

~~(3) THE TERMS UNDER WHICH THE EASEMENT MAY BE REVISED OR TERMINATED.~~

~~[(4)] (1) The declaration or bylaws may give the council of unit owners authority to grant easements, rights of way, licenses, leases in excess of 1 year, or similar interests affecting the common elements of the condominium if the grant is approved by the affirmative vote of unit owners having 66 2/3 percent or more of the votes, and with the express written consent of the mortgagees holding an interest in those units as to which unit owners vote affirmatively. Any easement, right of way, license, or similar interest granted by the council of unit owners under this subsection shall state that the grant was approved by unit owners having at least 66 2/3 percent of the votes, and by the corresponding mortgagees.~~

~~(2) The board of directors may, by majority vote, grant easements, rights of way, licenses, leases in excess of 1 year, or similar interests for the provision of utility services or communication systems for the exclusive benefit of units within the condominium regime. These actions by the board of directors are subject to the following requirements:~~

~~(i) The action shall be taken at a meeting of the board held after at least 30 days' notice to all unit owners and mortgagees of record with the condominium;~~

~~(ii) At the meeting, the board may not act until all unit owners and mortgagees shall be afforded a reasonable opportunity to present their views on the proposed easement, right of way, license, lease, or similar interest;~~

~~(iii) The easement, right of way, license, lease, or similar interest shall contain the following provisions:~~

~~1. The service or system shall be installed or affixed to the premises at no cost to the individual unit owners or the council of unit owners other than charges normally paid for like services by residents of similar or comparable dwelling units within the same area;~~

~~2. The unit owners and council of unit owners shall be indemnified for any damage arising out of the installation of the service or system; and~~

~~3. The board of directors shall be provided the right to approve of the design for installation of the service or system in order to insure that the installation conforms to any conditions which are reasonable to protect the safety, functioning, and appearance of the premises.~~

~~(3) By majority vote, the board of directors may grant to the State perpetual easements, rights of way, licenses, leases in excess of 1 year, or similar~~