

11-121. TERMINATION AND WAIVER OF REGIME.

ALL UNIT OWNERS IN A CONDOMINIUM MAY TERMINATE, BY DEED, THE CONDOMINIUM REGIME ESTABLISHED UNDER THIS TITLE, IF ALL PERSONS WITH RECORDED ENCUMBRANCES, INCLUDING JUDGMENT LIENORS, CONSENT TO THE TERMINATION AND EXECUTE THE DEED OF TERMINATION TO EVIDENCE THEIR CONSENT. UNLESS OTHERWISE PROVIDED IN THE DEED OF TERMINATION, ON TERMINATION OF THE CONDOMINIUM REGIME EACH UNIT OWNER SHALL OWN AN UNDIVIDED INTEREST AS A TENANT IN COMMON IN THE PROPERTY EQUAL TO HIS PRIOR PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

11-122. RULES OF CONSTRUCTION.

(A) NEITHER THE RULE OF LAW KNOWN AS THE RULE AGAINST PERPETUITIES NOR THE RULE OF LAW KNOWN AS THE RULE RESTRICTING UNREASONABLE RESTRAINTS ON ALIENATION MAY BE APPLIED TO DEFEAT OR INVALIDATE ANY PROVISION OF THIS TITLE OR OF ANY DECLARATION, BY-LAWS, OR OTHER INSTRUMENT MADE PURSUANT TO THE PROVISIONS OF THIS TITLE.

(B) THE PROVISIONS OF ANY DECLARATION, BY-LAWS, AND CONDOMINIUM PLAT FILED PURSUANT TO THIS TITLE SHALL BE LIBERALLY CONSTRUED TO FACILITATE THE CREATION AND OPERATION OF THE CONDOMINIUM. SO LONG AS THE DECLARATION, BY-LAWS, AND CONDOMINIUM PLAT SUBSTANTIALLY CONFORM WITH THE REQUIREMENTS OF THIS TITLE, NO VARIANCE FROM THE REQUIREMENTS SHALL AFFECT THE CONDOMINIUM STATUS OF THE PROPERTY IN QUESTION NOR THE TITLE OF ANY UNIT OWNER TO HIS UNIT, HIS VOTES, AND HIS PERCENTAGE INTERESTS IN THE COMMON ELEMENTS AND IN COMMON EXPENSES AND COMMON PROFITS.

(C) THE DECLARATION, BY-LAWS, AND CONDOMINIUM PLAT SHALL BE CONSTRUED TOGETHER AND SHALL BE DEEMED TO INCORPORATE ONE ANOTHER TO THE EXTENT THAT ANY REQUIREMENT OF THIS TITLE AS TO THE CONTENT OF ONE SHALL BE DEEMED SATISFIED IF THE DEFICIENCY CAN BE CURED BY REFERENCE TO ANY OF THE OTHERS.

(D) ALL PROVISIONS OF THE DECLARATION, BY-LAWS, AND CONDOMINIUM PLAT ARE SEVERABLE AND THE INVALIDITY OF ONE PROVISION DOES NOT AFFECT THE VALIDITY OF ANY OTHER PROVISION.

(E) IF THERE IS ANY CONFLICT BETWEEN THE PROVISIONS OF THE DECLARATION AND PROVISIONS OF THE CONDOMINIUM PLAT OR THE PROVISIONS OF THE BY-LAWS, THE PROVISIONS OF THE DECLARATION SHALL CONTROL. IF THERE IS ANY CONFLICT BETWEEN THE PROVISIONS OF THE DECLARATION OR THE BY-LAWS AND THE PROVISIONS OF THIS TITLE, THE PROVISIONS OF THIS TITLE SHALL CONTROL.