

obtaining unanimous approval of all owners of other apartments in the same building and the approval of the board of directors of the Association .

.3 Common elements. The ownership and the use of the common elements shall be governed by the following provisions:

(a) Covenant against partition. In order to preserve the condominium the common elements shall remain undivided and no apartment owner nor any other person shall bring any action for partition or division of the whole or any part thereof of the common elements so long as any apartment building in useful condition exists upon the land.

(b) Non-exclusive possession. Each apartment owner and the Association may use the common elements for the purposes for which they are intended, but no such use shall hinder or encroach upon the lawful rights of the other apartment owners.

(c) Maintenance and operation. The maintenance and operation of the common elements shall be the responsibility and the expense of the Association; provided, however, that in case of emergency and in order to preserve the property or for the safety of the occupants, an apartment owner may assume the responsibility therefor, and he shall be relieved of liability for his acts performed in good faith and he shall be reimbursed for his expense by the Association when approved by its board of directors.

(d) Alteration and improvement. After the construction of an apartment building, there shall be no alteration of such building nor further improvement of the parcel upon which the building is located without prior approval in writing of all of the owners thereof and of the board of directors of the Association.