



Our PIPOA Governing Documents Simplified

When Padre Isles was organized in the 1970's there were 48 distinct subdivisions with 8,446 platted lots. And each was created with their own unique set of covenants. As a property owner in the Padre Isles Property Owners Association (PIPOA), there are three types of governing documents that you should be aware of.

1. COVENANTS

When you purchased your property, you agreed to a set of Restrictive Covenants that were attached to your Property Deed. Those Covenants are unique to your subdivision.

The Covenants are your most important document. They describe the fees you pay, the services you agreed to purchase from the PIPOA, and the rules for amending your covenants. In the Covenants you assign the maintenance of all common areas to the PIPOA as TRUSTEE. Today the only common areas you authorize them to maintain are the bulkheads, the boat ramps, and the canal system. No other spending is authorized.

2. ARTICLES OF INCORPORATION

The PIPOA is organized as a nonprofit corporation under a set of published Articles of Incorporation. The Articles are pretty straight-forward, and they do clearly state that the PIPOA can only spend money on the things "of which we own" like the bulkheads, canals, and boat ramps. Again, no other spending is authorized.

3. BYLAWS

Finally, we get to the Bylaws. This is the document that defines the behavior of the Board of Directors in their management of the PIPOA. The Board can only authorized spending that does not conflict with our Covenants or Articles of Incorporation.

What does it take to AMEND these documents?

Amending the Covenants cannot be done by the PIPOA. Your covenants grant them no authority over the content or amending of our covenants. And they are not permitted to use our CAM fees in support of (or in opposition to) any amendment drives. Your Covenants can only be amended by:

- Getting together with your neighbors in your subdivision,
- and 51% of you agreeing on a change,
- then, filing that change with Nueces County.

Amending the Articles of Incorporation cannot be done by the PIPOA. It requires a 51% approval of all 8,446 Owners. Considering we only had 860 Owners vote in the 2020 annual election, finding 4,224 votes is a goal that we think is nearly impossible.

Amending the Bylaws cannot be done by the PIPOA. And the Board has no authority to amend the Bylaws. The Bylaws can only be amended by a vote of the Membership. To amend, you hold an election where at least 10% (approx. 845) of the Owners participate, then a simple majority wins.

Protecting your property rights begins with understanding and protecting your Covenants, the Articles of Incorporation, and the Bylaws.

Knowledge is Power.

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