

date of the damage. A partition permitted by this subsection terminates the condominium regime.

Section 11-111 Comments:

The amendments to this Section are technical in nature.

11-112.

(a) In this section, the term "taking under the power of eminent domain" includes any sale in settlement of any pending or threatened condemnation proceeding.

(b) The declaration or bylaws may provide for [a] AN allocation of any award for a taking under the power of eminent domain of all or a part of the condominium. The declaration or bylaws also may provide for (1) reapportionment or other change of the percentage interests appurtenant to each unit remaining after any taking; (2) the rebuilding, relocation, or restoration of any improvements so taken in whole or in part; and (3) the termination of the condominium regime following any taking.

(c) Unless otherwise provided [for] in the declaration or bylaws, any damages for a taking of all or part of a condominium shall be awarded as follows:

(1) Each unit owner shall be entitled to the entire award for the taking of all or part of his respective unit and for consequential damages to his unit.

(2) Any award for the taking of limited common elements shall be allocated to the unit owners of the units to which the use of those limited common elements is restricted in proportion to their respective percentage interests in the common elements.

(3) Any award for the taking of general common elements shall be allocated to all unit owners in proportion to their respective percentage interests in the common elements.

(d) UNLESS OTHERWISE PROVIDED IN THE DECLARATION OR BYLAWS, [Following] FOLLOWING the taking of [all of] a part of a condominium, the council of unit owners SHALL NOT BE OBLIGATED TO REPLACE IMPROVEMENTS TAKEN BUT promptly shall undertake to restore the REMAINING improvements of the condominium [to an architectural whole.] TO A SAFE AND HABITABLE CCNDITION. Any costs of such restoration shall be a common expense.

(e) UNLESS PROVIDED IN THE DECLARATION OR BYLAWS, FOLLOWING [Following] the taking of all or a part of any unit, the percentage interests appurtenant to the unit shall be adjusted in proportion as the amount of floor