

Montana Code Annotated 2021

TITLE 70. PROPERTY

CHAPTER 23. UNIT OWNERSHIP ACT -- CONDOMINIUMS

Part 4. Nature of the Ownership Interest

Common Elements -- Undivided Interest Of Unit Owner

70-23-403. Common elements -- undivided interest of unit owner. (1) Each unit owner shall be entitled to an undivided interest in the common elements in the percentage expressed in the declaration. Such percentage shall be in the approximate relation that the value of the unit at the date of the declaration bears to the then combined value of all the units having an interest in the particular common elements. Value need not conform to market value.

(2) The percentage of undivided interest of each unit owner in the common elements as expressed in a declaration shall not be altered unless all unit owners having an interest in the particular common element agree thereto and record an amendment to the declaration setting forth the altered percentage of each unit owner having an interest.

History: En. Sec. 6, Ch. 120, L. 1965; R.C.M. 1947, 67-2306.