

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.

(III) THE COURT MAY AMEND REFORM THE CONDOMINIUM PLAT TO CORRECT THE ERROR OR OMISSION AS THE COURT CONSIDERS APPROPRIATE---, IF:

1. THE COUNCIL OF UNIT OWNERS GIVES NOTICE OF THE FILING OF THE PETITION TO EACH MORTGAGEE AND UNIT OWNER WITHIN 15 DAYS OF FILING;

2. THE COUNCIL OF UNIT OWNERS FILES AN AFFIDAVIT WITH THE COURT STATING THAT THE CONDITIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH HAVE BEEN MET;

3. THE COUNCIL OF UNIT OWNERS PROVES, BY A PREPONDERANCE OF THE EVIDENCE, THAT THERE IS AN ERROR OR OMISSION AS PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH;

4. ANY MORTGAGEE WITH AN INTEREST IN THE CONDOMINIUM IS PERMITTED TO INTERVENE IN THE PROCEEDINGS UPON FILING A MOTION TO INTERVENE AS PROVIDED IN THE MARYLAND RULES;

5. THE REFORMATION DOES NOT SUBSTANTIALLY IMPAIR THE PROPERTY RIGHTS OF ANY UNIT OWNER OR MORTGAGEE; AND

6. THE COURT ISSUES AN ORDER OF REFORMATION.

(IV) A FINAL ORDER OF REFORMATION MAY BE APPEALED BY ANY PARTY WITHIN 30 DAYS OF ITS ISSUANCE. AN ORDER OF REFORMATION MAY NOT BE RECORDED UNTIL THE APPEAL PERIOD HAS LAPSED OR ALL APPEALS HAVE BEEN COMPLETED.

(3) An amendment OR ORDER OF REFORMATION becomes effective upon recordation in the same manner as the condominium plat. IF THE CONDOMINIUM IS REGISTERED WITH THE SECRETARY OF STATE, THE COUNCIL OF UNIT OWNERS SHALL FILE A COPY OF THE REFORMATION AMENDMENT WITH THE SECRETARY OF STATE WITHIN 15 DAYS OF RECORDATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.

Approved May 31, 1983.