

the interest of all co-owners of Units that the ownership of the General Common Elements and Limited Common Elements be retained in common by the co-owners of Units in the property, it is declared that the percentage of the undivided interest in the General Common Elements and Limited Common Elements appurtenant to each Unit shall remain undivided and no co-owner of any Unit shall bring or have any right to bring any action for partition or division.

X.

EASEMENT FOR AIR SPACE

The co-owner of each Unit shall have an exclusive easement for the use of the air space occupied by said Unit as it exists at any particular time and as said Unit may lawfully be altered or reconstructed from time to time, which easement shall be terminated automatically in any air space which is vacated from time to time.

XI.

ADMINISTRATION

Prior to the date of the within instrument and the recording thereof, there has been formed "222 Henrietta Association, Inc.", a South Carolina non profit corporation which shall be the governing body for all of the Unit co-owners with respect to the administration, maintenance, repair and replacement of the property as provided by the Act, this Deed and the By-Laws, referred to herein as "Association". The Board of Directors of the Association shall be the form of administration referred to in the Act. Whenever this Deed shall call for approval, permission or requirement of the Association, it shall mean the Board of Directors of the Association. A copy of the By-Laws of the Association is attached hereto and made a part hereof as Exhibit "C" and by reference incorporated herein as if fully set forth herein.

Each Unit co-owner shall automatically become and be a member of the Association so long as he continues as 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 and Limited Common Elements as set forth in Exhibit "B".

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