

TITLE 2: NATURAL RESOURCES
DIVISION 6: UNIFORM CONDOMINIUM ACT

§ 6702. Definitions.

For the purposes of this Chapter, the following terms shall be defined as follows:

(a) “Above the first floor” shall mean on or above a boundary constituting a horizontal plane of a condominium building that is above the ground level floor of the building, provided such horizontal plane boundary is at least six feet above the mean elevation of the ground level floor of the building.

(b) “Article XII common elements” shall mean all portions of an Article XII condominium other than the units and the descent restricted estate.

(c) “Article XII condominium” shall mean three elements of real estate that together comprise a condominium, consisting of:

(1) Portions within a condominium building or complex designated for separate ownership units, and

(2) Portions of the condominium building or complex designated for common ownership (the common elements), and

(3) A real property portion of the condominium building or complex designated exclusively for descent restricted interest ownership upon which the units and common elements are situated (the descent restricted estate), created specifically to enable persons not of Northern Marianas descent to own permanent or long-term interests in units above the first floor of the building as permitted by Article XII, Section 3 of the Commonwealth Constitution and encouraged by Public Law 15-20.

Real estate is not an Article XII condominium unless the ownership of the land on which the condominium building is sited is vested exclusively with a descent restricted interest, and the undivided interests in the Article XII common elements are vested in the condominium owners; the condominium owners, for this purpose, shall be exclusively comprised of the unit owners and the owners of the descent restricted estate.

(d) “Article XII unit” shall mean a unit above the first floor within an Article XII condominium. A unit is inseparable from its common element interest. Each Article XII unit together with its Article XII common element interest constitutes for all purposes a separate parcel of real estate, except as provided in Section 6106 subsection (b).

(e) “Descent restricted estate” shall mean that portion of the land upon which an Article XII condominium building is sited, ownership of which is restricted to descent restricted interests. Ownership of the descent restricted estate shall be restricted to natural persons, including associations, partnerships and trusts for the benefit of natural persons, but not corporate or other such entities.

(f) “Descent restricted interest” shall mean those permanent and long-term privately-owned interests in real property within the Commonwealth the ownership of which are restricted by Article XII of the Commonwealth Constitution to persons of Northern Marianas descent.

Source: PL 15-49, § 2 (6511), modified.