

omissions in the declaration or plat under certain circumstances; and providing that the circuit court may amend reform the declaration or plat to correct the error or omission in the declaration or plat under certain circumstances; and providing for recordation of orders of reformation and the filing of certain orders of reformation.

BY repealing and reenacting, with amendments,

Article - Real Property
Section 11-103(c) and 11-105(e)
Annotated Code of Maryland
(1981 Replacement Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Real Property

11-103.

(c) (1) Except as PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION OR otherwise provided in this title, the declaration may be amended only with the written consent of every unit owner and mortgagee.

(2) (1) ~~A UNIT OWNER OR THE COUNCIL OF UNIT OWNERS MAY PETITION THE CIRCUIT COURT IN EQUITY FOR THE COUNTY IN WHICH THE CONDOMINIUM IS LOCATED TO CORRECT: AN ERROR OR OMISSION IN THE DECLARATION-~~

1. AN IMPROPER DESCRIPTION OF THE UNITS OR COMMON ELEMENTS; OR

2. AN IMPROPER ASSIGNMENT OF THE PERCENTAGE INTERESTS IN THE COMMON ELEMENTS, COMMON EXPENSES, AND COMMON PROFITS.

(II) THE PETITION MAY BE BROUGHT ONLY IF:

1. THE UNIT OWNERS, AT A SPECIAL MEETING CALLED FOR THAT PURPOSE, VOTE TO PETITION THE COURT TO CORRECT A SPECIFIC ERROR BY A VOTE OF AT LEAST 66 2/3 PERCENT OF THE UNIT OWNERS PRESENT AND VOTING AT A PROPERLY CONVENED MEETING;

2. THE COUNCIL OF UNIT OWNERS GIVES NOTICE OF THE SPECIAL MEETING TO EACH MORTGAGEE OF RECORD FOR THE CONDOMINIUM; AND

3. AN OPPORTUNITY IS PROVIDED FOR THE MORTGAGEES TO SPEAK AT THE SPECIAL MEETING UPON WRITTEN REQUEST TO THE COUNCIL OF UNIT OWNERS.