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02/15/2017 01:50:29PM 5 PGS  
Zachary Payne  
Clark County Recorder IN  
Recorded as Presented



**TWELFTH (12th) AMENDMENT TO THE DECLARATION  
OF THE HARBOURS HORIZONTAL PROPERTY REGIME  
(A SPECIAL INTERIOR CHANGE AMENDMENT)**

This Special Interior Change Amendment to the Declaration of the Harbours Horizontal Property Regime is made to the Declaration of the Harbours Horizontal Property Regime, which Declaration was recorded June 13, 2000 as Instrument No. 3260485, in the Office of the Recorder of Clark County, Indiana, hereinafter referred to as "Declaration", by Mary L. Fishburn (hereinafter collectively "Mary L. Fishburn"), and the Harbours Condominium Association, Inc., (hereinafter "Association") for the purpose of combining Units 603 and 604 of the Harbours Condominiums into one (1) unit in accordance with Section 23(B)(a) and (b) of the Declaration.

**WITNESSETH:**

WHEREAS, all initially capitalized terms, not otherwise defined herein, shall have the meaning set forth in the Declaration unless the context clearly indicates otherwise and

WHEREAS, Mary L. Fishburn is the owner of Units 603 and 604 of the Harbours Condominiums, more particularly described as follows, to wit:

Tract I:

Condominium Unit No. 603, Floor Number Six, as shown on Page Number A1.5A in Condominium Plat Book 1, Page 59, Instrument Number 3210087, recorded June 13, 2000, and as supplemented by Instrument No. 3216054 recorded on September 14, 2000, and as amended by Instrument No. 200115096 recorded on July 11, 2001, and Instrument No. 200122863 recorded on October 16, 2001 in the Office of the Recorder of Clark County, Indiana; and as created by the Declaration of The Harbours Horizontal Property Regime, recorded as Instrument Number 3210085 on June 13, 2000, and as amended by Instrument No. 200103749 recorded on February 28, 2001, Instrument No. 200111626 recorded on June 6, 2001, Instrument No. 200114254 recorded on July 2, 2001, Instrument No. 200115097 recorded on July 11, 2001, Instrument No. 200121415 recorded on September 27, 2001, and re-recorded as Instrument No. 200122867 on October 16, 2001, and Instrument No. 200221382 recorded on August 28, 2002, Instrument No. 20040877 Recorded April 13, 2004, Instrument No. 200602306 recorded February 2, 2006 and Instrument No. 201209905 recorded June 4, 2012, in the office of the Recorder of Clark County, Indiana (the "Declaration"), together with an undivided interest in and to the Common Areas pursuant to the Declaration, and together with the exclusive use of parking spaces 139 ~~and 142~~, as reflected on Exhibit "C" of the Declaration.

ALSO:

**Tract II:**

Condominium Unit No. 604, Floor Number Six, as shown on Page Number A1.5A in Condominium Plat Book 1, Page 59, Instrument Number 3210087, recorded June 13, 2000, and as supplemented by Instrument No. 3216054 recorded on September 14, 2000, and as amended by Instrument No. 200115096 recorded on July 11, 2001, and Instrument No. 200122863 recorded on October 16, 2001 in the Office of the Recorder of Clark County, Indiana; and as created by the Declaration of The Harbours Horizontal Property Regime, recorded as Instrument Number 3210085 on June 13, 2000, and as amended by Instrument No. 200103749 recorded on February 28, 2001, Instrument No. 200111626 recorded on June 6, 2001, Instrument No. 200114254 recorded on July 2, 2001, Instrument No. 200115097 recorded on July 11, 2001, Instrument No. 200121415 recorded on September 27, 2001, and re-recorded as Instrument No. 200122867 on October 16, 2001, and Instrument No. 200221382 recorded on August 28, 2002, Instrument No. 20040877 Recorded April 13, 2004, Instrument No. 200602306 recorded February 2, 2006 and Instrument No. 201209905 recorded June 4, 2012, in the office of the Recorder of Clark County, Indiana (the "Declaration"), together with an undivided interest in and to the Common Areas pursuant to the Declaration, and together with the exclusive use of parking space 140, as reflected on Exhibit "C" of the Declaration.

WHEREAS, pursuant to the Special Amendment Procedures of the Declaration, Section 23(B), Mary L. Fishburn can prepare and execute an appropriate instrument of amendment to the Declaration in order to combine Units 603 and 604 into one (1) unit; and

WHEREAS, pursuant to the Special Amendment Procedures of the Declaration, this Instrument of Amendment shall be joined in by the President of the Association and does not need to be approved by any of the other owners of any unit in the Harbours Condominiums, Harbours Horizontal Property Regime; and

WHEREAS, Mary L. Fishburn has caused to be prepared an amended floor plan for Units 603 and 604 as they are currently configured into one (1) unit, which, in accordance with the Declaration, shall be recorded in the Condominium Records in the Office of the Recorder of Clark County, Indiana; and

WHEREAS, Mary L. Fishburn does not desire to change the Percentage Interest or the share of any Common Expenses with respect to either Unit 603 or 604, as the terms Percentage Interest and Common Expenses are defined in the Declaration; and

WHEREAS, Units 603 and 604 are not any of the units specified in Section 23(B)(b) of the Declaration; and

WHEREAS, it is the desire of Mary L. Fishburn and the Association to memorialize this Agreement NOW, THEREFORE, in consideration of the foregoing premises, the Declaration is hereby amended as follows:

In accordance with Section 23(B)(a) of the Declaration, Mary L. Fishburn desires to combine Units 603 and 604 into one (1) unit, which combined unit shall be described hereinafter as Unit 603.

Because no permanent construction was performed by Mary L. Fishburn, no permits were required by any municipal or other governmental subdivision having jurisdiction over the issuance of permits.

The floor plan for the combined unit is filed in the Condominium Plat Book 1, Page \_\_\_\_\_ the Office of the Recorder of Clark County, Indiana.

The percentage of the combined unit 603 and 604 shall be the sum of the original 603 and 604 as added together as reflected on Exhibit "D" to the original Declaration.

Except for the combination of Units 603 and 604 into one (1) unit, no other units are affected by this Amendment.

IN WITNESS WHEREOF the undersigned have caused this Amendment to be executed on the date set forth beside their signatures.

"ASSOCIATION"

By Charles A. Fugate, Jr. Dated: 2/14/17  
Charles A. Fugate, Jr., President

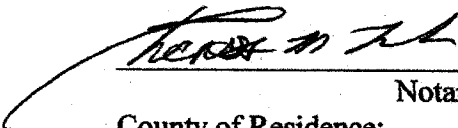
Mary L. Fishburn Dated: 2/14/17  
Mary L. Fishburn

STATE OF INDIANA )  
:SS  
COUNTY OF CLARK )

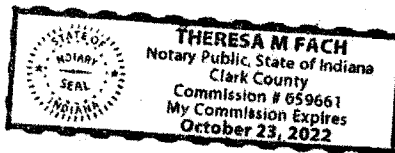
Before me, the undersigned, a Notary Public, in and for said County and State, this 14/04 day of February, 2017, personally appeared THE HARBOURS CONDOMINIUM ASSOCIATION, INC. by Charles A. Fugate, Jr., its authorized representative, and acknowledges the execution of the foregoing as its free and voluntary act and for the use and purposes mentioned herein.

Witness my hand and notarial Seal.

Printed Name:  
My Commission Expires:

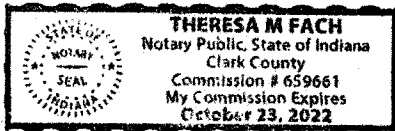
  
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Notary Public  
County of Residence:

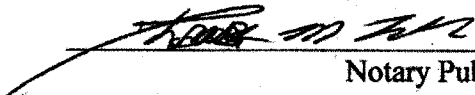
STATE OF INDIANA )  
:SS  
COUNTY OF CLARK )



Before me, the undersigned, a Notary Public, in and for said County and State, this 14/04 day of February, 2017, personally appeared Mary L. Fishburn, and acknowledges the execution of the foregoing as its free and voluntary act and for the use and purposes mentioned herein.

Witness my hand and notarial Seal.



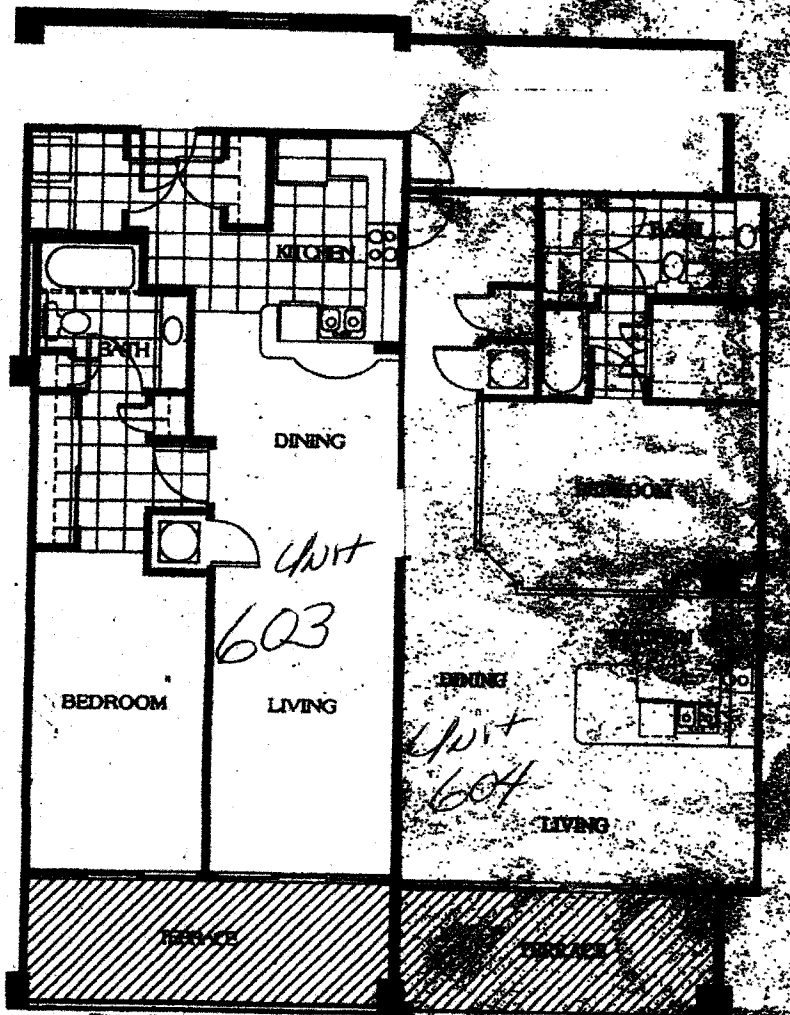
  
\_\_\_\_\_  
Notary Public

THIS INSTRUMENT WAS PREPARED BY: James F. Guilfoyle, Attorney at Law, 431 E. Court Avenue, Jeffersonville, IN 4130 Phone: 812-246-9383

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by Law. Theresa M. Fach

The Steward  
Plan B

The Skipper I  
Plan A



987 sq. feet

607 sq. feet

One bedroom One bath One bedroom One bath