

BY REFERENCE TO THE MASTER DEED. THE SHARE INTERESTS IN THE COMMON ELEMENTS SHALL, NEVERTHELESS, BE SUBJECT TO MUTUAL RIGHTS OF INGRESS, EGRESS AND REGRESS OF USE AND ENJOYMENT BY THE OTHER CO-OWNERS.

(C) THE INDIVIDUAL PERCENTAGES ESTABLISHED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL BE FIXED FOR THE PURPOSES OF THIS TITLE AND SHALL NOT FIX THE MARKET VALUE OF THE INDIVIDUAL CONDOMINIUM UNITS AND UNDIVIDED SHARE INTERESTS AND SHALL NOT PREVENT EACH CO-OWNER FROM FIXING A DIFFERENT CIRCUMSTANTIAL VALUE TO HIS CONDOMINIUM UNIT AND UNDIVIDED SHARE INTEREST IN THE COMMON ELEMENTS, IN ALL TYPES OF ACTS AND CONTRACTS.

(D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (A) AND (B) OF THIS SECTION, PARTS OF UNITS MAY BE TRANSFERRED BY THE OWNER OR OWNERS OF THE UNIT AND INCORPORATED AS PART OF ANOTHER UNIT PROVIDED A REASONABLE PROPORTION OF THE PERCENTAGE INTEREST OF THE TRANSFEROR IS TRANSFERRED TO THE TRANSFEREE, WHICH CHANGE SHALL BE EVIDENCED BY AN APPROPRIATE AMENDATORY DECLARATION TO SUCH EFFECT RECORDED AMONG THE LAND RECORDS SPECIFICALLY DESCRIBING THE PART TRANSFERRED, THE PERCENTAGE REALLOCATED AND THE NEW PERCENTAGES OF THE TRANSFEROR AND TRANSFEREE. THE TRANSFER MAY BE MADE WITHOUT THE ACQUIESCENCE OF THE CO-OWNERS REPRESENTING ALL THE CONDOMINIUM UNITS IN THE REGIME PROVIDED THE AMENDATORY DECLARATION IS EXECUTED BY THE OWNERS OF THE UNITS INVOLVED AND BY THE ENTITY DESIGNATED IN THE RECORDED BYLAWS AS IN CHARGE OF ADMINISTRATION.

11-106. INDIVISIBILITY OF THE COMMON ELEMENTS.

(A) THE COMMON ELEMENTS, BOTH GENERAL AND LIMITED, SHALL REMAIN UNDIVIDED. NO UNIT-OWNER OR ANY OTHER PERSON SHALL BRING ANY ACTION FOR PARTITION OR DIVISION OF THE CO-OWNERSHIP. ANY COVENANT TO THE CONTRARY SHALL BE VOID. THIS RESTRAINT AGAINST PARTITION SHALL NOT APPLY TO THE INDIVIDUAL CONDOMINIUM UNIT.

(B) IF THE PROPERTY SHALL BE MORE THAN TWO THIRDS (2/3RDS) DESTROYED BY FIRE OR OTHER DISASTER AND THE CO-OWNERS OF THREE FOURTHS (3/4THS) OF THE CONDOMINIUM PROJECT SHALL DECIDE, IN CONFORMITY WITH THE BYLAWS TO WAIVE AND TERMINATE THE HORIZONTAL PROPERTY REGIME, IN CONFORMITY WITH THE PROVISIONS OF THIS TITLE THEREUPON THE RESTRAINT AGAINST PARTITION AND DIVISION OF THE CO-OWNERSHIP SHALL NO LONGER APPLY. UPON ANY PARTITION ALL LIENS ON THE UNIT OF EACH CO-OWNER SHALL FIRST BE PAID OUT OF THE SHARE OF THE PROCEEDS APPLICABLE TO SUCH CO-OWNER'S UNIT.

11-107. USE OF ELEMENTS HELD IN COMMON; RIGHT TO REPAIR COMMON ELEMENTS.