

into possession of the unit by virtue of foreclosure of the mortgage, or by deed or assignment in lieu of foreclosure, or any purchaser at a foreclosure sale, will take the unit free of any claims for unpaid assessments and charges against the unit which accrue prior to the time which such mortgage lien holder comes into possession of the unit, except for claims for a prorata share of such assessments or charges resulting from a prorata reallocation of such assessments or charges to all Project units including the mortgaged unit.

XXII.

TERMINATION

The condominium shall be terminated, and the property removed from the provisions of the Act, in the following manner:

A. The termination of the condominium may be affected by unanimous agreement of the residence owners, with the approval of the eligible holders of first mortgages on units to which at least 76% percent of the votes of the units subject to a mortgage appertain, provided to an eligible holder, a first mortgagee must request notice as provided in Paragraph XXIII, which agreement shall be evidenced by an instrument or instruments executed in the manner required for conveyances of land. The termination shall become effective when such agreement has been recorded in the RMC Office for Greenville County, South Carolina.

B. In the event it is determined in the manner provided in this Declaration that the condominium property shall not be reconstructed after casualty, the condominium will be terminated and the condominium documents revoked, unless the Act shall have been amended to allow continuation of the condominium in such circumstances and corresponding amendments to this Declaration shall have been effected.

The determination not to reconstruct after the casualty resulting in termination of the condominium shall be evidenced by a certificate of any two of the officers of the Association certifying as to facts affecting the termination, which certificate shall become effective upon being recorded in the RMC Office for Greenville County, South Carolina.

C. After termination of the condominium, the rights of the residence owners and their respective mortgages and licenses shall be determined in the manner provided in paragraph E of page twenty-five of this

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