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RP-2026-214559  
06/02/2026 RP2 \$45.00

## TENTH AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS

### Fondren Southwest Northfield, Sections 7 & 8 Specific Use Exemption for Lot 12, Block 4 Hatzalah Headquarters and Emergency Vehicle Storage *lee*

This Tenth Amendment to Declaration of Covenants and Restrictions is made effective as of the date of execution below by NorthfieldDH, LLC, in its capacity as Declarant/Developer, and by the undersigned members of the Board of Directors of the applicable homeowners association.

#### RECITALS

WHEREAS, certain lots within Fondren Southwest Northfield, Sections Seven and Eight, including property affected by the applicable plats, replats, covenants, restrictions, and prior amendments, are subject to residential-use restrictions and related architectural-control provisions;

WHEREAS, prior amendments have modified, clarified, and supplemented the restrictive covenants applicable to the subdivision;

WHEREAS, the prior amendment was designated as the Ninth Amendment, and this instrument is intended to constitute the next additional amendment thereto;

WHEREAS, the Declarant/Developer and the Association desire to create a narrow and specific exemption applicable only to Lot 12, Block 4;

WHEREAS, the Declarant/Developer and the Association recognize the important public-safety and community benefit of allowing Hatzalah to operate a headquarters and emergency-response facility within the subdivision;

WHEREAS, the intent of this amendment is to permit such emergency and lifesaving use while preserving, to the greatest extent practical, the residential character and architectural appearance of the subdivision;

WHEREAS, the undersigned Board members constitute a majority of the Board of Directors and hereby approve this amendment as a majority Board decision;

NOW, THEREFORE, the Declaration, restrictive covenants, and prior amendments are hereby further amended as follows:

#### 1. Specific Exemption for Lot 12, Block 4

Notwithstanding any residential-use restriction, business-use restriction, commercial-use restriction, or other contrary provision contained in the Declaration, restrictive covenants, bylaws, rules, architectural guidelines, or prior amendments, Lot 12, Block 4 is hereby exempted from such restrictions solely to the extent necessary to allow the property to be used as a Hatzalah headquarters and emergency-response facility.

This exemption shall allow the property to be used for purposes including, but not limited to:

- a. Hatzalah administrative offices and operational headquarters;
- b. emergency-response coordination, dispatch support, meetings, and training;
- c. storage, parking, staging, housing, charging, and support of emergency, medical, rescue, or lifesaving vehicles;
- d. storage of emergency medical, rescue, communications, or lifesaving equipment; and
- e. other related uses reasonably necessary for the operation of Hatzalah or a similar nonprofit emergency-response organization.

## **2. Limited Scope of Permitted Use**

This amendment is intended to create a limited, lot-specific exemption only for Lot 12, Block 4. Nothing in this amendment shall be construed to permit general commercial, retail, industrial, warehouse, automotive-repair, rental, or unrelated business use of the property. The permitted use shall be limited to Hatzalah of Houston.

## **3. Residential Architectural Appearance Required**

Any building, structure, or improvement constructed or maintained on Lot 12, Block 4 shall be designed so that its overall exterior architecture, roofline, facade, materials, landscaping, and general appearance resemble a residential-style structure and remain generally compatible with the surrounding subdivision.

The intent is that the property shall not present the appearance of a conventional commercial, warehouse, industrial, municipal, or institutional facility when viewed from the street.

## **4. Exception for Garage Doors and Emergency Vehicle Access**

Notwithstanding the residential architectural requirement above, the structure may include garage doors, driveway configurations, access points, clearances, and related improvements reasonably necessary to accommodate the storage, entry, exit, and operation of emergency or lifesaving vehicles.

Such garage doors may be larger, wider, taller, or more functional than typical residential garage doors, provided that their exterior design, color, finish, and placement are made reasonably compatible with the residential-style appearance of the structure.

## **5. Emergency Operations**

The permitted use may include normal and customary emergency-response operations, including the arrival, departure, parking, storage, dispatch, and staging of emergency or lifesaving vehicles.

Nothing in this amendment shall restrict, delay, or interfere with emergency dispatch, emergency response, lifesaving operations, or the reasonable operation of Hatzalah's emergency services.

## **6. Continuing Effect of Restrictions**

Except as specifically amended herein, all existing covenants, restrictions, conditions, architectural requirements, and prior amendments shall remain in full force and effect.

In the event of a conflict between this Tenth Amendment and any prior covenant, restriction, rule, guideline, or amendment, this Tenth Amendment shall control solely as to Lot 12, Block 4 and solely for the permitted use described herein.

## **8. Majority Board Approval**

The undersigned Board members hereby confirm that this amendment has been approved by a majority of the Board of Directors of the Association.

This approval is made together with the approval of David Polatsek, in his capacity as authorized representative of NorthfieldDH, LLC, Declarant/Developer, and in his capacity as President and/or Board Member of the Association.

## **9. Effective Date and Recording**

This Tenth Amendment shall be effective upon execution and, to the extent required, upon recording in the Official Public Records of Real Property of Harris County, Texas.

**EXECUTED TO BE EFFECTIVE AS OF THE DATE SET FORTH BELOW.**

**DECLARANT / DEVELOPER:**

**NORTHFIELD DDH, LLC, a Texas limited liability company**

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lor

By:  \_\_\_\_\_

Name: **David Polatsek**

Title: Managing Member

Date: 9/9/2025

**ASSOCIATION APPROVAL:**

**NORTHFIELD SOUTHWEST HOMEOWNERS ASSOCIATION, INC.**

lor

By:  \_\_\_\_\_

Name: **David Polatsek**

Title: President / Board Member

Date: 9/9/2025

By:  \_\_\_\_\_

Name: **Yisroel Leibowitz**

Title: Board Member / Director

Date: 9/9/2025

**ACKNOWLEDGMENT**

STATE OF TEXAS  
COUNTY OF HARRIS

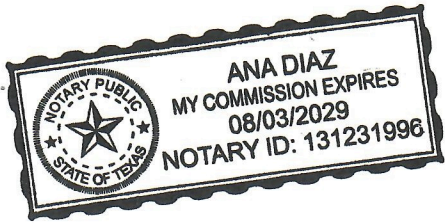
This instrument was acknowledged before me on the 9 day of September, 20 25 by David Polatsek, Managing Member of NorthfieldDH, LLC, a Texas limited liability company.

Notary Public, State of Texas

Signature: 

Printed Name: Ana Diaz

My Commission Expires: 08.03.2029



**ACKNOWLEDGMENT**

STATE OF TEXAS  
COUNTY OF HARRIS

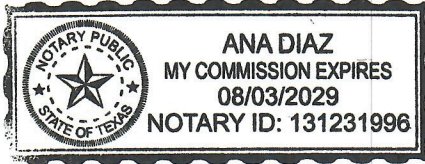
This instrument was acknowledged before me on the 9 day of September, 2025 by David Polatsek, President / Board Member of Northfield Southwest Homeowners Association, Inc..

Notary Public, State of Texas

Signature: 

Printed Name: Ana Diaz

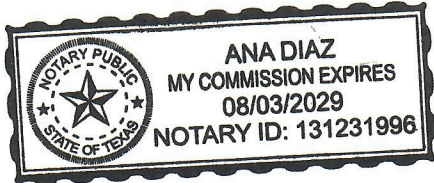
My Commission Expires: 08-03-2029



**ACKNOWLEDGMENT**

STATE OF TEXAS  
COUNTY OF HARRIS

This instrument was acknowledged before me on the 9 day of September, 2025, by Yisroel Leibowitz, Board Member / Director of Northfield Southwest Homeowners Association, Inc..



Notary Public, State of Texas

Signature: Ana Diaz

Printed Name: Ana Diaz

My Commission Expires: 08.03.2029

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✓✓

DAVID POLATSEK  
7810 Teal Run Drive  
Houston, TX 77071

FILED FOR RECORD

10:12:11 AM

Tuesday, June 2, 2026

*Laneshia Hudspeth*

COUNTY CLERK, HARRIS COUNTY, TEXAS

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

Tuesday, June 2, 2026

*Laneshia Hudspeth*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

