

D. In the event of a conflict between the summary contained in this paragraph XIII and the provisions of Appendix One, Appendix One will govern.

XIV. REPAIR, RECONSTRUCTION OR REBUILDING. Repair, reconstruction or rebuilding of the property in the condominium following damage to or destruction of all or a portion of the property in the condominium shall be governed by the provisions set forth in Appendix Two which is attached as a part of this Declaration. Some of the provisions are summarized as follows:

A. The Association will determine whether or not any part of the property in the condominium which is damaged or destroyed shall be repaired, reconstructed or rebuilt, in the following manner:

1. Damage to common areas and facilities will be repaired, reconstructed or rebuilt unless otherwise unanimously agreed by the co-owners.

2. All painting, decorating, maintenance, repairs and replacements to the Common Elements, shall be made by the Association and be charged to all unit owners as a Common Expense, except as otherwise provided herein and to the extent that same are necessitated by the negligence, misuse or neglect of a unit owner, in which case such expense shall be charged to such unit owner.

All painting, decorating, maintenance, repairs and replacements to any unit as set out in Paragraph VIII, E. 1, shall be at the unit owner's expense, excepting as otherwise provided herein.

Patios, porches, balconies and fenced-in areas shall be maintained and repaired, and shall be kept free and clear of snow, ice and any other accumulation by the unit owner who has exclusive use of such patios, porches, balconies and fenced-in areas at his own expense.

3. Damage which renders more than two-thirds (2/3) of the property untenable will not be repaired, reconstructed or rebuilt unless unanimously agreed by the co-owners in which case the provisions of the Act shall control.