515.02 DEFINITIONS.

Subdivision 1. **Application.** As used in sections 515.01 to 515.29, unless the context otherwise requires, the following words and terms have the meanings ascribed to them in this section.

Subd. 2. **Apartment.** "Apartment" means a part of the property, including one or more rooms or enclosed spaces located on one or more floors, or part or parts thereof, in a building, or a part of a parcel of real estate situated in a manufactured home park upon which one or more manufactured homes may be erected, and with a direct exit to a public street or highway or to a common area leading to such street or highway, intended for any type of independent use, including, but not restricted to, commercial, industrial, or residential use.

Subd. 3. **Apartment owner.** "Apartment owner" means the person or persons owning an apartment in fee simple absolute and an undivided interest in the fee simple estate or leasehold estate of the common areas and facilities in the percentage specified and established in the declaration.

Subd. 4. **Apartment number.** "Apartment number" means the number, letter, or combinations thereof, designating the apartment in the declaration.

Subd. 5. **Association of apartment owners.** "Association of apartment owners" means all of the apartment owners acting as a group in accordance with the bylaws and declaration.

Subd. 6. **Building.** "Building" means a building containing one or more apartments, or two or more buildings, each containing one or more apartments, with a total of two or more apartments for all such buildings, and comprising a part of the property, and includes a parcel of real estate in a manufactured home park upon which one or more manufactured homes may be erected.

Subd. 7. **Common areas and facilities.** "Common areas and facilities," unless otherwise provided in the declaration or lawful amendments thereto, means and includes:

(1) the land on which the building is located;

(2) the foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, and entrances and exits of the building;

(3) the basements, yards, gardens, parking areas and storage spaces;

(4) the premises for the lodging of janitors or persons in charge of the property;

(5) installations of central services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning and incinerating;

(6) the elevators, tanks, pumps, motors, fans, compressors, ducts and in general all apparatus and installations existing for common use;

(7) such community and commercial facilities as may be provided for in the declaration;

(8) all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use; and

(9) such noncontiguous property as may be provided for in the declaration.

Subd. 8. **Common expenses.** "Common expenses" means and includes:

(1) all sums lawfully assessed against the apartment owners by the association of apartment owners;

(2) expenses of administration, maintenance, repair or replacement of the common areas and facilities;

(3) expenses agreed upon as common expenses by the association of apartment owners;

(4) expenses declared common expenses by provisions of this chapter, or by the declaration or the bylaws.

Subd. 9. **Common profits.** "Common profits" means the balance of all income, rents, profits and revenues from the common areas and facilities remaining after the deduction of the common expenses.

Subd. 10. **Declaration.** "Declaration" means the instrument by which the property is submitted to the provisions of this chapter, as hereinafter provided, and such declaration as from time to time may be lawfully amended.

Subd. 11. **Limited common areas and facilities.** "Limited common areas and facilities" means and include those common areas and facilities designated in the declaration as reserved for use of certain apartment or apartments to the exclusion of the other apartments.

Subd. 12. **Majority or majority of apartment owners.** "Majority" or "majority of apartment owners" means the apartment owners with 51 percent or more of the votes in accordance with the percentages assigned in the declaration to the apartments for voting purposes.

Subd. 13. **Person.** "Person" means individual, corporation, partnership, association, trustee or other legal entity.

Subd. 14. **Property.** "Property" means and includes the land, the building, all improvements and structures thereon, all owned in fee simple absolute and land held under a lease or leases the original terms of which are not less than 50 years, and all easements, rights and appurtenances belonging thereto, and all articles of personal property intended for use in connection therewith, which have been or are intended to be submitted to the provisions of this chapter.

Subd. 15. **Recording officer.** "Recording officer" means the county recorder or the registrar of titles, as the case may be, of the county in which the property is situated.

History: *1963 c 457 s 2; 1965 c 602 s 1; 1971 c 580 s 2-5; 1974 c 319 s 1,2; 1976 c 181 s 2; 1981 c 365 s 9*