

(III) 80 PERCENT OF THE UNIT OWNERS, INCLUDING EVERY OWNER OF A UNIT OR ASSIGNED LIMITED COMMON ELEMENT WHICH WILL NOT BE REBUILT, VOTE NOT TO REBUILD.

(2) THE COST OF REPAIR OR REPLACEMENT IN EXCESS OF INSURANCE PROCEEDS AND RESERVES IS A COMMON EXPENSE.

(3) IF THE ENTIRE CONDOMINIUM IS NOT REPAIRED OR REPLACED:

(I) THE INSURANCE PROCEEDS ATTRIBUTABLE TO THE DAMAGED COMMON ELEMENTS SHALL BE USED TO RESTORE THE DAMAGED AREA TO A CONDITION COMPATIBLE WITH THE REMAINDER OF THE CONDOMINIUM;

(II) THE INSURANCE PROCEEDS ATTRIBUTABLE TO UNITS AND LIMITED COMMON ELEMENTS WHICH ARE NOT REBUILT SHALL BE DISTRIBUTED TO THE OWNERS OF THOSE UNITS AND THE OWNERS OF THE UNITS TO WHICH THOSE LIMITED COMMON ELEMENTS WERE ASSIGNED; AND

(III) THE REMAINDER OF THE PROCEEDS SHALL BE DISTRIBUTED TO ALL THE UNIT OWNERS IN PROPORTION TO THEIR COMMON ELEMENT INTEREST.

(4) IF THE UNIT OWNERS VOTE NOT TO REBUILD ANY UNIT, THAT UNIT'S ENTIRE COMMON ELEMENT INTEREST, VOTES IN THE COUNCIL OF UNIT OWNERS, AND COMMON EXPENSE LIABILITY ARE AUTOMATICALLY REALLOCATED UPON THE VOTE AS IF THE UNIT HAD BEEN CONDEMNED UNDER § 11-115, AND THE COUNCIL OF UNIT OWNERS PROMPTLY SHALL PREPARE, EXECUTE, AND RECORD AN AMENDMENT TO THE DECLARATION REFLECTING THE REALLOCATIONS. NOTWITHSTANDING THE PROVISIONS OF THIS SUBSECTION, § 11-123 GOVERNS THE DISTRIBUTION OF INSURANCE PROCEEDS IF THE CONDOMINIUM IS TERMINATED.

(H) THE PROVISIONS OF THIS SECTION MAY BE VARIED OR WAIVED IN THE CASE OF A CONDOMINIUM ALL OF WHOSE UNITS ARE RESTRICTED TO NONRESIDENTIAL USE.

~~11-114~~ 11-115.

SUBJECT TO THE PROVISIONS OF THE DECLARATION AND OTHER PROVISIONS OF LAW, A UNIT OWNER:

(1) MAY MAKE ANY IMPROVEMENTS OR ALTERATIONS TO HIS UNIT THAT DO NOT IMPAIR THE STRUCTURAL INTEGRITY OR MECHANICAL SYSTEMS OR LESSEN THE SUPPORT OF ANY PORTION OF THE CONDOMINIUM;

(2) MAY NOT ALTER, MAKE ADDITIONS TO, OR CHANGE THE APPEARANCE OF THE COMMON ELEMENTS, OR THE EXTERIOR APPEARANCE OF A UNIT OR ANY OTHER PORTION OF THE CONDOMINIUM, WITHOUT PERMISSION OF THE COUNCIL OF UNIT OWNERS;