

tain to each Townhome Owner shall be the percentage of undivided interest previously owned by such Owner in the General and Limited Common Elements, (3) any liens affecting any of the Townhomes shall be deemed to be transferred in accordance with the existing priorities to the percentage of undivided interest of the Townhome Owner in the Property, and (4) the Property shall be subject to an action for partition at the suit of any Townhome Owner in which event the net proceeds of sale shall be paid to the Board. Said net proceeds of sale, together with the net proceeds of the insurance on the Property, shall be considered as one fund which, after paying all expenses of the Board, shall be divided among all of the Townhome Owners in a percentage equal to the percentage of undivided interest owned by each Owner in the Property, after first paying out of the respective share of the Townhome Owners, to the extent sufficient for the purpose, all liens on the undivided interest in the Property owned by each Townhome Owner. Disbursements to such Owners shall be made as provided for in Section 3 of this Section XIII.

Section 5. Repair and Reconstruction.

(a) If the damage or destruction for which the insurance proceeds are paid to the Board is to be repaired or reconstructed and such proceeds are not sufficient to defray the cost thereof, the Board shall without a vote of the members, levy a Special Assessment against all Owners of the damaged Townhomes, and against all Owners in the case of damage to the General and Limited Common Elements, in sufficient amounts to provide funds to pay such excess cost of repair or reconstruction. Additional Assessments may be made in like manner at any time during or following the completion of any repair or reconstruction. Such Assessments against Townhome Owners for damage to Townhomes shall be in proportion to the cost of repair and reconstruction of their respective Townhomes. Such Assessments on account of damage to the General and Limited Common Elements shall be in proportion to the Co-owners shares in the General and Limited Common Elements.

(b) Any and all sums paid to the Association under and by virtue of those Special Assessments provided for above to defray the estimated excess cost of repair or reconstruction shall be deposited by the Association with the Insurance Trustee. The proceeds from insurance and Assess-