

Units and General Common Elements and Limited Common Elements and setting forth the obligations and responsibilities incident to ownership of each Unit and its appurtenant undivided interest in the General Common Elements and Limited Common Elements.

VII.

PERPETUAL NON-EXCLUSIVE EASEMENT IN GENERAL
COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

The General Common Elements and Limited Common Elements shall be, and the same are hereby declared to be subject to a perpetual non-exclusive easement in favor of all of the co-owners of Units in the 222 Henrietta Horizontal Property Regime for their use and the use of their guests and invitees, for all proper and normal purposes, and for the furnishing of services and facilities for which the same are reasonably intended, for the enjoyment of said co-owners of Units. Notwithstanding anything above provided in this Article, 222 Henrietta Association, Inc. hereinafter identified shall have the right to establish the rules, and regulations pursuant to which the co-owner or co-owners of any Unit may be entitled to use General Common Elements and Limited Common Elements.

VIII.

EASEMENT FOR UNINTENTIONAL AND NON-NEGLIGENT ENCROACHMENTS

The co-owners of the respective Units agree that if any portion of a Unit or General Common Element or Limited Common Element encroaches upon another, a 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 re-built, the co-owners of the Units agree that encroachments on parts of the General Common Elements or Limited Common Elements or Units, as aforescribed, due to construction, shall be permitted, and that a valid easement for said encroachments and the maintenance thereof shall exist.

IX.

RESTRAINT UPON SEPARATION AND PARTITION OF GENERAL
COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

Recognizing that the proper use of a Unit by any co-owner or co-owners is dependent upon the use and enjoyment of the General Common Elements and Limited Common Elements in common with the co-owners of all other Units, and that it is in

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