

TITLE 2: NATURAL RESOURCES
DIVISION 6: UNIFORM CONDOMINIUM ACT

§ 6210. Plats and Plans.

(a) Plats and plans are a part of the declaration. Separate plats and plans are not required by this division if all the information required by this section is contained in either a plat or plan. Each plat and plan must be clear and legible and contain a certification that the plat or plan accurately depicts all existing conditions and contains all information required by this section.

(b) Each plat must show:

- (1) The name, location and dimensions of the condominium;
- (2) The location and dimensions of all existing improvements;
- (3) The intended location and dimensions of any contemplated improvement to be constructed anywhere within the condominium labeled either "MUST BE BUILT" or "NEED NOT BE BUILT," but need not show contemplated improvements within the boundaries of convertible real estate;
- (4) The location and dimensions of any convertible real estate, labeled as such;
- (5) The location and dimensions of any withdrawable real estate, labeled as such;
- (6) The extent of any encroachments by or upon any portion of the condominium;
- (7) To the extent feasible, the location and dimensions of all easements serving or burdening any portion of the condominium;
- (8) The location and dimensions of any vertical unit boundaries not shown or projected on plans recorded pursuant to subsection (c) of this section and that unit's identifying number;
- (9) The location with reference to established datum of any horizontal unit boundaries not shown or projected on plans recorded pursuant to subsection (c) of this section and that unit's identifying number;
- (10) The location and dimensions of any real estate in which the unit owners will own only an estate for years, labeled as "leasehold real estate";
- (11) The distance between noncontiguous parcels of real estate comprising the condominium;
- (12) The location and dimensions of limited common elements, including porches, balconies and patios, other than parking spaces and the other limited common elements described in 2 CMC § 6202(b) and (d);
- (13) All other matters customarily shown on land surveys.

(c) Plans of every building that contains or comprises all or part of any unit and is located or must be built within any portion of the condominium, other than within the boundaries of any convertible real estate, must show:

- (1) The location and dimensions of the vertical boundaries of each unit, to the extent those boundaries lie within or coincide with the boundaries of the building in which the unit is located, and that unit's identifying number;
- (2) Any horizontal unit boundaries, with reference to established datum, not shown on plats recorded pursuant to subsection (b) of this section, and that unit's identifying number; and

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(3) Any units that may be converted by the declarant to create additional units or common elements (2 CMC § 6215(c)), identified appropriately.

(d) Unless the declaration provides otherwise, the horizontal boundaries of part of a unit located outside of a building have the same elevation as the horizontal boundaries of the inside part, and need not be depicted on the plats and plans.

(e) Upon converting convertible real estate or adding additional real estate (2 CMC § 6211), the declarant shall record new plats for the real estate conforming to the requirements of subsection (b) of this section and new plans for any buildings on that real estate conforming to the requirements of subsection (c) of this section. If less than all of any convertible real estate is being converted, the new plats must also show the location and dimensions of the remaining portion.

(f) If a declarant converts any unit into two or more units, limited common elements, or both (2 CMC § 6215), the declarant shall record new plans showing the location and dimensions of any new units and limited common elements thus created as well as the location and dimensions of any portion of that space not being converted.

(g) Instead of recording new plats and plans as required by subsections (e) and (f) of this section, the declarant may record new certifications of plats and plans previously recorded if those plats and plans show all improvements required by subsections (e) and (f) of this section.

(h) Any certification of a plat or plan required by this section or 2 CMC § 6201(b) must be made by an independent surveyor, architect, or engineer.

Source: PL 3-86, § 2-110.