

of a Unit or General Common Element or Limited Common Element presently encroaches upon another, valid easement for the encroachment and maintenance of same, so long as it stands, shall and does exist. In the event the buildings are partially or totally destroyed, and then rebuilt, the Co-owners of the Units agree that the encroachments on parts of the General Common Elements or on the Units themselves, as aforescribed, due to construction, shall be permitted, and that a valid easement for such encroachments and the maintenance thereof shall exist.

VII.

ADMINISTRATION

Section 1.

Association. The Park Heights Association shall be a non-profit corporation owned and operated by the Co-owners of Units. Except as otherwise expressly provided herein, the administration of the Park Heights Horizontal Property Regime, the maintenance, repair, replacement and operation of the General Common Elements and those acts required of the Association by this Master Deed and by applicable portions of the Horizontal Property Act of South Carolina (in which such entity is identified as the "Counsel of Co-owners") shall be the responsibility of the Association. The Association shall be governed by and shall operate according to this Master Deed, the applicable statutes described above, and by the By-Laws of the Association, a copy of which is attached hereto as Exhibit D and by this reference made a part hereof.

Each Unit Co-owner shall automatically become and be a member of the association as long as he continues to be a Unit Co-owner. Upon the termination of the interest of a Unit Co-owner, his membership shall thereupon automatically terminate and transfer and inure to the new Unit Co-owner succeeding him in interest. The aggregate number of votes for all members of the Association shall be One Hundred (100), which shall be divided among the members in the same ratio as their respective percentages of Co-ownership interest in the General Common Elements as set forth in Exhibit C.

Section 2.

Limitation of Liability; Indemnification. Notwithstanding the duty of the Association to maintain, repair and replace parts of the General

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