

EGM 11th Feb 2005

This meeting only had a single agenda item:

1.- Debtors: Actions to be taken to recover the outstanding fees, including the starting of the legal procedures.

Minutes of the Extraordinary General Meeting of the Community of Owners Cala Hills, Phase I held on the 11th February 2005 at the Casa de la Cultura de La Cala de Mijas.

Attendance:

(List of attendance: Not included here, but can be downloaded below.)

The President Mr. Michael Howarth declared the Meeting officially constituted at the second calling a quorum not reached in the first. The Secretary said that some owner had named her their proxies and although this was greatly appreciated, she could not accept because her post does not hold the right of vote. She then read out the list of the owners present and represented and the President welcomed all in attendance. The meeting was informed that the object of the meeting was to inform of the outstanding fees and that a motion will be put forward to start legal proceeding to recover those fees. He said that to start such procedures, the details of the debt must be minuted and agreed to in a General Assembly, it being Ordinary or Extraordinary. It was also said that the present meeting had been notified in accordance with the law and the notifications had been placed in the community's notice boards.

He then asked the Secretary to furnish the Community with the exact protocol to claim the outstanding fees through the Courts. She said that once the fees had been agreed and the motion approved the Minutes are sufficient notification to the debtor. Apart from this notification via the Minutes, a registered fax is sent notifying the agreement in the correct manner. Should the registered fax not have been received, the agreement is also notified in the community's notice board for 4 days. After this period the Administrator signs a certificate of the agreement, the amount owed and that the above procedures have been followed and that certificate is to be presented at the Court House to present the case. The Courts then send a notification to the

debtor and should the fees still be outstanding an embargo is written in the registrar's office. This embargo is also notified by the Courts through the local Newspapers and after this the property goes to public auction.

It was also reported that the Community has an agreement with a firm of Lawyers by which no payment is made by the Community and the fees are paid by the debtor when they pay their dues. Therefore once the agreement is reached to claim the fees through the Courts, these dues have to be paid in the Lawyers office.

1.- Debtors: Actions to be taken to recover the outstanding fees, including the starting of the legal procedures.

It was reported that the following fees were outstanding and it was unanimously agreed to start whichever procedures are necessary to recover the outstanding fees even through the Courts, and the President was given full authority to sign whichever documents private or public were necessary to recover those fees.

(List of debtors: Not included here, but can be downloaded below.)

MATTER OF URGENCY AND PRESIDENCY

a) The President asked the Meeting for authorisation to employ a surveyor who will claim to the Promoter to repair the following building faults:

- Water entering block IV
- Water entering block I
- Lifting tiles at ground level of blocks VI & VIII
- Completion of swimming pool adjacent to block IV

b) The President also stated that it may be necessary to plant the hillsides outside of the community's boundaries to prevent further erosion. However, he confirmed that by doing this did not imply that the community accepted responsibility for areas outside the boundary of Phase 1. Any cost incurred for any work carried out would have to be referred to the Macrocommunity at the appropriate time.

The President was given full and unanimous authority to deal with these matters in the Community's best interest.

And there being no further business to discuss the meeting closed at 11.30 of the same day and at the same place.

Seen by

THE PRESIDENT

THE SECRETARY-ADMINISTRATOR

You can download a more detailed version of the minutes of the meeting (including lists of Attendance and Debtors) by clicking below. The document will typically open in a separate window:

[EGM Minutes 11 Feb 2005](#)

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