

Effective 7/1/2014

57-8a-223 Eminent domain -- Common area.

Unless the declaration provides otherwise:

- (1) if part of the common area is taken by eminent domain:
 - (a) the entity taking part of the common area shall pay to the association the portion of the compensation awarded for the taking that is attributable to the common area; and
 - (b) the association shall equally divide any portion of the award attributable to the taking of a limited common area among the owners of the lots to which the limited common area was allocated at the time of the taking; and
- (2) an association shall submit for recording to each applicable county recorder the court judgment or order in an eminent domain action that results in the taking of some or all of the common area.

Enacted by Chapter 152, 2013 General Session