

EXERCISE OF DEVELOPMENT RIGHTS

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM  
BY G. Y. YORKHAVEN, INC.

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 (the 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. Schedule A-2 entitled "ALLOCATED INTERESTS Revised March 15, 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 Unit numbers 36-03 through 36-20 inclusive and Marine Unit numbers 45-03 through 45-18 inclusive together with the allocated interests to the Common Interest Community.
2. The revised Plan 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 02-28-89 ADDITION OF DOCK "B" DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.06 SHEET 1 of 2" attached

See v 192 p 176  
" " 193 p. 670

DOMI. CASE, KENNELLY AND KLEBANOFF, P. C. • ATTORNEYS AT LAW  
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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 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 12-22-88 REVISED UNIT BOUNDARIES DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.1.01 SHEET 2 of 2" currently on file in the Clinton Town Clerk's Office remains in full force and effect.

3. Schedule A-5 dated March 15, 1989, surveyor's certificate, is hereby appended to the Declaration.

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

IN WITNESS WHEREOF, the Declarant has caused this Third Amendment to the Declaration of Condominium by G.Y. Yorkhaven, Inc. to be executed this 16th day of March, 1989.

Signed and Delivered in the presence of

G. Y. YORKHAVEN, INC.

Wendy N. Murphy  
Wendy N. Murphy

By Karen Christopher  
Karen Christopher,  
Its Vice President  
Duly Authorized

Deborah S. Spader  
Deborah S. Spader

STATE OF CONNECTICUT )  
COUNTY OF ) ss.

March 16, 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.

Marquette M. Gergon  
Notary Public  
My Commission Expires: 3-31-92

NOTARY PUBLIC, L.E. GONDAR, 19008 - 12011 242,7745 - JAMES NO 50088

SCHEDULE A-2

ALLOCATED INTERESTS

Revised March 15, 1989

| Marine Unit No. | Percentage Share of<br>Common Elements and<br>Common Element<br>Expenses | Percentage Share<br>of Marine Unit<br>Limited Common<br>Elements and Limited<br>Common Element Expenses | Votes |
|-----------------|--|---|-------|
| A-5             | 1.27   | 1.47  | 1     |
| A-6             | 1.27   | 1.47  | 1     |
| A-7             | 1.27   | 1.47  | 1     |
| A-8             | 1.27   | 1.47  | 1     |
| A-9             | 1.27   | 1.47  | 1     |
| A-10            | 1.27   | 1.47  | 1     |
| A-11            | 1.27   | 1.47  | 1     |
| A-12            | 1.27   | 1.47  | 1     |
| A-13            | 1.27   | 1.47  | 1     |
| A-14            | 1.27   | 1.47  | 1     |
| A-15            | 1.27   | 1.47  | 1     |
| A-16            | 1.27   | 1.47  | 1     |
| A-17            | 1.27   | 1.47  | 1     |
| A-18            | 1.27   | 1.47  | 1     |
| A-19            | 1.27   | 1.47  | 1     |
| A-20            | 1.27   | 1.47  | 1     |
| A-21            | 1.27   | 1.47  | 1     |
| A-22            | 1.27   | 1.47  | 1     |
| A-23            | 1.27   | 1.47  | 1     |
| A-24            | 1.27   | 1.47  | 1     |
| A-25            | 1.27   | 1.47  | 1     |
| A-26            | 1.27   | 1.47  | 1     |

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 RUMBLE, CASH, KENNEDY AND KLEBANOFF, P. C. • ATTORNEYS AT LAW

| 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-27            | 1.27   | 1.47  | 1     |
| A-28            | 1.27   | 1.47  | 1     |
| A-29            | 1.27   | 1.47  | 1     |
| A-30            | 1.27   | 1.47  | 1     |
| A-31            | 1.27   | 1.47  | 1     |
| A-32            | 1.27   | 1.47  | 1     |
| A-33            | 1.27   | 1.47  | 1     |
| A-34            | 1.27   | 1.47  | 1     |
| 36-03           | 1.27   | 1.47  | 1     |
| 36-04           | 1.27   | 1.47  | 1     |
| 36-05           | 1.27   | 1.47  | 1     |
| 36-06           | 1.27   | 1.47  | 1     |
| 36-07           | 1.27   | 1.47  | 1     |
| 36-08           | 1.27   | 1.47  | 1     |
| 36-09           | 1.27   | 1.47  | 1     |
| 36-10           | 1.27   | 1.47  | 1     |
| 36-11           | 1.27   | 1.47  | 1     |
| 36-12           | 1.27   | 1.47  | 1     |
| 36-13           | 1.27   | 1.47  | 1     |
| 36-14           | 1.27   | 1.47  | 1     |
| 36-15           | 1.27   | 1.47  | 1     |
| 36-16           | 1.27   | 1.47  | 1     |
| 36-17           | 1.27   | 1.47  | 1     |
| 36-18           | 1.27   | 1.47  | 1     |
| 36-19           | 1.27   | 1.47  | 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 |
|-----------------|--|--|-------|
| 36-20           | 1.27   | 1.47   | 1     |
| 45-03           | 1.587  | 1.84   | 1     |
| 45-04           | 1.587  | 1.84   | 1     |
| 45-05           | 1.587  | 1.84   | 1     |
| 45-06           | 1.587  | 1.84   | 1     |
| 45-07           | 1.587  | 1.84   | 1     |
| 45-08           | 1.587  | 1.84   | 1     |
| 45-09           | 1.587  | 1.84   | 1     |
| 45-10           | 1.587  | 1.84   | 1     |
| 45-11           | 1.587  | 1.84   | 1     |
| 45-12           | 1.587  | 1.84   | 1     |
| 45-13           | 1.587  | 1.84   | 1     |
| 45-14           | 1.587  | 1.84   | 1     |
| 45-15           | 1.587  | 1.84   | 1     |
| 45-16           | 1.587  | 1.84   | 1     |
| 45-17           | 1.587  | 1.84   | 1     |
| 45-18           | 1.587  | 1.84   | 1     |
|                 |  | <u>1.84</u>  |       |
|                 |  | 100.00   |       |

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| Boat Storage Unit No. | Percentage Share of Common Elements and Limited Common Element Expenses, Cont. from Page Three | Percentage Share of Boat Storage Unit Limited Common Elements and Expenses | Votes |
|-----------------------|--|--|-------|
| S2 A                  | .802   | 5.8788   | 1     |
| S2 B                  | .5017  | 3.6738   | 1     |
| S2 C                  | .646   | 4.7331   | 1     |
| S3 A                  | .802   | 5.8788   | 1     |
| S3 B                  | .5017  | 3.6738   | 1     |
| S3 C                  | .646   | 4.7331   | 1     |
| S4 A                  | .802   | 5.8788   | 1     |
| S4 B                  | .5017  | 3.6738   | 1     |
| S4 C                  | .646   | 4.7331   | 1     |
| S5 A                  | .802   | 5.8788   | 1     |
| S5 B                  | .5017  | 3.6738   | 1     |
| S5 C                  | .646   | 4.7331   | 1     |
| S6 A                  | .802   | 5.8788   | 1     |
| S6 B                  | .5017  | 3.6738   | 1     |
| S6 C                  | .646   | 4.7331   | 1     |
| S7 A                  | .802   | 5.8788   | 1     |
| S7 B                  | .5017  | 3.6738   | 1     |

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| Boat Storage Unit No. | Percentage Share of Common Elements and Limited Common Element Expenses, Cont. from Page Four | Percentage Share of Boat Storage Unit Limited Common Elements and Expenses, Cont. from Page Four | Votes |
|-----------------------|---|--|-------|
| S7 C                  | .646  | 4.7331   | 1     |
| S8 A                  | .802  | 5.8788   | 1     |
| S8 B                  | .5017   | 3.6738   | 1     |
| S8 C                  | .646  | 4.7332   | 1     |
| <hr/>                 |   | <hr/>  | <hr/> |
| 100.00                |   | 100.00   | 85    |

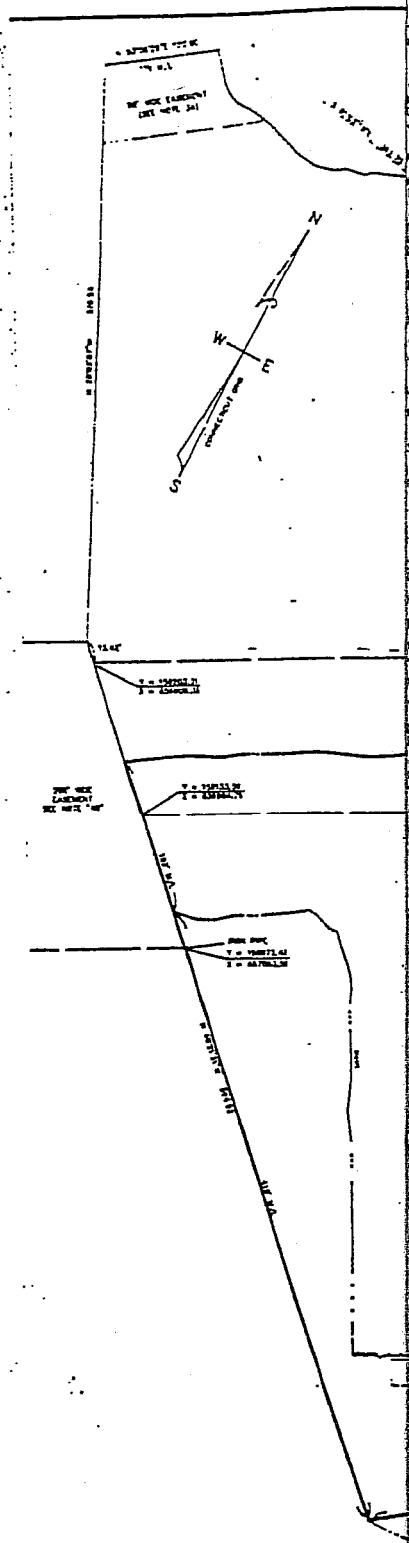
B O R N • 1 2 0 2 7 4 7 7 4 5 • J U R I S N O 5 0 8 0 8

SCHEDULE A-4

The Schedule A-4 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 02-28-89 ADDITION OF DOCK 'B' DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.06 SHEET 1 of 2" is being recorded simultaneously herewith in the Land Records of the Town of Clinton, Connecticut.

J U R I S N O 5 0 8 0 8

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IS MADE TO THE FOLLOWING PLANS:

1. SCHEDULE A-3 PLAN SHOWING PROPERTY OF G.Y. YORKHAVEN INC., RIVERSIDE DRIVE CLINTON, CONNECTICUT. SCALE: 1"=50', DATE: JULY 23, 1967, DICESARE-BENTLEY ENGINEERS INC., CONNECTICUT.

2. SCHEDULE A-4, AMENDED DECLARATION, CLINTON YACHT HAVEN DOCKMINIUM, PROPERTY OF G.Y. YORKHAVEN INC., RIVERSIDE DRIVE, CLINTON, CONNECTICUT. SCALE: 1"=50'. DATE: NOVEMBER 15, 1967, LAST REVISED 12-22-68. REVISED LOT BOUNDARIES, DICESARE-BENTLEY ENGINEERS, INC., 100 FORT HILL ROAD, GROTON, CONNECTICUT. DATE: 02-1-70.01, SHEET 2 OF 2. "AS SHOWN IN FULL FORCE AND EFFECT."

3. SCHEDULE A-4, BOAT STORAGE UNITS AMENDED DECLARATION, CLINTON YACHT HAVEN DOCKMINIUM, PROPERTY OF G.Y. YORKHAVEN INC., RIVERSIDE DRIVE, CLINTON, CONNECTICUT. SCALE: 1"=50'. DATE: SEPTEMBER 15, 1968, LAST REVISED 12-22-68. REVISED LOT BOUNDARIES, DICESARE-BENTLEY ENGINEERS, INC., 100 FORT HILL ROAD, GROTON, CONNECTICUT. DATE: 02-1-70.01, SHEET 2 OF 2. "AS SHOWN IN FULL FORCE AND EFFECT."

SHOWING EASEMENTS TO BE CONVEYED TO THE CONNECTICUT WATER COMPANY BY G. SAYER INC., RIVERSIDE DRIVE, CLINTON, CONNECTICUT. SCALE: 1"=50'. FEBRUARY 9, 1968. AS PER WARRANTY DEED DATED JANUARY 14, 1967, REGARDING PORTION OF LAND WITHIN THE PROPERTY BOUNDARIES SHOWN HEREON.

IS MADE TO THE FOLLOWING TOWN OF CLINTON, CONNECTICUT LAND RECORDS REGARDING TITLE TO THESE PREMISES:

VOLUME 184 AT PAGE 844 FOR WARRANTY DEED DATED JANUARY 14, 1967, REGARDING PORTION OF LAND WITHIN THE PROPERTY BOUNDARIES SHOWN HEREON.

VOLUME 184 AT PAGE 944 FOR WARRANTY DEED DATED MARCH 27, 1967, REGARDING INCLUSIVE AND WITHIN THE PROPERTY BOUNDARIES SHOWN HEREON.

VOLUME 178 AT PAGE 237 FOR WARRANTY DEED DATED FEBRUARY 3, 1968, REGARDING PORTION OF LAND WITHIN THE PROPERTY BOUNDARIES SHOWN HEREON.

PREMISES ARE SUBJECT TO THE FOLLOWING EASEMENTS AND/OR RIGHTS OF WAY:

VOLUME 58 AT PAGE 10, A RIGHT OF WAY 50 FEET IN WIDTH ACROSS NORTHWESTERLY PORTION SHOWN HEREON.

VOLUME 62 AT PAGE 176, A BLANKET EASEMENT IN FAVOR OF THE CONNECTICUT LIGHT & POWER TO ERECT AND MAINTAIN UTILITY POLES.

VOLUME 98 AT PAGE 277, REGARDING USE RESTRICTIONS.

VOLUME 179 AT PAGE 642, A 25-FOOT WATER MAIN EASEMENT IN FAVOR OF THE CONNECTICUT WATER COMPANY TO INSTALL, OPERATE AND REPAIR WATER PIPES OR MAINS.

VOLUME 179 AT PAGE 646, A 50-FOOT WATER MAIN EASEMENT IN FAVOR OF THE CONNECTICUT WATER COMPANY TO INSTALL, OPERATE AND REPAIR WATER PIPES OR MAINS.

PREMISES ARE BENEFITTED BY THE FOLLOWING EASEMENTS AND/OR RIGHTS OF WAY:

VOLUME 164 AT PAGE 958, A 50-FOOT RIGHT OF WAY, SEE NOTE 23 ABOVE.

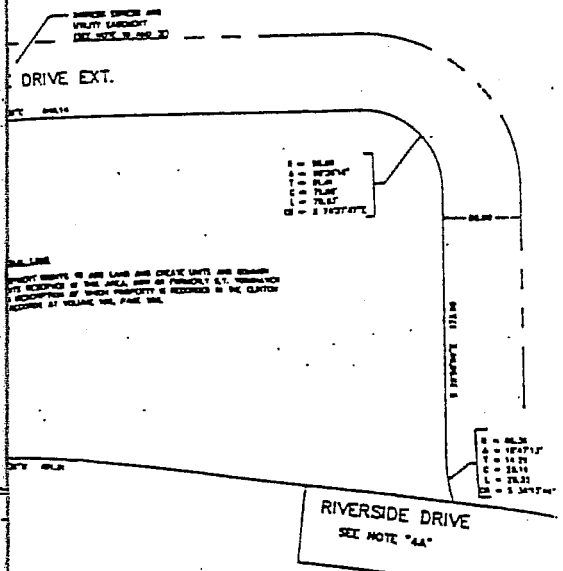
VOLUME 58 AT PAGE 12, A RIGHT TO USE LAND ON THE NORTH AND SOUTH SIDE OF T. HAVEN WHICH EXTENDS FROM THE HAWKINSSETT RIVER.

LOCATIONS AND COORDINATES ARE REFERENCED TO THE CONNECTICUT COORDINATE SYSTEM (SPCS 27). COORDINATES ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD 29).

BOUNDARIES OF UNITS BOUNDARIES ARE SUBSTANTIALLY CORRECT BASED ON THE LIMITATIONS OF THE STRUCTURE AS CREDITED.

PLAN REPRESENTS THE LOCATION OF THE STRUCTURES ON THE SITE AS OF FEBRUARY 27, 1968. TITLE AND ACQUISITION INFORMATION WAS OBTAINED FROM THE TOWN OF CLINTON LAND RECORDS MAY 24, 1969.

PLAN REPLACES THE PLAN REFERRED TO IN NOTE 18 WHICH PLAN IS NOW NULL AND VOID AND REFERENCED IN NOTE 18. REVISED IN FULL FORCE AND EFFECT PURSUANT TO THE TERMS OF AMENDMENT TO THE CLINTON YACHT HAVEN DOCKMINIUM.



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 15, 1967

DICESARE-BENTLEY ENGINEERS, INC.  
 100 FORT HILL ROAD  
 GROTON, CONNECTICUT

STATE OF CONNECTICUT  
 LAND SURVEYORS  
 DICESARE-BENTLEY ENGINEERS, INC.

DWS, 10.87-1-20.06 SHEET 1 OF 1

CLINTON YACHT HAVEN  
SCHEDULE A-5  
SURVEYOR'S CERTIFICATE

Marine Units 36-03 through 36-20 inclusive and Marine Units 45-03 through 45-18 inclusive:

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 a site plan 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 02-28-89 ADDITION OF DOCK "B" DICESARE-BENTLEY ENGINEERS, INC. 100 FORT HILL ROAD GROTON, CONNECTICUT DWG. NO:87-1-20.06 SHEET 1 of 2" which map is on file in the Town Clerk's office in said Town of Clinton to which reference may be had.

The undersigned hereby certifies that:

1. The architect, surveyor or engineer is certified by the State of Connecticut under Certification No. 14402.
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.

*Richard J. [Signature]*  
Licensed Surveyor

Dated: March 15, 1989.

received for records March 16, 1989  
at 3:30 p.m. and recorded by  
*[Signature]* Town Clerk  
(200)



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RUMBLE, LASS, ARNOLD AND BERMAN, P.C. • ATTORNEYS AT LAW • 1708 247-7745