



# Bobbie Holsclaw

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**INST # 2023038172**

**BATCH # 443101**

**JEFFERSON CO, KY FEE \$50.00**

PRESENTED ON: 02-24-2023 3 02:29:37 PM

LODGED BY: MORGAN POTTINGER MCGARVEY

RECORDED: 02-24-2023 02:29:37 PM

BOBBIE HOLSCRAW  
CLERK

BY: TERESA WELCH  
RECORDING CLERK

**BK: D 12560**

**PG: 9-13**

**SIXTH AMENDMENT TO MASTER DEED AND  
DECLARATION OF HORIZONTAL PROPERTY REGIME FOR  
MARINA VILLAGE**

**THIS SIXTH AMENDMENT TO MASTER DEED AND DECLARATION OF HORIZONTAL PROPERTY REGIME FOR MARINA VILLAGE** ("Sixth Amendment") is made and entered into as of this 24<sup>th</sup> day of FEBRUARY, 2023, by Marina Village Association, Inc., a Kentucky non-profit corporation ("MVA"), and by MVA's successor and assign who is Marina Village Dock Owners Association, Inc., a Kentucky non-profit corporation ("MVDOA").

**WITNESSETH:**

WHEREAS, Marina Village, Inc. has made and declared a Master Deed and Declaration of Horizontal Property Regime for Marina Village dated August 10, 2000, which is recorded in Deed Book 7495, Page 132, in the Office of the County Clerk of Jefferson County, Kentucky; as amended by the First Amendment to Master Deed and Declaration of Horizontal Property Regime for Marina Village dated August 28, 2000, of record in Deed Book 7504, Page 714; as amended by the Second Amendment to Master Deed and Declaration of Horizontal Property Regime for Marina Village dated February 12, 2001, of record in Deed Book 7592, Page 973; as amended by the Third Amendment to Master Deed and Declaration of Horizontal Property Regime for Marina Village, dated August 17, 2001, of record in Deed Book 7709, Page 172; as amended by the Fourth Amendment to Master Deed and Declaration of Horizontal Property Regime for Marina Village, dated April 28, 2006, of record in Deed Book 08830, Page 0114; as amended by the Fifth Amendment to Master Deed and Declaration of Horizontal Property Regime for Marina Village, dated April 28, 2013, of record in Deed Book 10061, Page 103, all in the Office of the Clerk aforesaid (the "Master Deed"); and,

WHEREAS, Section 2.4 of the Master Deed, prior to this Sixth Amendment, specified that the "Association" as used in the Master Deed would be MVA and its successors and assigns; and,

WHEREAS, MVDOA has been the successor to MVA since MVDOA's incorporation on October 6, 2004; and,

WHEREAS, this Sixth Amendment is necessary and desirable to correctly specify in the Master Deed the identity of the "Association";

WHEREAS, MVA states, as of the date of this Sixth Amendment, there are no actions, suits, or legal proceedings before any court or other governmental agency, now pending or to the knowledge of MVA, regarding Marina Village since its dissolution on October 6, 2004; and,



WHEREAS, MVDOA agrees to indemnify and hold harmless and defend MVA, MVA officers and members, from and against all claims, actions damages, suits, and liabilities involving Marina Village starting on October 6, 2004;

**NOW, THEREFORE,** in accordance with the foregoing preambles, which are incorporated herein, MVA and MVDOA hereby declare and agree as follows:

1. Section 2.4 of the Master Deed is hereby replaced in its entirety and amended to read as follows:

2.4 "Association" shall mean MARINA VILLAGE DOCK OWNERS ASSOCIATION, INC., a Kentucky non-profit corporation, its successors and assigns, which shall consist of all of the Boat Slip Unit Owners in their capacity as co-owners and shall act as the "council of co-owners".

2. The introductory clause of Section 7 of the Master Deed (starting with the number "7" and ending with the word "provisions:") is hereby replaced in its entirety and amended to read as follows:

7. **Association.** Except as set forth hereinbelow, the operation of the condominium shall be by MARINA VILLAGE DOCK OWNERS ASSOCIATION, INC., a corporation not for profit, under the laws of the State of Kentucky, which shall fulfill its functions pursuant to the following provisions:

3. Any and all references in the Master Deed to the "Association" or to "MARINA VILLAGE ASSOCIATION, INC." shall be understood to and do refer to MARINA VILLAGE DOCK OWNERS ASSOCIATION, INC., and Declarants declare that since October 6, 2004, MARINA VILLAGE DOCK OWNERS ASSOCIATION, INC. has been the Association and the "council of co-owners" for Marina Village and has had all of the rights and powers of the "Association"; provided, however, that this Paragraph 3 shall not invalidate or otherwise adversely affect any actions of MVA as the Association otherwise properly done in accordance with the Master Deed prior to the date of this Sixth Amendment.

4. MVA irrevocably nominates, constitutes and appoints MVDOA as its true and lawful attorney-in-fact and further irrevocably grants to MVDOA all other powers and authority necessary, proper or advisable to act on behalf of MVA to carry out this Sixth Amendment.

*[Signatures On Following Page]*

IN WITNESS WHEREOF, MVA and MVDOA have caused this Sixth Amendment to Master Deed and Declaration of Horizontal Property Regime for Marina Village to be executed as of the date first stated above.

**MARINA VILLAGE ASSOCIATION, INC.,**  
a Kentucky non-profit corporation

By: [Signature]  
Jeff Wagner, President

COMMONWEALTH OF KENTUCKY

COUNTY OF JEFFERSON

}  
}  
} ss  
}

The foregoing instrument was acknowledged before me on the 23 day of February, 2022, by Jeff Wagner as President of Marina Village Association, Inc., a Kentucky non-profit corporation, and on behalf of said corporation.

Angela Rose Myers  
Notary Public, State at Large

Notary ID: KYNP24128

Commission Expiration: 2-22-25

**MARINA VILLAGE DOCK OWNERS ASSOCIATION, INC.,**  
a Kentucky non-profit corporation

By: [Signature]  
Doug Herrick, President

COMMONWEALTH OF KENTUCKY

COUNTY OF JEFFERSON

}  
}  
} ss  
}

The foregoing instrument was acknowledged before me on the 24<sup>th</sup> day of February, 2022, by Doug Herrick as President of Marina Village Dock Owners Association, Inc., a Kentucky non-profit corporation, and on behalf of said corporation.



[Signature]  
Notary Public, State at Large

Notary ID: KYNP54348

Commission Expiration: 08-31-2026

*This Instrument Prepared By:*

**MORGAN POTTINGER MCGARVEY**

By: 

Michael T. Troutman (KBA #93292)

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