

in the proceedings incident thereto unless otherwise prohibited by law. The award made for such taking shall be payable to the Association if such award amounts to less than Ten Thousand Dollars (\$10,000.00), and to the Insurance Trustee if such award amounts to Ten Thousand Dollars (\$10,000.00) or more. Unless otherwise required by law at the time of such taking, any award made therefor shall be disbursed by the Association or the Insurance Trustee, as the case may be, as hereinafter provided in this Article VII.

7.02. Taking Confined to General Common Elements.

If the taking is confined to General Common Elements and does not include units, then the award shall be disbursed to the unit co-owners in proportion to their percentage of interest in the General Common Elements, subject, however, to the right hereby reserved to the Association and to be exercised by a majority of the total vote thereof to provide for the disbursement by the Insurance Trustee of the remaining proceeds held by it to the owners or any one or more of them in amounts disproportionate to their percentages of undivided interest in the General Common Elements as established herein, which disproportionate amounts shall correspond with the disproportionate damages sustained by the owners or any one or more of them as the Association may determine.

7.03. Taking Including One or More Units. If the taking includes one or more units, or any part or parts thereof, whether or not there is included in the taking any part of the General Common Elements, then the award in excess of amounts required to be paid to mortgagees shall be disbursed and all related matters, including, without limitation, alteration of the percentages of undivided interest of the owners in the Common Elements, shall be handled pursuant to and in accordance with the consent of ninety percent (90%) of the unit owners (or such greater number as may be required by law) expressed in a duly recorded amendment to this Declaration. In the event that such an amendment shall not be recorded within one hundred twenty (120) days after such taking, then such taking shall be deemed to be and shall be treated as

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