

# WILDFLOWER CONDOMINIUM PLAN

TRACT NO. 36 - 87 MAMMOTH LAKES, CALIFORNIA

NOTES AND DEFINITIONS AND SHEET INDEX

1. "Condominium" shall mean an undivided fee ownership interest in the common areas and restricted common areas together with a separate ownership interest in fee in a unit.
2. "Unit" shall mean and include the elements of a Condominium not owned in common with the owners of other Condominiums in the Property; each of the residential air-space units, each shown, numbered and designated on the Condominium Plan, shall be a separate freehold estate consisting of the space bounded by and contained within the interior surfaces of the perimeter walls, floors, roof, windows and doors of each apartment. In interpreting deeds, declarations and plans, the existing physical boundaries of the Unit or a Unit constructed in substantial accordance with the original plans thereof shall be conclusively presumed to be its boundaries rather than the description expressed in the deed, plan or declaration, regardless of settling or lateral movement of the building and regardless of minor variances between boundaries as shown on the plan or in the deed and this Declaration and those of the buildings as constructed.
3. "Unit Owner" or "Owner" shall mean the person or persons holding title in fee to a Unit, including Declarant, as long as any Condominiums remain unsold, but excluding any mortgagee or any beneficiary or trustee under a deed of trust.
4. "Project" shall mean the entire Property divided into Condominiums, or to be divided into Condominiums, including all structures thereon, the common areas, the restricted common areas and the Units within the Property.
5. "Restricted Common Areas" shall mean and include all areas for which exclusive easements are reserved for the benefit of Unit Owners as those areas are described on the Condominium Plan.
6. "Common Areas" shall mean and include all areas on the Property except the Units and shall further include for maintenance purposes of the Association, but not by way of fee title, all gas, water and waste pipes, all sewers, all conduits, wires and other utility installations wherever located (except the outlets thereof when located within the Units), the lot upon which the structures are located and the airspace above the structures, all bearing walls, columns, floors, the roof, slab, foundation, parking spaces, landscaping and recreational facilities.
7. "Residence" shall mean and include a Unit and its corresponding Restricted Common Areas over which the Unit Owner has an exclusive easement as provided for herein.
8. "Condominium Plan" shall mean the engineering, drawings and related materials recorded pursuant to California Civil Code Section 1351 showing diagrammatic floor plans of the Units, the boundaries of the Units, the Common Areas, the Restricted Common Areas and, where applicable, dimensions, specific alternative uses as authorized by this Declaration and information reasonably necessary to identify a Condominium.
9. "Deck" shall mean that portion of a Unit designed for use as a Deck and is identified on the Condominium Plan.
10. "Restricted Common Area" shall mean those portions of the Common Area which, subject to the rights of the Association and Declarant, are reserved for the exclusive use of the Owners of particular Units. The Restricted Common Area and the Units, the Owners of which shall be entitled to such exclusive use thereof, are identified on the Condominium Plan as "Deck" followed by the Unit number.

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