

1103-050

Action by the Association under this subparagraph E.5 shall be at the cost and expense of the residence owner who will be assessed therefore by the Association.

VII. COMMON AREA AND LIMITED COMMON AREA FACILITIES.

A. Ownership and use of the common areas and limited common areas shall be governed by the following provisions:

1. The ownership of the percentage of undivided interest of a residence owner in the common areas, limited common area and facilities shall be deemed to be conveyed or encumbered or to otherwise pass with the residence whether or not expressly mentioned or described in a conveyance or other instrument describing the residence, and may not be separated from the residence.

2. The common area, limited common areas and facilities shall remain undivided and no residence owner nor any other person shall bring any action for partition or division of the whole or part of the common area and facilities except as provided in the Act or otherwise specifically provided in this Declaration.

3. Subject to any specific limitations contained herein and any rules duly adopted by the Association, each residence owner and the Association may use the common areas, limited common areas (subject to terms herein) and facilities for the purposes for which they are intended, but no such use shall hinder or encroach upon the lawful rights of the other residence owners.

4. The maintenance, operation, and the groundskeeping service (including landscaping) of the common areas, limited common area and facilities shall be the responsibility and the expense of the Association.

B. Parking. Use of parking facilities shall be governed by the following provisions:

1. The Property contains sufficient parking spaces to accommodate at least one automobile for each unit and each unit owner has the right to use a space for parking his automobile. It is not contemplated by Declarant to lease any parking spaces or common elements to unit owners. However, garage spaces may be leased as is set out in Paragraph "C" below.

2. Only a passenger automobile in operating conditions with a then current and effective license tag and inspection sticker may be parked upon or in parking areas and spaces, and the Manager may cause property stored or parked in violation hereof removed at the expense of the residence owner who parked or stored the same or whose lessee,

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