

**381.9139 Limited common elements.**

- (1) Except for the limited common elements described in KRS 381.9127(2), (4), and (6), the declaration shall specify to which unit or units each limited common element is allocated. That allocation shall not be altered without the consent of the unit owners whose units are affected.
- (2) Except as the declaration otherwise provides, a limited common element may be reallocated by an amendment to the declaration executed by the unit owners between or among whose units the reallocation is made. The persons executing the amendment shall provide a copy thereof to the association, which shall record it after receiving all fees and other costs associated with recording the instrument. The amendment shall be recorded in the names of the parties and the condominium.
- (3) A common element not previously allocated as a limited common element shall not be so allocated, except pursuant to provisions in the declaration made in accordance with KRS 381.9133(1)(g). The allocations shall be made by amendments to the declaration.

**Effective:** January 1, 2011

**History:** Created 2010 Ky. Acts ch. 97, sec. 20, effective January 1, 2011.