

apartment and may be enforced by him.

(b) Failure to reconstruct or repair. If it is determined in the manner elsewhere provided that the damage for which the proceeds are paid shall not be reconstructed or repaired, the remaining proceeds shall be distributed to the beneficial owners, remittances to apartment owners and their mortgagees being payable jointly to them. This is a covenant for the benefit of any mortgagee of an apartment and may be enforced by him.

.5 Association as Agent. The Association is hereby irrevocably appointed agent for each apartment owner to adjust all claims arising under insurance policies purchased by the Association.

.6 Reconstruction or repair after casualty

.1 Determination to reconstruct or repair. If any part of the condominium property shall be damaged by casualty, it shall be reconstructed or repaired unless otherwise determined by at least 75% of the Association.

(a) General Common element. If the damaged improvement is a general common element, the damaged property shall be reconstructed or repaired, unless otherwise determined by a vote of not less than 75% approving said determination, of the entire membership of the Association.

(b) Apartment building. If the damaged improvement is to an apartment building, the damaged property shall be reconstructed or repaired, unless otherwise determined by a vote of not less than 75% approving said determination, of the owners of the apartments in said apartment building.

.2 Responsibility. If the damage is only to those parts of one apartment for which the responsibility of maintenance and repair is that of the apartment owner, then the