
DECLARATION OF CONDOMINIUM
FOR
THE GARDENS AT SWAN CREEK CONDOMINIUM

DECLARATION OF CONDOMINIUM

Table of Contents

	Page
Article I Declaration	6
Article II Name; Description of Property	7
2.01 Name	7
2.02 Legal Description.....	7
2.03 Address	7
Article III Description of Units	7
3.01 Identification of Units	7
3.02 Boundaries of Units	7
3.03 Description of Units	8
Article IV Common Elements; Limited Common Elements; Community Garden.....	9
4.01 Common Elements.....	9
4.02 Limited Common Elements	9
4.03 Community Garden as Common Element.....	10
4.04 Conflict Between Unit Boundaries; Common Element Boundaries	11
Article V Percentage Interests; Voting	11
5.01 Percentage Interests	11
5.02 Conveyance, Lease or Encumbrance of Percentage Interest.....	12
5.03 Voting	12
5.04 Multiple Owners	12
5.05 Limitations on Voting Rights	12

	<u>Page</u>
Article VI Right to Expand	12
6.01 Reservation of Right	12
6.02 Number, Location and Style of Units	13
6.03 Effect on Percentage Interest in Common Elements	13
6.04 Effective Date of Expansion	13
6.05 Effect of Expansion	13
 Article VII Condominium Association.....	 14
7.01 General.....	14
7.02 Declarant Control.....	14
7.03 Board of Directors	15
7.04 Maintenance and Repairs.....	15
7.05 Common Expenses	16
7.06 General Assessments	17
7.07 Special Assessments	17
7.08 Common Surpluses	17
7.09 Certificate of Status	17
7.10 Management Services	17
 Article VIII Alterations and Use Restrictions.....	 18
8.01 Unit Alterations.....	18
8.02 Relocation of Boundaries.....	19
8.03 Separation of Units	19
8.04 Expenses	20
8.05 Use and Restrictions on Use of Unit.....	21
8.06 Nuisances	21
8.07 Lease of Units	21
8.08 Signs.....	22
8.09 Garbage and Refuse Disposal	23
8.10 Storage	23
8.11 Pets.....	23
8.12 Landscaping.....	23
 Article IX Insurance	 23
9.01 Fire and Extended Loss Insurance	23

9.02	Public Liability Insurance	24
9.03	Fidelity Insurance	24
9.04	Mutual Waiver of Subrogation	24
9.05	Standards for All Insurance Policies.....	25
Article X	Reconstruction, Repair or Sale in the Event of Damage or Destruction	25
10.01	Determination to Reconstruct or Repair	25
10.02	Plans and Specifications	25
10.03	Responsibility for Repair	25
10.04	Insurance Proceeds and Construction Fund.....	25
10.05	Assessments for Deficiencies	26
10.06	Surplus in Construction Funds.....	26
10.07	Damage or Destruction of Unit.....	26
Article XI	Condemnation	26
11.01	Allocation of Award	26
11.02	Determination to Reconstruct Common Elements	27
11.03	Plans and Specifications for Common Elements.....	27
11.04	Responsibility for Reconstruction	27
11.05	Assessments for Deficiencies	27
11.06	Surplus in Construction Fund	27
11.07	Percentage Interests Following Taking	28
Article XII	Mortgagees.....	28
12.01	Notice.....	28
12.02	Amendment of Provisions Affecting Mortgagees	28
12.03	Owners of Unmortgaged Units	28
12.04	Condominium Liens	28
Article XIII	Amendment.....	29
Article XIV	Remedies.....	29
Article XV	General.....	30
15.01	Utility Easements.....	30
15.02	Right of Entry	30
15.03	Notices	31

15.04 Severability	31
15.05 Declarant Access During Construction of Improvements	31
15.06 Agent for Service of Process	31
15.07 Assignment of Declarant's Rights.....	32
15.08 Conflicts.....	32
 Consent of Mortgagee.....	 34
 Exhibit A	 35
 Exhibit B	 36
 Exhibit C	 42