

designed or allocated shall be known as "limited common elements", shall be permanent and irrevocable, and shall encompass and include not only the horizontal surface of the common elements so designed or allocated, but also the airspace thereabove bounded by the vertical extension of such surface; provided, however, that the airspace so encompassed and included shall terminate at the underside of any other common element, limited and/or unlimited, and at the underside of any unit, but only insofar as the physical underside of such other common element, or the extension of the horizontal plane of the unfinished floor elevation for any unit which is one or more stories above ground level, is located directly above all or any portion of the surface of the limited common element in question. The fact that a common element is limited shall not remove it from the regulatory powers or maintenance responsibilities of the Council. Use of all common elements, limited and unlimited, shall in general be subject to such reasonable rules and regulations as may from time to time be adopted and amended by the Council.

7.4 Common Element Usage. Without the prior written authorization of the Council, no common element shall be obstructed, posted, decorated, or used other than for purposes of normal ingress and egress by owners and occupants of the appurtenant units and their invitees, unless it is clearly designed and intended for some further use, such as parking or storage. No common area shall be used for parking any form of transportation other than as permitted in the Rules of Conduct.

Section 8 - NAMES OF FIRST MEMBERS OF COUNCIL

The names and addresses of the first members of the Condominium Council (sometimes herein called "the Council") who shall manage the property and project until their successors are chosen and qualified at the organizational meeting called for such purpose in accordance with the Code of Regulations, are:

Joseph R. Biden, Sr.
Post Office Box 2182
Wilmington, Delaware 19899

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Mary Lou Sheehan
3206 Fernwood Street
Wilmington, Delaware 19806

The Condominium Council shall constitute the elected officers of an Association of Owners in which each owner of a unit shall automatically, and for so long as he holds title of record to a unit, be a member having all rights, powers, duties, and obligations of membership therein including without limitation the right to cast votes equivalent in number or weight to the percentage interests in the common elements allocated to his condominium unit or units. Wherever the Declaration or Code of Regulation refers to the Council, any duty or obligation thereby imposed, or right or power thereby accorded, shall be likewise that of the Owners' Association acting by and through the Council. Whenever the Declaration or Code of Regulations refers to the Association of Owners, any duty or obligation thereby imposed, or right or power thereby accorded, shall be dischargeable and exercisable by the Council.

Section 9 - ADDITIONAL PROVISIONS

9.1 Easement Burdens and Benefits.

(a) Each unit and all common elements are subject to a perpetual easement in gross for the purpose of inspection, maintenance, repairs and replacement, demolition following substantial destruction by fire or other calamity, and reconstruction, by the Council, its employees and agents. Entrance into any unit for inspection and for repairs under circumstances which any member of the Council in good faith regards as an emergency threatening damage to other units or the common elements, or injury to any person, may rightfully be accomplished by or under the authorization of any Council member without the necessity for a meeting or vote of Council members. If the owner of any unit so entered has elected to provide Council