

Shirley Nolot

13P

CLARK COUNTY RECORDER

Clark County Recorder

I 200111626

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C2 Date 06/06/2001

Time 10:07:32

SECOND AMENDMENT

DECLARATION OF THE HARBOURS

HORIZONTAL PROPERTY REGIME

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SECOND AMENDMENT

DECLARATION OF THE HARBOURS

HORIZONTAL PROPERTY REGIME

EXPLANATION OF AMENDMENT

This document is the Second Amendment (the "Second Amendment") of the Declaration of the Harbours Horizontal Property Regime, which was filed as Instrument No. 10085 in Miscellaneous Drawer 32 of the Clark County, Indiana Recorder's Office on June 13, 2000 and thereafter amended by a First Amendment (the "First Amendment") which was filed as Instrument No. 200103749 in Miscellaneous Drawer 33 of the Clark County, Indiana Recorder's Office on February 28, 2001 (the "Declaration") and the Plans were filed as Instrument No. 3210087 in Condo Plat Book 1, Page 59 of the Clark County, Indiana Recorder's Office on June 13, 2000 and supplemented on September 14, 2000 by Instrument No. 3216054. The purpose of this Second Amendment is to substitute a new Exhibit C, described in Section 5 (c) of the Declaration and as thereafter amended by the First Amendment, reflecting all parking spaces (except for the garages attached to and a part of the Units located on West Riverside Drive and described in Section 4(a) of the Declaration) and a future area reserved for additional parking.

RECITALS

WHEREAS, The Harbours at RiverPointe, L.P., a Delaware limited partnership (the "Declarant") is the Declarant under the Declaration;

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

WHEREAS, the applicable requirements of the Declaration have been complied with concerning this Second Amendment; and

WHEREAS, pursuant to Section 25 of the Declaration, Declarant desires to amend the Declaration and the First Amendment to substitute a new Exhibit C to the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration and the First Amendment as follows:

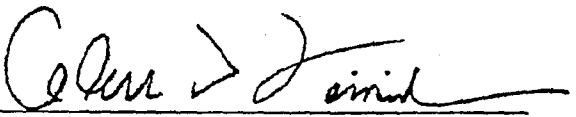
AMENDMENTS

1. Exhibit C described in Section 5(c) of the Declaration and Section 2 of the First Amendment are hereby deleted in their entirety and replaced with the Exhibit C attached hereto.
2. Except as expressly modified hereby, the Declaration and First Amendment shall remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this Second Amendment to be executed this 25 day of MAY, 2001.

THE HARBOURS AT RIVERPOINTE, L.P.,
a Delaware limited partnership

By: Creekstone/Overbrook, LLC, a Delaware
limited liability company, its sole general
partner

By: 
Alan D. Feinsilver, President

Attached Exhibit
Exhibit C

STATE OF TEXAS

§
§
§

COUNTY OF HARRIS

Before me, the undersigned authority, personally appeared Alan D. Feinsilver, the President of Creekstone/Overbrook, LLC, a Delaware limited liability company, the sole general partner of The Harbours at RiverPointe, L.P., a Delaware limited partnership, who acknowledged the execution of the above and foregoing Second Amendment of the Declaration of The Harbours Horizontal Property Regime for and on behalf of said limited partnership.

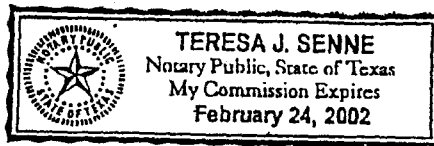
Witness my hand this 25 day of May, 2001.

Teresa J. Senne
Notary Public in and for the State of Texas

Teresa J. Senne
(printed name) Notary Public

My Commission Expires:

2/24/02

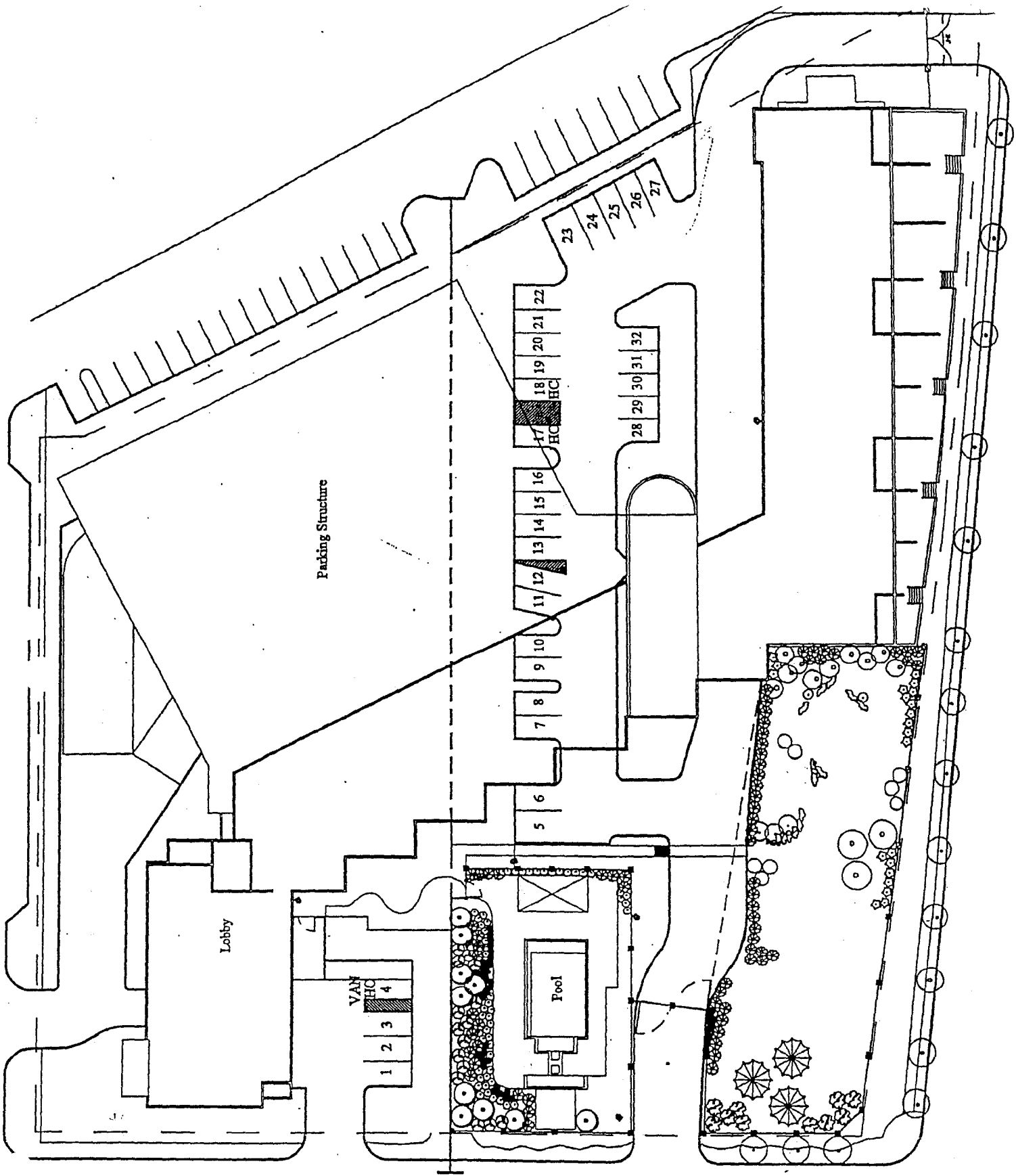


This Instrument Prepared By:

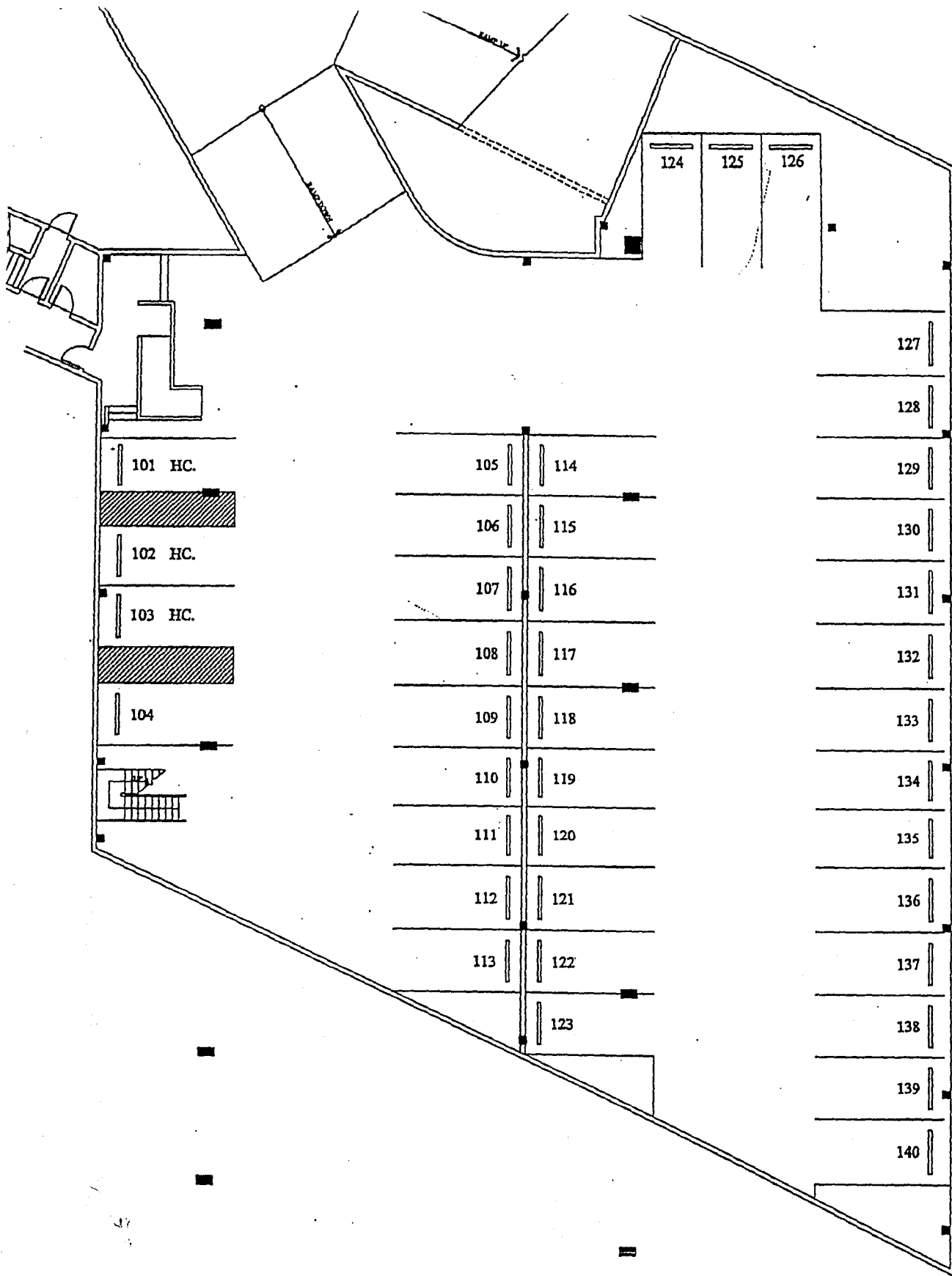
Jack G. Wise, Esquire
PORTER & HEDGES, L.L.P.
700 Louisiana, 35th Floor
Houston, Texas 77002

EXHIBIT C

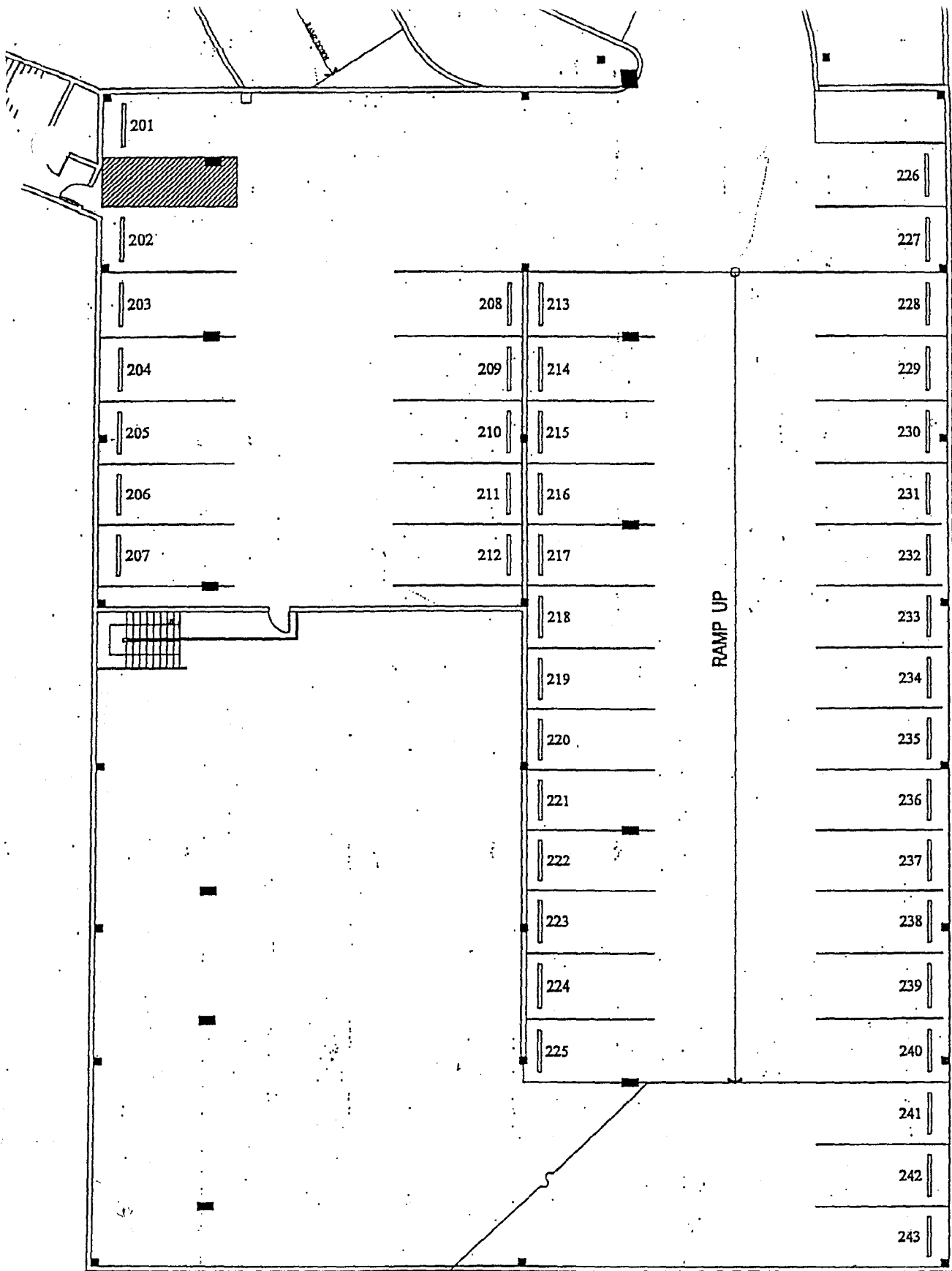
Parking Plan



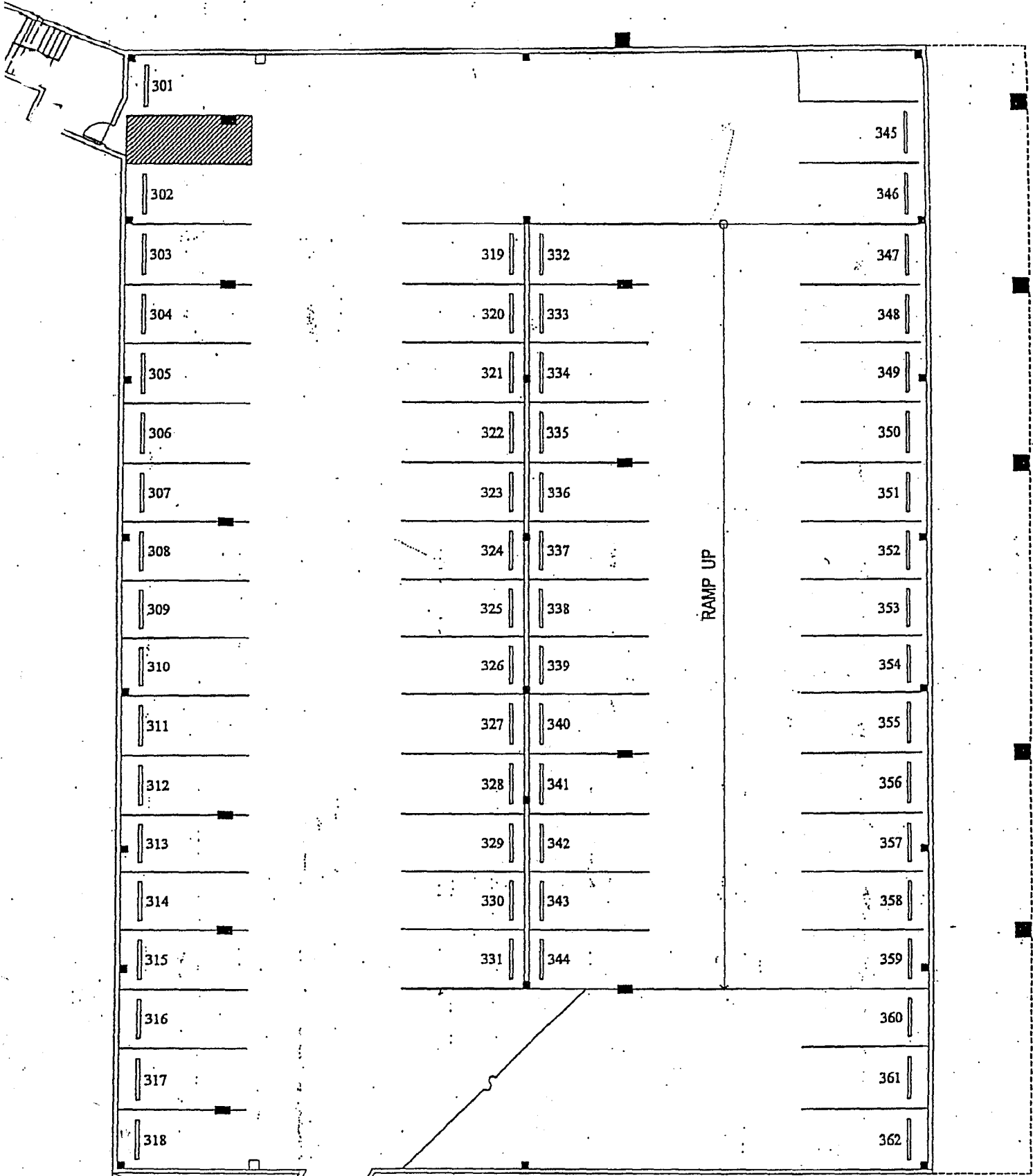
SURFACE PARKING
THE HARBOURS
 Jeffersonville Indiana



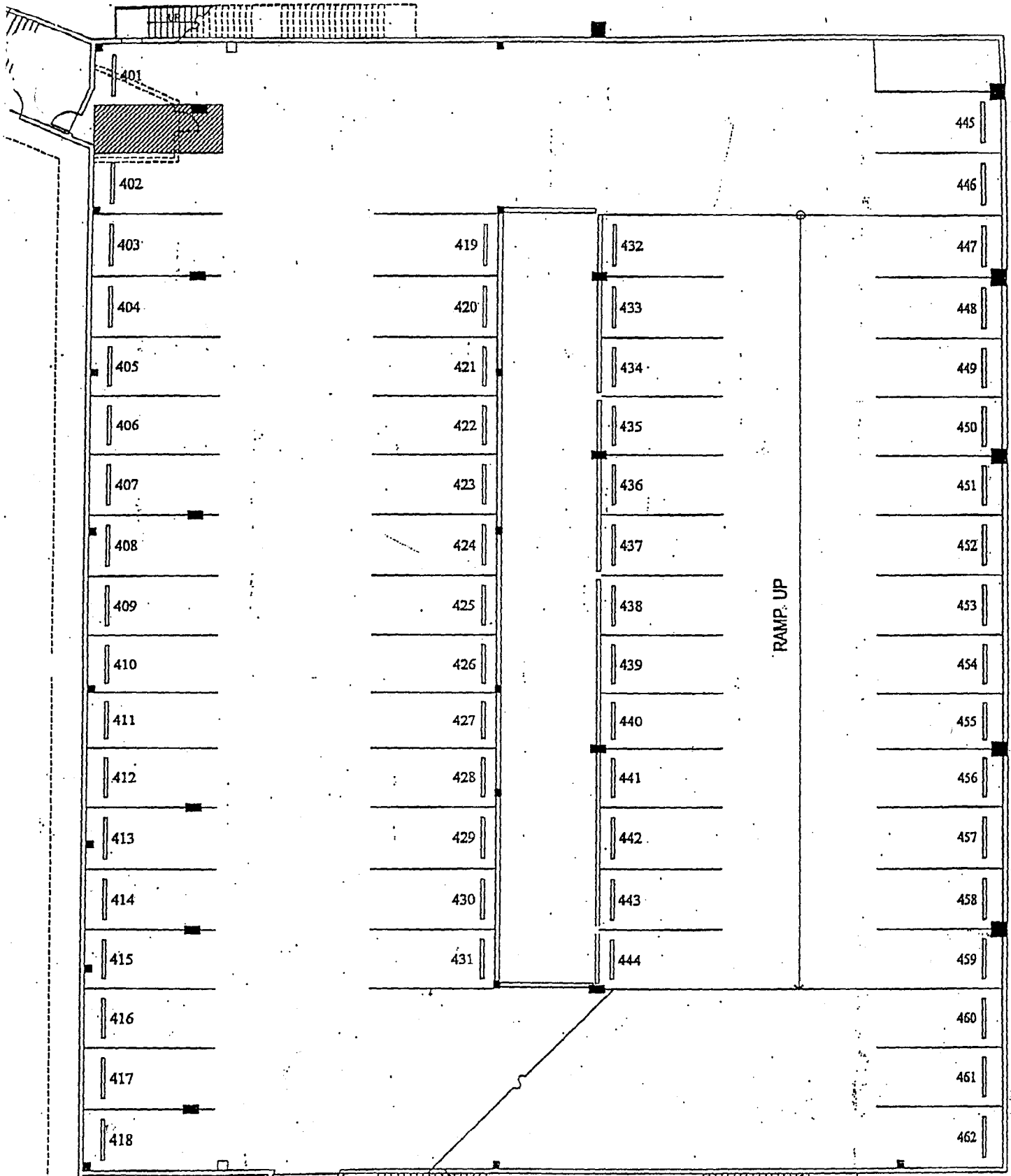
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 THE HARBOURS
 Jeffersonville Indiana



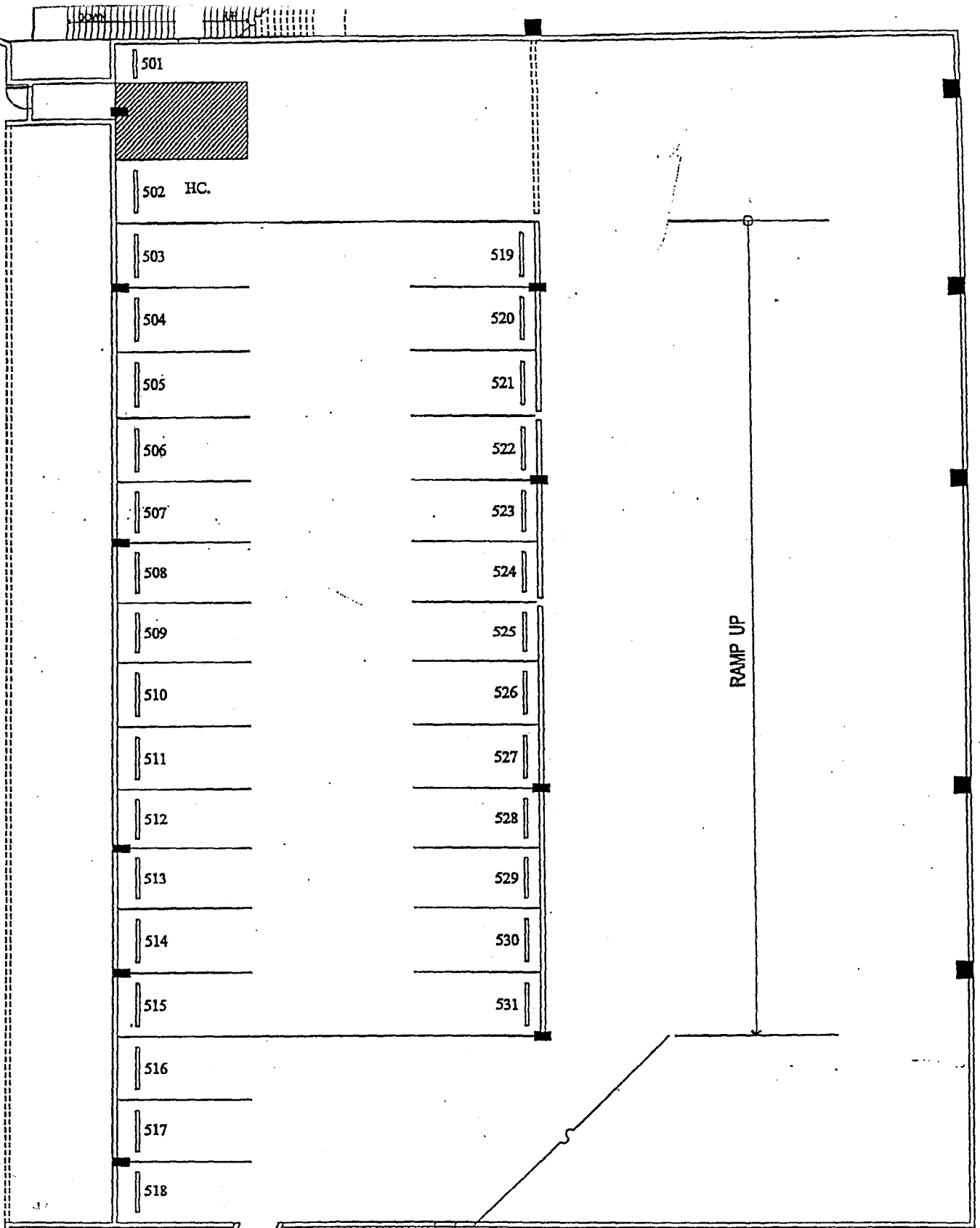
SECOND FLOOR PLAN @ GARAGE
THE HARBOURS
 Jeffersonville Indiana



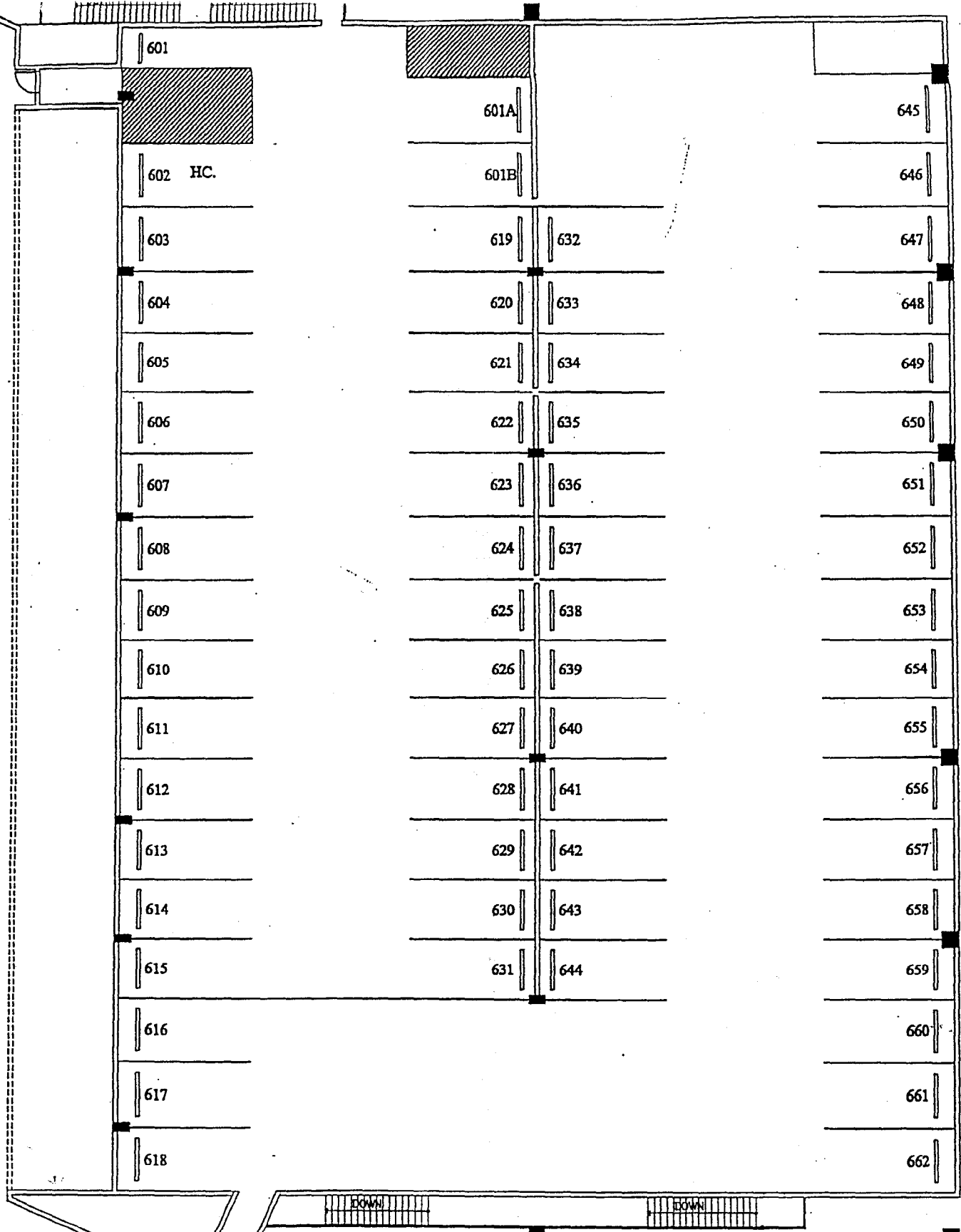
THIRD FLOOR PLAN @ GARAGE
THE HARBOURS
 Jeffersonville Indiana



FOURTH FLOOR PLAN @ GARAGE
THE HARBOURS
Jeffersonville Indiana



FIFTH FLOOR PLAN @ GARAGE
THE HARBOURS
Jeffersonville Indiana



SIXTH FLOOR PLAN @ GARAGE
THE HARBOURS
 Jeffersonville Indiana