiums, § 12.38

RENT
Landlord and Tenant, this index

REPAIR
Maintenance and Repair, this index

REPLACEMENT DEED
Generally, § 9.85

REPORTS
Inspectors, §§ 3.68-3.70
Partition, § 5.10
Title insurance, § 8.75

RESALES
Condominiums, this index

RESCISSON
Executory contracts, §§ 7.04, 7.05
Sale of property, title objection, § 6.126

RESIDENTIAL LEASE
Landlord and Tenant, this index

RESIDENTIAL PROPERTY OWNERS’ PROTECTION ACT
Generally, §§ 14.51 et seq.
Alternative dispute resolution, § 14.55
Attorney’s fees, § 14.56
Availability of association records, § 14.53
Cost of redemption after foreclosure sale, §§ 14.60, 14.61
Expiration of redemption period, § 14.63
Filing of management certificate for association, § 14.52
Foreclosure sales, §§ 14.57 et seq.
Hearings, § 14.55
Notice, §§ 14.54, 14.58
Redemption after foreclosure sale, §§ 14.59 et seq.

RESTAURANTS
Landlord and tenant, § 16.244

RETAINAGE
Mechanic’s and Materialman’s Liens, this index

REVERSE MORTGAGES
Generally, §§ 8.27, 10.144

REVOCATION
Power of attorney, § 2.26
INDEX

RIGHTS OF WAY
Brokers and salespersons, notice, § 3.73
Deeds, §§ 9.51, 9.52
Inspectors, § 3.73

RISK OF LOSS
Sale of property, § 6.119

ROADS
Landlord and tenant, repairs, § 16.214

RULE AGAINST PERPETUITIES
Deeds, reformation of interests in violation of rule, § 9.24

SALE AND LEASEBACK
Generally, § 16.30

SALE OF PROPERTY
Generally, §§ 6.01 et seq.
Abstract of title, §§ 6.71, 6.113
Acknowledgment of contract, § 6.15
Adjournment of closing date, § 6.103
Amendment to contract for resale of residential property, § 6.64
As is sale, §§ 6.10, 6.101
Assessments, §§ 6.112, 6.118
Assignment of contract, §§ 6.16, 6.134, 6.135
Backup contract, addendum for, § 6.79
Brokers and salespersons, use of TREC forms, § 6.27
Certificated service area of utility service provider, notice of, §§ 6.49-6.53
Coastal property, §§ 6.28, 6.32, 6.33, 6.75
Commission of real estate agent, § 6.127
Condition of residential property, disclosure of, §§ 6.29-6.31, 6.65
Contiguity of parcels, §§ 6.104-6.107
Course and distance, description of property, §§ 6.82, 6.83
Covenants and conditions, §§ 6.11, 6.12, 6.90
Curing title defects, §§ 6.02, 6.113
Damage actions, §§ 6.53, 6.59
Deposit of earnest money, § 6.108
Description of property, §§ 6.22, 6.23, 6.81 et seq.
Driveway easement, §§ 6.88, 6.96
Dues, payment of current, § 6.112
Earnest money, §§ 6.124, 6.132
Endangered species report, addendum for, § 6.74
Environmental assessment, addendum for, § 6.74
Escrow agreement, § 6.128
Escrow instructions, § 6.129
Expenses of financing, payment of, § 6.04
Farm contract, § 6.69
FHA financing, one to four family residential resale contract, § 6.63
Financing, purchaser obtaining, §§ 6.03, 6.111
Frauds, statute of
Generally, §§ 6.20 et seq.
Description of real property, §§ 6.22, 6.23
Partial performance, §§ 6.24, 6.25
Promissory estoppel, § 6.26
Gulf intracoastal waterway, notice for property seaward of, §§ 6.34, 6.35, 6.76
Home solicitations of sales, §§ 6.55-6.59
Inspection right of buyer, §§ 6.116, 6.117
Interim payments when purchaser takes subject to existing mortgage, § 6.110
Lead-based paint hazards disclosure, §§ 6.54, 6.66
Leases and tenancies, subject to clause, § 6.95
Liquidated damages, earnest money as, § 6.124
Metes and bounds, description of property, §§ 6.81, 6.86
Minimum requirements, disclosure of condition of residential property, § 6.31
INDEX

SALE OF PROPERTY—Continued
Modification of restrictive covenant with option to terminate, § 6.97
Mortgage liens, transfer with existing, § 6.13
Municipal annexation, disclosure of possibility of, §§ 6.40-6.42
Municipal utility obligations, notice of, § 6.48
New home, §§ 6.60, 6.61
Non-exclusive right of way, together with clause, § 6.89
Note and deed of trust, contract with, § 6.130
One to four family residential resale contract, §§ 6.62, 6.63
Parol evidence, admissibility of, § 6.19
Partial performance, statute of frauds, §§ 6.24, 6.25
Personal property of seller, §§ 6.114, 6.115
Pipelines under unimproved residential property, disclosure of, § 6.39
Possession by purchaser before closing, § 6.122
Possession by seller after closing, § 6.121
Promissory estoppel, statute of frauds, § 6.26
Promissory note, execution by buyer, § 6.109
Ranch contract, § 6.69
Reciprocal easement for driveway, § 6.96
Recorded map or plat, description of property, §§ 6.85, 6.86
Release of liability upon assumption of loan, addendum for, § 6.72
Reliance on accuracy of information, notice of certificated service area of utility service provider, § 6.52
Remedies for breach of contract, §§ 6.18, 6.19
Rescission upon title objection, § 6.126
Reservation of possession and outstanding rents to seller, § 6.120
Risk of loss, allocation of, § 6.119
Sale of other property by buyer, addendum for, § 6.78
Same as clauses, §§ 6.05, 6.98, 6.99
Seller financing, addendum for, § 6.73
Statutory requirements, §§ 6.27 et seq.
Street numbers, use of, §§ 6.06, 6.100
Street rights, together with clause, § 6.87
Subject to clauses, §§ 6.08, 6.90-6.95
Survey facts, §§ 6.09, 6.93, 6.94
Taxes, §§ 6.36-6.38, 6.112
Temporary lease of property, §§ 6.67, 6.68
Termination of contract, notice of, § 6.80
Termite inspection, § 6.117
Threatened species report, addendum for, § 6.74
Time
   Essence, time of, §§ 6.14, 6.102, 6.133
   Utility district obligations, notice of, § 6.44
Title objections, §§ 6.92, 6.113, 6.125, 6.126
Together with clauses, §§ 6.07, 6.87-6.89
TREC forms, §§ 6.27, 6.60 et seq.
Uniform Vendor and Purchaser Risk Act, § 6.17
Unimproved real property contract, § 6.70
Utility obligations, notice of, §§ 6.43 et seq., 6.77
VA financing, one to four family residential resale contract, § 6.63
Wetlands report, addendum for, § 6.74
Wrap-around mortgage, contract with, § 6.131
Zoning
   Generally, § 6.12
   Subject to clause, §§ 6.91, 6.92
   Variance as contingency, § 6.123

SALESPERSONS
Brokers and Salespersons, this index

SAVINGS AND LOAN ASSOCIATION
Landlord and tenant, use restrictions, § 16.153

540
INDEX

SCHOOLS
Deeds, determinable fee for school purposes, § 9.70

SCROLLS
Contracts and agreements, § 2.32

SEALS
Contracts and agreements, § 2.32

SECURITY
Landlord and Tenant, this index

SEPARATE PROPERTY
Contracts and agreements, authority of spouse, § 2.07
Mortgages and deeds of trust, § 10.22

SEWERS
Deeds, §§ 9.54, 9.56
Landlord and tenant, §§ 16.95-16.99, 16.201
Subdivisions, § 14.10

SHAM CONTRACTS
Mechanic’s and materialman’s liens, § 11.10

SHERIFF
Certificate of acknowledgment, §§ 2.85, 2.86
Deed under order of sale by sheriff, § 9.77

SHOPPING CENTERS AND COMMERCIAL DEVELOPMENTS
Generally, §§ 15.01 et seq.
Acquisition of land, methods of, § 15.02
Basic shopping center lease, § 15.04
Contract for sale of surface rights for development, § 15.07
Contract to build and lease shopping center space, § 15.06
Leases, §§ 15.04-15.06, 16.138, 16.146, 16.277
Party wall agreement, § 15.08
Statute of frauds requirements for description of real property, § 15.03

SIDEWALKS
Landlord and tenant, §§ 16.159, 16.208

SIGNATURES
Appraisals, § 3.35

SIGNS

SKELETON ABSTRACT OF TITLE
Title insurance, § 8.50

SMOKING
Landlord and tenant, exclusion of competitors, § 16.174

SNOW REMOVAL
Landlord and tenant, § 16.209

SOFT DRINKS
Landlord and tenant, use restrictions, § 16.156

SPANISH LANGUAGE
Executory contracts, § 7.07

SPECIAL USE PERMITS
Subdivisions, §§ 14.78, 14.79

SPECIAL WARRANTY DEEDS
Generally, §§ 9.03, 9.31
INDEX

SPECIALY FABRICATED ITEMS
Mechanic's and materialman's liens, notice by derivative claimant, § 11.83

SPOUSES
Community Property, this index
Exchange of real property, §§ 5.12, 5.13
Partition, §§ 5.12, 5.13

SPREADER AGREEMENT
Mortgages and deeds of trust, § 10.103

SPRINGING EXECUTORY INTERESTS
Deeds, §§ 9.15, 9.73

STATE PARK PROPERTY
Exchange of real property, § 5.04

STATUTE OF CONVEYANCES
Deeds, § 9.06

STATUTE OF FRAUDS
Frauds, Statute of, this index

STATUTE OF LIMITATIONS
Formal defects in instruments, § 2.51

STENOGRAPHY
Landlord and tenant, exclusion of competitors, § 16.172

STOCK BROKERAGE PARTNERSHIPS
Landlord and tenant, § 16.420

STREET NUMBERS
Sale of property, §§ 6.06, 6.100

STRUCTURAL REPAIRS
Landlord and tenant, § 16.189

SUBDIVISIONS
Generally, §§ 14.01 et seq., 14.64 et seq.
Access roads, dedication of, § 14.70
Annual statement of subdivisions along Mexican border, § 14.30
Approval of development plats, §§ 14.14, 14.65
Approval of subdivision plats, §§ 14.11, 14.12, 14.21, 14.65
Cancellation of subdivisions, § 14.22
Certificate of authentication of county clerk, § 14.64
Common areas, §§ 14.73, 14.74
Contract requirements for subdivisions along Mexican border, §§ 14.28, 14.29
County regulation
Generally, §§ 14.17 et seq.
Annual statement of subdivisions along Mexican border, § 14.30
Cancellation of subdivisions, § 14.22
Certificate of authentication of county clerk, § 14.64
Contract requirements for subdivisions along Mexican border, §§ 14.28, 14.29
County planning commissions, authority of, § 14.34
Damages and penalties for violations of regulations, § 14.18
Disclosure notice for subdivisions along Mexican border, § 14.29
Economically distressed counties, §§ 14.31-14.33
Exceptions from county plating requirements, § 14.20
Manufactured home rental communities, §§ 14.35, 14.36
Mexican border, counties long, §§ 14.24 et seq.
Revision of plats, § 14.23
Sale or lease of land along Mexican border, § 14.27
Subdivision plats under county jurisdiction, requirements for, §§ 14.19, 14.20, 14.25,
14.26, 14.32, 14.33

542
INDEX

SUBDIVISIONS—Continued
County regulation—Continued
   Zoning, § 14.05
Damages for violations of regulations, §§ 14.08, 14.18
Dedication of streets and other subdivision features, §§ 14.68 et seq.
Deed Restrictions, this index
Description of real property, statute of fraud requirements for, § 14.03
Developer participation in municipal contracts for public improvements, § 14.15
Development plats, requirements for, § 14.13
Disclosure notice for subdivisions along Mexican border, § 14.29
Economically distressed counties, §§ 14.31-14.33
Engineer’s certificate, § 14.67
Hearing, notice of, § 14.80
Home-rule municipal development regulation, restriction on, § 14.16
Lease of land along Mexican border, § 14.27
Maintenance of improvements, private, § 14.76
Manufactured home rental communities, §§ 14.35, 14.36
Mexican border, counties long, §§ 14.24 et seq.
Municipal regulation
   Generally, §§ 14.06 et seq.
      Approval of development plats, §§ 14.14, 14.65
      Approval of subdivision plats, §§ 14.11, 14.12, 14.65
      Damages and penalties for violations of regulations, § 14.08
      Developer participation in municipal contracts for public improvements, § 14.15
      Development plats, requirements for, § 14.13
      Engineer’s certificate, § 14.67
      Home-rule municipal development regulation, restriction on, § 14.16
      Procedure for approval of subdivision plats, § 14.11
      Rulemaking authority, § 14.07
      Standards for approval of subdivision plats, § 14.12
      Subdivision plats, requirements for, §§ 14.09, 14.10
      Water and sewer requirements, § 14.10
   Zoning, § 14.04
Non-dedication of streets, § 14.71
Penalties for violations of regulations, §§ 14.08, 14.18
Recording of subdivision plats, § 14.02
Residential subdivision, land use restrictions for, § 14.89
Revision of plats, § 14.23
Sale of land along Mexican border, § 14.27
Sewer requirements, § 14.10
Special use permits, §§ 14.78, 14.79
Statute of frauds requirements for description of real property, § 14.03
Surveyor’s certificate for plat, § 14.66
Trustee, conveyance of property to, § 14.75
Utility easement reservation, dedication of streets and parks with, § 14.69
Variance from zoning ordinance, §§ 14.77, 14.81, 14.82
Water requirements, § 14.10
Waterfront subdivision, land use restrictions for, § 14.88
Waterways, dedication of, § 14.70
Zoning, §§ 14.04, 14.05

SUBLEASE
Landlord and Tenant, this index

SUBMERGED LAND
Deeds, lease contract for easement, § 9.91

SUBORDINATION
Brokers and salespersons, liens, § 3.47
Landlord and Tenant, this index
Mortgages and deeds of trust, §§ 10.31, 10.32

SUBROGATION
Landlord and tenant, waiver, §§ 16.437, 16.438
INDEX

SUBSCRIBING WITNESSES
Contracts and agreements, proof of instrument, §§ 2.41, 2.88

SUBSTITUTE TRUSTEES
Mortgages and deeds of trust, §§ 10.108, 10.110, 10.112

SUCCESSOR TRUSTEES
Mortgages and deeds of trust, § 10.108

SUFFERANCE, TENANCY AT
Generally, § 16.11

SUMMARY JUDGMENT
Mechanic’s and Materialman’s Liens, this index

SUPERMARKET
Landlord and tenant, use restrictions, § 16.155

SURRENDER
Leases, § 16.456

SURVEYS
Contracts and agreements, §§ 1.05, 1.13
Sale of property, §§ 6.09, 6.93, 6.94

SUSPENSION OF WORK
Mechanic’s and materialman’s liens, prompt payment of contractors, §§ 11.100-11.102

TAXES
Closing transactions, transfer of funds in escrow, § 8.78
Condominiums, separate taxation, § 12.04
Deeds, §§ 9.46, 9.48
Executory contracts, § 7.11
Landlord and tenant, §§ 16.74, 16.76, 16.89 et seq.
Mortgages and deeds of trust, §§ 10.26, 10.141, 10.142
Sale of property, §§ 6.36-6.38, 6.112
Title insurance, tax certificate by abstractor, § 8.51

TELEVISION ANTENNAS
Landlord and tenant, §§ 16.263-16.265

TERM OF LEASE
Landlord and Tenant, this index

TERMINATION
Condominiums, contracts and leases, § 12.16
Landlord and Tenant, this index
Sale of property, § 6.80

TERMITE INSPECTION
Sale of property, § 6.117

TERTIARY REINSURANCE
Title insurance, §§ 8.33, 8.34

THREATENED SPECIES REPORT
Sale of property, § 6.74

TIME AND DATE
Mechanic’s and Materialman’s Liens, this index
Sale of Property, this index
Statute of limitations, formal defects in instruments, § 2.51

TIMESHARES
Generally, §§ 13.01 et seq.
Amendment of registration, § 13.35
Annual fee and expense statement, §§ 13.30-13.32
Bankruptcy of developer, § 13.05
INDEX

TIMESHARES—Continued
Books and records, availability of, § 13.10
Bylaws of council of purchasers, § 13.39
Cancellation of contract by purchaser, §§ 13.23, 13.24, 13.26
Conditions, declaration of, § 13.38
Conveyance of interests, § 13.13
Covenants, declaration of, § 13.38
Deceptive Trade Practices Act, § 13.28
Declaration of timeshare regime, § 13.11
Deed of trust, § 13.43
Definitions, §§13.02, 13.03
Description of property in contracts and deeds, § 13.33
Encumbrance of interests, § 13.13
Escrow accounts, §§13.27, 13.44
Exchange programs
   Generally, § 13.16
   Developer’s liability for materials provided by exchange company, § 13.20
   Disclosure statements, § 13.19
   Exchange company’s liability for acts of developer, § 13.21
Injunction for late annual fee and expense statement, § 13.32
Insurance requirements, § 13.29
Notice, §§13.24, 13.31
Organization of Timeshare Act, § 13.07
Ownership of interests, §§13.12, 13.13
Partition of interests, §§13.12, 13.13
Partition of time-span estate, limitation on right, § 13.04
Penalty, §§ 13.15, 13.32
Promissory note, § 13.41
Promotional disclosure statements, § 13.17
Real Estate Commission, powers under Timeshare Act, § 13.08
Refund of payments after cancellation of contract, § 13.24
Registration of properties, §§13.14, 13.15, 13.34, 13.35
Restrictions, declaration of, § 13.38
Supervisory duties of developer, §§13.09, 13.10
Tenancy in common, defined, § 13.02
Timeshare Act, §§13.06 et seq.
Time-span ownership, defined, § 13.02
Warranty deed, § 13.42

TITLE INSURANCE
   Generally, §§ 8.01 et seq.
Abstract of title, §§ 8.47-8.50
Adjustable mortgage loan endorsement, § 8.15
Adverse possession, §§ 8.71, 8.72
Affidavits, §§ 8.56 et seq.
Affirmation, § 8.58
Age of child, affidavit of parent, § 8.59
Agent of attorney, affidavit by, § 8.57
Balloon mortgage endorsement, § 8.19
Bond to indemnify purchaser against defects in title, § 8.55
Borrower’s statement, § 8.35
Brokers and salespersons, notice to buyer regarding necessity, § 3.19
Certificate of title, §§ 8.30, 8.31
Clearing title objections, § 8.76
Closing service, insured, §§ 8.39, 8.40
Commitment, §§ 8.05, 8.45
Definitions, § 8.46
Department of Insurance, § 8.01
Easements, certificate of title, § 8.31
Eminent domain proceedings, § 8.44

545
INDEX

TITLE INSURANCE—Continued
Endorsements, generally, §§ 8.07 et seq.
Environmental protection lien endorsement, § 8.18
Equity loan mortgagee endorsement, § 8.29
Evidence of title, §§ 8.42, 8.43
Examination of title, standards, § 8.52
Facultative reinsurance agreement, § 8.32
Heirship, affidavit of, § 8.65
Highway Department, owner’s policy, § 8.24
Homestead disclaimer and designation, § 8.73
Identity of party to deed, affidavit, § 8.60
Improvements, acceptance of, § 8.74
Increased value endorsement, § 8.16
Indemnity, title insurance policies as contracts of, § 8.04
Interim construction loan, mortgagee policy, § 8.20
Labor and materials, payment of, § 8.74
Laborers, affidavit regarding, § 8.64
Leasehold mortgagee policy, § 8.21
Leasehold owner policy, § 8.22
Limited pre-foreclosure policy, §§ 8.12, 8.28
Manufactured housing endorsement, § 8.14
Marital status of grantor in deed, affidavit, § 8.61
Materialmen, affidavit regarding, § 8.64
Mineral leases, §§ 8.67-8.70
Mortgagee policy, generally, §§ 8.11, 8.13
Nature of coverage, §§ 8.02-8.04
No debts, affidavit, §§ 8.63, 8.65
Non-development of mineral lease, affidavit, §§ 8.69, 8.70
Oil company, questionnaire to landowner by, § 8.66
Opinion approving title, §§ 8.53, 8.54
Owner’s policy, generally, §§ 8.09, 8.10, 8.24
Policies, §§ 8.06, 8.25
Principal of attorney is alive and sane, affidavit, § 8.62
Procedural rules, § 8.46
Purchaser’s statement, § 8.36
Reinsurance, §§ 8.32-8.34, 8.41
Rejection of owner policy, § 8.38
Report of title, § 8.75
Residential leasehold policy, § 8.23
Residential owner policy, one to four family, § 8.10
Reverse mortgage endorsement, § 8.27
Revolving credit endorsement, § 8.17
Seller’s statement, § 8.37
Skeleton abstract of title, § 8.50
Subcontractors, affidavit regarding, § 8.64
Supplemental abstract of title, § 8.49
Tax certificate by abstractor, § 8.51
Tertiary reinsurance agreement, §§ 8.33, 8.34

TREC FORMS
Brokers and salespersons, §§ 3.16, 3.60 et seq.
Exchange of real property, use by brokers and salespersons, § 5.05
Option contracts, use by brokers and salespersons, § 4.06
Sale of property, §§ 6.27, 6.60 et seq.

TREES
Landlord and tenant, §§ 16.278, 16.293

TRUSTS AND TRUSTEES
Certificate of acknowledgment, §§ 2.83, 2.84
Construction contracts, liquidated damages, § 11.135
Deeds, holding and conveyance of property, § 9.82
Mortgages and deeds of trust, §§ 10.108 et seq.
INDEX

TRUSTS AND TRUSTEES—Continued
Subdivisions, § 14.75

TRUTH IN LENDING
Mortgages and deeds of trust, §§ 10.17, 10.62

UNBORN CHILDREN
Deeds, life estates, § 9.67

UNIFORM CONDOMINIUM ACT
Condominiums, this index

UNIFORM RESIDENTIAL APPRAISAL
Mortgages and deeds of trust, §§ 10.10, 10.11

UNIFORM RESIDENTIAL LOAN APPLICATION
Mortgages and deeds of trust, §§ 10.07, 10.08, 10.137

UNIFORM VENDOR AND PURCHASER RISK ACT
Sale of property, § 6.17

USE RESTRICTIONS
Landlord and Tenant, this index

USURY
Mortgages and deeds of trust, §§ 10.63, 10.64

UTILITY EASEMENTS
Subdivisions, dedication of streets and parks, § 14.69

VARIANCES
Subdivisions, zoning ordinances, §§ 14.77, 14.81, 14.82

VETERANS ADMINISTRATION
Condominium resales, financing, § 12.51
Mortgages and Deeds of Trust, this index
Sale of property, one to four family residential resale contract, § 6.63

WAIVER
Brokers and salespersons, right to lien, § 3.41
Landlord and Tenant, this index
Mechanic’s and materialman’s liens, §§ 11.88, 11.99
Mortgages and Deeds of Trust, this index

WARRANTY DEEDS
Deeds, this index

WARRANTY OF TITLE
Mortgages and deeds of trust, §§ 10.60, 10.61

WASTE
Mortgages and deeds of trust, § 10.26

WASTE PIPES
Landlord and tenant, maintenance and repair, § 16.201

WASTE REMOVAL
Landlord and tenant, §§ 16.210, 16.227

WATER
Deeds, § 9.56
Landlord and Tenant, this index
Subdivisions, §§ 14.10, 14.70

WATERFRONT SUBDIVISION
Subdivisions, land use restrictions, § 14.88

WETLANDS REPORT
Sale of property, § 6.74
INDEX

WHarf
Landlord and tenant, description of premises, § 16.41

WIFE AND HUSBAND
Spouses, this index

WILL, TENANCY AT
Generally, § 16.10

WINDOWS
Landlord and tenant, §§ 16.207, 16.226

WITHHOLDING
Mechanic’s and Materialman’s Liens, this index

WORKMEN’S COMPENSATION
Landlord and tenant, § 16.267

WRAP-AROUND MORTGAGE
Sale of property, § 6.131

WRAP-AROUND MORTGAGES
Deeds, § 9.41

ZONING
Sale of Property, this index
Subdivisions, §§ 14.04, 14.05
Variance for buyer’s proposed use of property, § 1.09