

87

VOL. 193 PAGE 670

SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM

AND

EXERCISE OF DEVELOPMENT RIGHTS

BY G. Y. YORKHAVEN, INC.

683 BLOOMFIELD AVENUE • P.O. BOX 388 • BLOOMFIELD, CT 06007-0388 • TEL: 860/747-7745 • JURIS NO 50888
DOMI, CASE, KENNEDY AND FLEBANOFF, P.C. • ATTORNEYS AT LAW

G. Y. Yorkhaven, Inc., a Connecticut corporation having an office and place of business at Riverside Drive, Clinton, Connecticut, being the Declarant under a certain Declaration of Condominium by G. Y. Yorkhaven, Inc. dated December 28, 1987 and recorded in Volume 177 at Page 263 and successive pages to the Clinton Land Records, which Declaration has been amended by Amendment #1 to Declaration of Condominium by G.Y. Yorkhaven, Inc. dated February 29, 1988 and recorded in Volume 179 at Page 352 of the Clinton Land Records (which Amendment #1 was rerecorded in Volume 180 at Page 946 of the Clinton Land Records), and which Declaration has been further amended by the Second Amendment to Declaration of Condominium by G. Y. Yorkhaven, Inc. dated December 30, 1988 and recorded in Volume 189 at Page 24 of the Clinton Land Records, and which Declaration has been further amended by the Third Amendment to Declaration of Condominium by G. Y. Yorkhaven, Inc. dated March 16, 1989 and recorded in Volume 190 at Page 537 of the Clinton Land Records, and which Declaration has been further amended by the Fourth Amendment to the Declaration of Condominium by G.Y. Yorkhaven, Inc. dated May 17, 1989 and recorded in Volume 192 at Page 176 of the Clinton Land Records and which Declaration has been further amended by the Fifth Amendment to Declaration of Condominium by G.Y. Yorkhaven, Inc. dated May 23, 1989 and recorded in Volume 192 at Page 336 of the Clinton Land Records (Declaration of Condominium by G. Y. Yorkhaven, Inc., and its amendments being hereinafter collectively referred to as "the Declaration"), pursuant to Section 47-229 of the Connecticut General Statutes, as amended, and pursuant to reservation of Development Rights reserved in Article IX of the Declaration, does hereby further amend the Declaration and declare:

1. Section 8.2(c)(1) of the Declaration is hereby modified to read as follows:

- (1) As to Marine Units. The length of each 25, 36, 40, 45 and 50 foot Marine Unit shall be determined by measuring

the distance from the main dock to the pilings at the outer-most boundary of each such Marine Unit, and each such Marine Unit shall be deemed to have a length of 25, 36, 40, 45 or 50 feet.

2. Schedule A-2 entitled "ALLOCATED INTERESTS Revised June 11, 1989" attached hereto is substituted for the current Schedule A-2 to the Declaration which is hereby declared null and void. By this Amendment and revision of Schedule A-2, the Declarant hereby adds Marine Units 36-02, Marine Units A-35 through A-38 inclusive, Marine Unit A-40, Marine Unit 40-02, and Commercial Unit 1 together with the allocated interests to the Common Interest Community.

3. The revised Plan entitled "PLAN - SCHEDULE A-4 AMENDED DECLARATION CLINTON YACHT HAVEN DOCKMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT SCALE: 1" = 50' DATE: NOVEMBER 13, 1987 Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.06 SHEET 1 of 2" attached hereto is substituted for Sheet 1 of 2 of the current Schedule A-4 of the Declaration which sheet is hereby declared null and void. The revised Plan entitled "PLAN - SCHEDULE A-4 DOCKMINIUM UNIT BOUNDARY INDEX CLINTON YACHT HAVEN DOCKMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT DATE: MAY 12, 1989 Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.08 SHEET 1A of 2" attached hereto is substituted for Sheet 1A of 2 of the current Schedule A-4 of the Declaration which sheet is hereby declared null and void. The floor plan entitled "PLAN - SCHEDULE A-4 BOAT STORAGE UNITS AMENDED DECLARATION CLINTON YACHT HAVEN DOCKMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT SCALE: 3/32" = 1'-0" DATE: SEPTEMBER 15, 1988, Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.10.1 SHEET 2 of 2" attached hereto is substituted for Sheet 2 of 2 of the current Schedule A-4 of the Declaration which sheet is hereby declared null and void.

4. Schedule A-5 dated June 30, 1989, surveyor's certificate, is hereby appended to the Declaration.

5. Except as herein modified, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Sixth

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Amendment to the Declaration of Condominium by G.Y. Yorkhaven, Inc. to be executed this day of July, 1989.

Signed and Delivered in the presence of

G. Y. YORKHAVEN, INC.

Rosalind A. Mayhew
Barbara D. Riley

By [Signature]
Karen Christopher,
Its Vice President
Duly Authorized

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STATE OF CONNECTICUT)
COUNTY OF Middlesex) ss. Clinton July 19, 1989

Personally appeared KAREN CHRISTOPHER, Vice President as aforesaid, Signer of the foregoing Instrument, and she acknowledged the same to be her free act and deed and the free act and deed of said corporation, before me.

Christine A. B...
Notary Public
My Commission Expires: 7/19/92



SCHEDULE A-4

The Schedule A-4 entitled "PLAN - SCHEDULE A-4 AMENDED DECLARATION CLINTON YACHT HAVEN DOCKOMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT SCALE: 1" = 50' DATE: NOVEMBER 13, 1987 Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.06 SHEET 1 of 2", the Schedule A-4 entitled "PLAN - SCHEDULE A-4 DOCKOMINIUM UNIT BOUNDARY INDEX CLINTON YACHT HAVEN DOCKOMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT DATE: MAY 12, 1989 Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.08 SHEET 1A of 2" and the Schedule A-4 entitled "PLAN - SCHEDULE A-4 BOAT STORAGE UNITS AMENDED DECLARATION CLINTON YACHT HAVEN DOCKOMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT SCALE: 3/32" = 1'-0" DATE: SEPTEMBER 15, 1988, Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.10.1 SHEET 2 of 2" are being recorded simultaneously herewith in the Land Records of the Town of Clinton, Connecticut.

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ALLOCATED INTERESTS

Revised July 11, 1989

| Marine Unit No. | Percentage Share of Common Elements and Common Element Expenses | Percentage Share of Marine Unit Limited Common Elements and Limited Common Element Expenses | Votes |
|-----------------|--|---|-------|
| A-5 | .7531 | .8413 | 1 |
| A-6 | .7531 | .8413 | 1 |
| A-7 | .7531 | .8413 | 1 |
| A-8 | .7531 | .8413 | 1 |
| A-9 | .7531 | .8413 | 1 |
| A-10 | .7531 | .8413 | 1 |
| A-11 | .7531 | .8413 | 1 |
| A-12 | .7531 | .8413 | 1 |
| A-13 | .7531 | .8413 | 1 |
| A-14 | .7531 | .8413 | 1 |
| A-15 | .7531 | .8413 | 1 |
| A-16 | .7531 | .8413 | 1 |
| A-17 | .7531 | .8413 | 1 |
| A-18 | .7531 | .8413 | 1 |
| A-19 | .7531 | .8413 | 1 |
| A-20 | .7531 | .8413 | 1 |
| A-21 | .7531 | .8413 | 1 |
| A-22 | .7531 | .8413 | 1 |
| A-23 | .7531 | .8413 | 1 |

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| Marine Unit No. | Percentage Share of Common Elements and Common Element Expenses, Cont. from Page One | Percentage Share of Marine Unit Limited Common Elements and Limited Common Element Expenses Cont. from Page One | Votes |
|-----------------|--|--|-------|
| A-24 | .7531 | .8413 | 1 |
| A-25 | .7531 | .8413 | 1 |
| A-26 | .7531 | .8413 | 1 |
| A-27 | .7531 | .8413 | 1 |
| A-28 | .7531 | .8413 | 1 |
| A-29 | .7531 | .8413 | 1 |
| A-30 | .7531 | .8413 | 1 |
| A-31 | .7531 | .8413 | 1 |
| A-32 | .7531 | .8413 | 1 |
| A-33 | .7531 | .8413 | 1 |
| A-34 | .7531 | .8413 | 1 |
| A-35 | .7531 | .8413 | 1 |
| A-36 | .7531 | .8413 | 1 |
| A-37 | .7531 | .8413 | 1 |
| A-38 | .7531 | .8413 | 1 |
| A-40 | .7531 | .8413 | 1 |
| 36-02 | .7531 | .8413 | 1 |
| 36-03 | .7531 | .8413 | 1 |
| 36-04 | .7531 | .8413 | 1 |
| 36-05 | .7531 | .8413 | 1 |
| 36-06 | .7531 | .8413 | 1 |
| 36-07 | .7531 | .8413 | 1 |
| 36-08 | .7531 | .8413 | 1 |
| 36-09 | .7531 | .8413 | 1 |
| 36-10 | .7531 | .8413 | 1 |

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| Marine Unit No. | Percentage Share of Common Elements and Common Element Expenses, Cont. from Page Two | Percentage Share of Marine Unit Limited Common Elements and Limited Common Element Expenses, Cont. from Page Two | Votes |
|-----------------|--|--|-------|
| 36-11 | .7531 | .8413 | 1 |
| 36-12 | .7531 | .8413 | 1 |
| 36-13 | .7531 | .8413 | 1 |
| 36-14 | .7531 | .8413 | 1 |
| 36-15 | .7531 | .8413 | 1 |
| 36-16 | .7531 | .8413 | 1 |
| 36-17 | .7531 | .8413 | 1 |
| 36-18 | .7531 | .8413 | 1 |
| 36-19 | .7531 | .8413 | 1 |
| 36-20 | .7531 | .8413 | 1 |
| 40-01 | .8370 | .9357 | 1 |
| 40-02 | .8370 | .9357 | 1 |
| 45-01 | .9415 | 1.0516 | 1 |
| 45-02 | .9415 | 1.0516 | 1 |
| 45-03 | .9415 | 1.0516 | 1 |
| 45-04 | .9415 | 1.0516 | 1 |
| 45-05 | .9415 | 1.0516 | 1 |
| 45-06 | .9415 | 1.0516 | 1 |
| 45-07 | .9415 | 1.0516 | 1 |
| 45-08 | .9415 | 1.0516 | 1 |
| 45-09 | .9415 | 1.0516 | 1 |
| 45-10 | .9415 | 1.0516 | 1 |
| 45-11 | .9415 | 1.0516 | 1 |
| 45-12 | .9415 | 1.0516 | 1 |
| 45-13 | .9415 | 1.0516 | 1 |

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| Marine Unit No. | Percentage Share of Common Elements and Common Element Expenses, Cont. from Page Three | Percentage Share of Marine Unit Limited Common Elements and Limited Common Element Expenses, Cont. from Page Three | Votes |
|-----------------|--|--|-------|
| 45-14 | .9415 | 1.0516 | 1 |
| 45-15 | .9415 | 1.0516 | 1 |
| 45-16 | .9415 | 1.0516 | 1 |
| 45-17 | .9415 | 1.0516 | 1 |
| 45-18 | .9415 | 1.0516 | 1 |
| 45-19 | .9415 | 1.0516 | 1 |
| 45-20 | .9415 | 1.0516 | 1 |
| 45-21 | .9415 | 1.0516 | 1 |
| 45-22 | .9415 | 1.0516 | 1 |
| 45-23 | .9415 | 1.0516 | 1 |
| 45-24 | .9415 | 1.0516 | 1 |
| 45-25 | .9415 | 1.0516 | 1 |
| 45-26 | .9415 | 1.0516 | 1 |
| 45-27 | .9415 | 1.0516 | 1 |
| 45-28 | .9415 | 1.0516 | 1 |
| 45-29 | .9415 | 1.0516 | 1 |
| 45-30 | .9415 | 1.0516 | 1 |
| 45-31 | .9415 | 1.0516 | 1 |
| 45-32 | .9415 | 1.0516 | 1 |
| 45-33 | .9415 | 1.0516 | 1 |
| 45-34 | .9415 | 1.0516 | 1 |
| 45-35 | .9415 | 1.0516 | 1 |
| 45-36 | .9415 | 1.0516 | 1 |
| 45-37 | .9415 | 1.0516 | 1 |
| 45-38 | .9415 | 1.0516 | 1 |

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| Marine Unit No. | Percentage Share of Common Elements and Common Element Expenses, Cont. from Page Four | Percentage Share of Marine Unit Limited Common Elements and Limited Common Element Expenses, Cont. from Page Four | Votes |
|-----------------|---|---|-------|
| 45-39 | .9415 | 1.0516 | 1 |
| 50-01 | 1.0460 | 1.1686 | 1 |
| 50-02 | 1.0460 | 1.1686 | 1 |
| 50-03 | 1.0460 | 1.1686 | 1 |
| 50-04 | 1.0460 | 1.1686 | 1 |
| 50-05 | 1.0460 | 1.1686 | 1 |
| 50-06 | 1.0460 | 1.1686 | 1 |
| 50-07 | 1.0460 | 1.1686 | 1 |
| 50-08 | 1.0460 | 1.1686 | 1 |
| 50-09 | 1.0460 | 1.1686 | 1 |
| 50-10 | 1.0460 | 1.1686 | 1 |

100.00

Boat Storage Unit
No.

Percentage Share of Boat
Storage Unit Limited
Common Elements and
Limited Common Element
Expenses

| | | | |
|------|-------|--------|---|
| S2 A | .4760 | 5.8788 | 1 |
| S2 B | .2978 | 3.6738 | 1 |
| S2 C | .3830 | 4.7331 | 1 |
| S3 A | .4760 | 5.8788 | 1 |
| S3 B | .2978 | 3.6738 | 1 |
| S3 C | .3830 | 4.7331 | 1 |
| S4 A | .4760 | 5.8788 | 1 |

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| Boat Storage Unit No. | Percentage Share of Common Elements and Common Element Expenses, Cont. from Page Five | Percentage Share of Boat Storage Unit Limited Common Elements and Limited Common Element Expenses, Cont. from Page Five | Vote |
|-----------------------|---|---|------|
| S4 B | .2978 | 3.6738 | 1 |
| S4 C | .3830 | 4.7331 | 1 |
| S5 A | .4760 | 5.8788 | 1 |
| S5 B | .2978 | 3.6738 | 1 |
| S5 C | .3830 | 4.7331 | 1 |
| S6 A | .4760 | 5.8788 | 1 |
| S6 B | .2978 | 3.6738 | 1 |
| S6 C | .3830 | 4.7331 | 1 |
| S7 A | .4760 | 5.8788 | 1 |
| S7 B | .2978 | 3.6738 | 1 |
| S7 C | .3830 | 4.7331 | 1 |
| S8 A | .4760 | 5.8788 | 1 |
| S8 B | .2978 | 3.6738 | 1 |
| S8 C | .3830 | 4.7332 | 1 |
| | | 100.00 | |
| | | Percentage Share of Commercial Unit Limited Common Elements and Limited Common Element Expenses | |
| Commercial Unit No. | | | |
| Commercial Unit 1 | 2.3825 | 100.00 | 4 |
| | 100 | 100 | 130 |

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CLINTON YACHT HAVEN

SCHEDULE A-5

SURVEYOR'S CERTIFICATE

Marine Units; 36-02, A-35 through A-38 inclusive, A-40 and 40-02.

Commercial Unit: Commercial Unit 1.

Re: Clinton Yacht Haven, a Dockominium situated in the Town of Clinton, County of Middlesex and State of Connecticut, which premises are more particularly shown on maps or plans entitled "PLAN - SCHEDULE A-4 AMENDED DECLARATION CLINTON YACHT HAVEN DOCKOMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT SCALE: 1" = 50' DATE: NOVEMBER 13, 1987 Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.06 SHEET 1 of 2" and "PLAN - SCHEDULE A-4 DOCKOMINIUM UNIT BOUNDARY INDEX CLINTON YACHT HAVEN DOCKOMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT DATE: MAY 12, 1989 Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.08 SHEET 1A of 2" and "PLAN - SCHEDULE A-4 BOAT STORAGE UNITS AMENDED DECLARATION CLINTON YACHT HAVEN DOCKOMINIUM PROPERTY OF G.Y. YORKHAVEN, INC. RIVERSIDE DRIVE, CLINTON, CONNECTICUT SCALE: 3/32" = 1'-0" DATE: SEPTEMBER 15, 1988, Last Revised 6-9-89 DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.10.1 SHEET 2 of 2" which maps are on file in the Town Clerk's office in said Town of Clinton to which reference may be had.

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The undersigned hereby certifies that:

1. The architect, surveyor or engineer is certified by the State of Connecticut under Certification No. 1514642.
2. To the best of his knowledge, information and belief, the Units are substantially complete in accordance with the plans on file and shown as Exhibit A-4 to the Declaration.
3. This certificate is made pursuant to the provisions of Section 47-220 of the Connecticut General Statutes.

Charles J. Bentley
Licensed Surveyor

Dated: June 30, 1989

Received for record July 19, 1989
2:10 PM and recorded by
Judith Ann Brown Town Clerk
ass.