

(e) Exclusive authority to adjust losses under policies hereafter in force on the Property shall be vested in the Board of Directors; provided, however, that no mortgagee having an interest in such losses may be prohibited from participating in the settlement negotiations, if any, related thereto.

(f) In no event shall the insurance coverage obtained and maintained by the Board of Directors hereunder be brought into contribution with insurance purchased by individual Owners or their mortgagees.

(g) The Board of Directors shall conduct an annual insurance review which shall include a replacement cost review, without respect to depreciation, of all insurable improvements on the Property (with the exception of improvements and betterments made by the respective Owners at their expense).

(h) The Board of Directors shall be required to make every reasonable effort to secure insurance policies that will provide for the following: (1) a waiver of subrogation by the insurer as to any claims against the Board of Directors, its Manager, the Owners and their respective servants, agents and guests; (2) a waiver by the insurer of its right to repair and reconstruct instead of paying cash; (3) that the master policy on the Property cannot be cancelled, invalidated or suspended on account of any one or more individual Owners; and (4) that the master policy on the Property cannot be cancelled, invalidated or suspended on account of the conduct of any director, officer or employee of the Association without a prior demand in writing delivered to the Association to cure the defect and the allowance of a reasonable time thereafter within which the defect may be cured by the Association, any Owner or mortgagee.

Section 2. No Partition. There shall be no judicial partition of the Property or any part thereof, nor shall the Developer or any Person acquiring an interest in the Property or any part thereof seek any such judicial partition until the happening of the conditions set forth in Section 4 of this Section XIII in the case of damage or destruction or unless the Property has been removed from the provisions of the Horizontal Property Act as hereinafter prescribed.

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