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by the owner of the appropriate Unit, unless all of the owners of Units in a given Building (in the case of Limited Common Elements) or the Board of Directors of the Association (in all other cases) shall elect to distribute or allocate the use and enjoyment of such Common Elements in some other manner.

The legal description of each Unit shall consist of the identifying number of such Unit as shown on Exhibit B. Every deed, lease, mortgage or other instrument may legally describe a Unit by its identifying number as shown on said Exhibit B followed by the words "in Yorktown Horizontal Property Regime."

Section 3.

Common Elements Ownership of the Common Elements shall be by the owners of all Units as tenants in common. The percentage of undivided interest of each Unit owner in and to the Common Elements shall be as set forth on Exhibit C. Developer's percentage of undivided interest in and to the Common Elements at any particular time shall be the percentage derived by subtracting from "100" percent the total at said time of the percentages of all other Unit owners. The percentages of undivided interests of the owners as defined and determined in accordance with this Master Deed may be altered only by the consent of all such owners expressed in a duly recorded amendment to this Master Deed. The percentage of undivided interest of each owner in the Common Elements is appurtenant to the Unit owned by him. No appurtenance may be separated from the Unit to which it appertains, and such appurtenance shall be deemed to be conveyed and encumbered or to otherwise pass with the Unit whether or not expressly mentioned or described in a conveyance or other instrument describing the Unit. The Common Elements shall remain undivided, and no owner nor any other Person shall bring any action for partition or division of the whole or any part thereof except as specifically provided herein. Each owner and the Association (as hereinafter defined) may use the Common Elements for the purposes for which they are intended, but in no such use shall enter or encroach upon the lawful rights of the other owners.