

CHAPTER 583

(Senate Bill 961)

AN ACT concerning

Condominiums - Easements - Board of Directors

FOR the purpose of altering the interests in the common elements of a condominium regime that may be granted by the council of unit owners of the regime; providing that the board of directors of a condominium regime may grant certain interests of a condominium regime; establishing procedural requirements for the grant of certain interests of a condominium regime; providing a mechanism for the council of unit owners to override a grant of certain interests; and relating generally to the granting of easements, rights-of-way, licenses, certain leases, and other similar interests for the provision of utility services or communication systems for the use of units within a condominium regime.

BY repealing and reenacting, with amendments,

Article - Real Property
 Section 11-109(d)(14) and 11-125(f)
 Annotated Code of Maryland
 (1981 Replacement Volume and 1983 Supplement)

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

Article - Real Property

11-109.

(d) The council of unit owners may be either incorporated as a nonstock corporation or unincorporated and it is subject to those provisions of Title 5, Subtitle 2 of the Corporations and Associations Article of the Code which are not inconsistent with this title. The council of unit owners has, subject to any provision of this title, the declaration, and bylaws, the following powers:

(14) To grant easements, [leases, licenses, and concessions] RIGHTS-OF-WAY, LICENSES, LEASES IN EXCESS OF 1 YEAR, OR SIMILAR INTERESTS through or over the [general] common elements in accordance with § 11-125(f);

11-125.