

AMEND

N

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

This THIRD AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, FONDREN SOUTHWEST NORTHFIELD, SECTION EIGHT (“**Third Amendment**”) is made and effective this 25th day of January, 2016 (“**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**”), and 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**”) (as so amended, the “**Declaration**”).

10R
1EE

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, on May 4, 2015, Northfield acquired more than sixty-six percent (66%) of the Lots in the Subdivision from Northfield Investors, LP, a Texas limited partnership (“Northfield Investors”), under that Special Warranty Deed recorded on May 7, 2015 under Harris County File Number 20150193042; and

WHEREAS, NorthfieldDH further acquired all rights as Declarant under the Declaration from Northfield Investors under that Assignment of Declarant’s Rights dated May 4, 2015 and recorded on May 7, 2015 under Harris County File Number 20150193043; and

WHEREAS, Article I, Section I of the Declaration, as amended by the First Amendment, provides that, for purposes of the Declaration, “‘Association’ shall refer to the Northfield West Homeowners Association, a Texas non-profit corporation, which Declarant has or will cause to be incorporated, its successors and assigns”, and Article I, Section 5 of the Declaration provides that, for purposes of the Declaration, “‘Declarant’ shall refer to Charter Associates, its successors and assigns”; and

WHEREAS, NorthfieldDH desires to amend the Declaration to provide that the “Association” shall refer to Northfield Southwest Homeowners Association, Inc., a Texas non-profit corporation, which Declarant has or will cause to be incorporated, its successors and assigns, and “Declarant” shall refer to NorthfieldDH;

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

1. Article I, Section 1 of the Declaration is hereby deleted in its entirety and the following shall be inserted in its place:

Section 1. “Association” shall refer to the Northfield Southwest Homeowners Association, Inc., a Texas non-profit corporation, which Declarant has or will cause to be incorporated, its successor and assigns.

RP-2016-30808

2. Article I, Section 5 of the Declaration is hereby deleted in its entirety and the following shall be inserted in its place:

Section 5. "Declarant" shall refer to NorthfieldDH, LLC, a Texas limited liability company, its successor and assigns.

3. 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.
4. In the event of a conflict between the terms of the Declaration as amended and supplemented and this Third Amendment, this Third Amendment shall control for all purposes.
5. 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.
6. This Third 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.
7. This Third Amendment may contain telecopied or PDF signatures which shall be deemed genuine original signatures for all purposes.

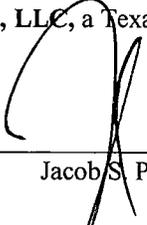
IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment as of the Effective Date.

[SIGNATURE PAGES FOLLOW]

RP-2016-30808

NORTHFIELD DDH, LLC, a Texas limited liability company

By:



Jacob S. Polatsek, Manager

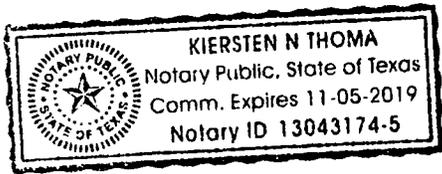
Date:

1/22/16

THE STATE OF TEXAS §

COUNTY OF Harris §

THIS INSTRUMENT was acknowledged before me on the 22 day of January, 2016 by Jacob S. Polatsek, Manager of Northfield DDH, LLC a Texas limited liability company, on behalf of said entity.




NOTARY PUBLIC SIGNATURE

RP-2016-30808

RP-2016-30808
Pages 4
01/25/2016 01:07 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
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.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2016-30808