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Zachary Payne
Clark County Recorder IN
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ELEVENTH (11TH) 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. 3210085, in the Office of the Recorder of Clark County, Indiana, hereinafter referred to as "Declaration", by Lloyd A. Tarter and Teresa A. Tarter, husband and wife (hereinafter collectively "Tarter"), and the Harbours Condominium Association, Inc., (hereinafter "Association") for the purpose of combining Units 1003 and 1004 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, Tarter is the owner of Units 1003 and 1004 of the Harbours Condominiums, more particularly described as follows, to wit

CONDOMINIUM UNIT NO. 1003, FLOOR NUMBER TEN, AS SHOWN ON PAGE NUMBER A1.5E IN CONDOMINIUM PLAT BOOK 1, PAGE 59, INSTRUMENT NO. 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 NO. 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, AND INSTRUMENT NO.

200121415 RECORDED ON SEPTEMBER 27, 2001, AND RE-RECORDED AS INSTRUMENT NO. 200122867 ON OCTOBER 16, 2001, 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.

ALSO:

CONDOMINIUM UNIT NO. 1004, FLOOR NUMBER TEN, AS SHOWN ON PAGE NUMBER A1.5E IN CONDOMINIUM PLAT BOOK 1, PAGE 59, INSTRUMENT NO. 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 NO. 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, AND INSTRUMENT NO. 200121415 RECORDED ON SEPTEMBER 27, 2001, AND RE-RECORDED AS INSTRUMENT NO. 200122867 ON OCTOBER 16, 2001, 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.

WHEREAS, pursuant to the Special Amendment Procedures of the Declaration, Section 23(B), Tarter can prepare and execute an appropriate instrument of amendment to the Declaration in order to combine Units 1003 and 1004 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, Tarter has caused to be prepared an amended floor plan for Units 1003 and 1004 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, Tarter does not desire to change the Percentage Interest or the share of any Common Expenses, with respect to either Unit 1003 or 1004, as the terms Percentage Interest and Common Expenses are defined in the Declaration; and

WHEREAS, Units 1003 and 1004 are not any of the units specified in Section 23(B)(b) of the Declaration; and

WHEREAS, it is the desire of Tarter and the Association to memorialize this Agreement.

NOW, THEREFORE, in consideration of the foregoing premises, the Declaration is hereby amended as follows:

1. In accordance with Section 23(B)(a) of the Declaration, Tarter desires to combine Units 1003 and 1004 into one (1) unit, which combined unit shall be described hereinafter as Unit 1004.

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

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

4. The percentage of the combined unit 1003 and 1004 shall be the sum of the original 1003 and 1004 as added together as reflected on Exhibit "D" to the original Declaration.

5. Except for the combination of Units 1003 and 1004 into one (1) unit, no other units are affected by this Amendment.

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THIS INSTRUMENT PREPARED BY:

John A. Kraft #5496-22
YOUNG, LIND, ENDRES & KRAFT
126 W. Spring Street
New Albany, IN 47150
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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.
Printed name: Karen S. Hughes

kh/harbours/Amendmenttodeclaration

Combined Condo Units 1003/1004

