

**SIXTH AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS
FONDREN SOUTHWEST NORTHFIELD, SECTION EIGHT**

THIS SIXTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, FONDREN SOUTHWEST NORTHFIELD, SECTION EIGHT (“**Sixth Amendment**”) is made and effective this ____ day of May, 2019 (“**Effective Date**”), by NorthfieldDH, LLC, a Texas limited liability company (“**NorthfieldDH**”), owner of more than sixty-six percent (66%) of the Lots in Fondren Southwest Northfield, Section Eight, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 327, Page 108 of the Map Records of Harris County, Texas (the “**Subdivision**”), and amends that certain Declaration of Covenants and Restrictions, Fondren Southwest Northfield, Section Eight dated February 16, 1983, filed for record on February 28, 1983 under Clerk’s File Number H-833185 of the Public Records of Harris County, Texas and recorded under Film Code No. 039-83-1721, as amended by that First Amendment of Declaration of Covenants and Restriction, Fondren Southwest Northfield, Section Eight dated August 1, 1984, filed for record on October 31, 1984 under Harris County Clerk’s File Number J-759792 and recorded under Film Code No. 098-88-2130 (the “**First Amendment**”), that Second Amendment of Declaration of Covenants and Restriction, Fondren Southwest Northfield, Section Eight dated November 30, 1989, filed for record on December 1, 1989 under Harris County Clerk’s File Number M-421770 and recorded under Film Code No. 163-67-0675 (the “**Second Amendment**”) and that Third Amendment of Declaration of Covenants and Restriction, Fondren Southwest Northfield, Section Eight dated January 26, 2016, filed for record on January 25, 2016 under Harris County Clerk’s File Number RP-2016-30808 (the “**Third Amendment**”), that Fourth Amendment of Declaration and Restriction, Fondren Southwest Northfield, Section Eight dated June 30, 2016, filed for record on July 1, 2016 under Harris County Clerk’s File Number RP-2016-286280 (the “**Fourth Amendment**”), and that Fifth Amendment to Declaration of Covenants and Restrictions Fondren Southwest Northfield, Section Eight dated February 22, 2018, filed for record on February 27, 2018 under Harris County Clerk’s File Number RP-2018-81093 (the “**Fifth Amendment**”) [the Declaration of Covenants and Restrictions, Fondren Southwest Northfield, Section Eight, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, and this Sixth Amendment shall collectively be referred to as the “**Declaration**”].

RECITALS:

WHEREAS, Article X, Section 7 of the Declaration provides, in part, that the Declaration may be amended during the initial forty (40) year term by an instrument executed by the Owners of sixty-six percent (66%) of the Lots or the Subdivision; and

WHEREAS, Declarant owns more than sixty-six percent (66%) of the Lots in the Subdivision; and

WHEREAS, Declarant desires to amend the Declaration to clarify the assessment by the Association of two (2) contiguous Lots owned by a single Owner.

NOW, THEREFORE, in consideration of the above premises and other good and valuable consideration, Declarant hereby amends the agreement as follows:

1. Article IV of the Declaration is hereby amended to add the following as Section 11 of such Article IV:

“Section 11. Owners of Two (2) Contiguous Lots. Notwithstanding anything in the Declaration to the contrary, in the event that an Owner owns two (2) contiguous Lots and there is either (i) one (1) residence located on one (1) of the Lots, or (ii) one (1) residence located on both Lots, then the Owner shall be assessed pursuant to this Article IV as if such Owner owns only one (1) Lot until such time as a residence is built on the adjoining Lot, in which event the Owner shall be assessed

for both Lots beginning upon the commencement of construction of such residence.”

2. Except as herein modified, all other terms and conditions of the Declaration, as amended, shall remain in full force and effect, and the parties hereto affirm, ratify, and approve the terms and conditions of said Declaration as amended and supplemented.
3. In the event of a conflict between the terms of the Declaration as amended and supplemented and this Sixth Amendment, this Sixth Amendment shall control for all purposes.
4. All defined terms and phrases herein contained shall have the same meaning as ascribed to in the Declaration as amended and supplemented, except as otherwise expressly stated herein.
5. This Sixth Amendment may be executed in multiple counterparts, each of which shall be an original instrument and which, taken together, constitute one and the same agreement.
6. This Sixth Amendment may contain telecopied or PDF signatures which shall be deemed genuine original signatures for all purposes.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this Sixth Amendment as of the Effective Date.

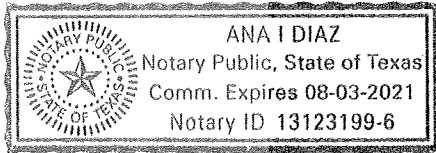
NORTHFIELD DH, LLC, a Texas limited liability company

By: *[Signature]*
Name: David Polatsch
Its: HOA Manager
Date: 5/16/2019

THE STATE OF TEXAS §

COUNTY OF HARRIS §

THIS INSTRUMENT was acknowledged before me on the 16th day of May, 2019 by David Polatsch, the Manager of Northfield DH, LLC a Texas limited liability company, on behalf of said entity.



[Signature]
NOTARY PUBLIC SIGNATURE

RP-2019-205387

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Pages 4
05/17/2019 08:55 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
DIANE TRAUTMAN
COUNTY CLERK
Fees \$24.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Diane Trautman

COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2019-205387