

STRUCTION; PRO RATE DISTRIBUTION IN CERTAIN CASES; RULES GOVERNING.

(a) In case of fire or other disaster the insurance indemnity shall, except as provided in subsection ~~(6)~~ (B) below, be applied to reconstruct the building.

(b) Reconstruction shall not be compulsory where destruction comprises the whole or more than two-thirds (2/3rds) of the building. In such case, and unless otherwise unanimously agreed upon by the co-owners, the indemnity shall be delivered pro rata to the co-owners entitled to it in accordance with provisions made by the by-laws or in accordance with a decision of three-fourths (3/4ths) of the co-owners, if there be no by-law provision, after first paying off, out of the respective shares of the unit owners, to the extent sufficient for the purpose, all liens on the unit of each co-owner. If the building is reconstructed, the provisions for such eventuality made in the by-laws shall be observed, or, in lieu thereof, the decision of the council of co-owners shall prevail.

136. SHARING OF RECONSTRUCTION COST WHERE BUILDING IS NOT INSURED OR INSURANCE INDEMNITY IS INSUFFICIENT; MODIFICATION OF SECTION BY RESOLUTION.

Where the building is not insured or where the insurance indemnity is insufficient to cover the cost of reconstruction, the new building costs shall be paid by all the co-owners directly affected by the damage, in proportion to the value of their respective condominium units, or as may be provided by the by-laws, and if any one or more of those composing the minority shall refuse to make such payments, the majority may proceed with the reconstruction at the expense of all the co-owners benefitted thereby and the pro rata share of the resulting expense may be assessed and such assessment for this expense shall have the same priority as provided under Section 132 of this Subtitle.

137. SEPARATE TAXATION.

(a) Each property hereafter declared into a horizontal housing regime in the manner hereinabove set forth shall continue its original identity and unity for the purpose of evaluating the whole for assessment purposes in the manner now prescribed by law. The total evaluation thus produced shall be distributed among the condominium units into which the property was divided and the assessment of each unit shall be in direct proportion to the share and interest of each unit as established in the master deed and the declaration of the property into the regime and an individual assessment thereby placed on each condominium unit in accordance with such proportion that such unit bears to the whole property covered by the original declaration.

(b) Each of said condominium units shall be carried on the tax records of the county or City of Baltimore in which it is located as a separate and distinct entity and all real estate taxes, including general and special assessments, shall be assessed, levied, and collected against each of the said several, separate, and distinct units in conformity with the percentages of ownership established by the declaration in