

## COMMUNITY OF OWNERS LA CALA HILLS, FASE I

Minutes of the Annual General Meeting held on the 22<sup>nd</sup> October 2007 at 10.30 hrs in the Tamisa Hotel in Mijas-.Costa.

Attendance:

<b>PROPIETARIO/OWNER</b>	<b>APART</b>	<b>CUOTA</b>	<b>DELEGACION DE VOTO/PROXY</b>
Mr C Burton & Mrs Jennifer Burton	102	0,670	
Mr Hein Lans Jans	104	0,880	Sr. Van der Wal
Felipe Cano García	105	0,880	
Mr & Mrs W Newman	107	0,670	
Gilding	110	0,670	Michael Foot
Mr P Koster	112	0,880	Sr. Van der Wal
Mr Van Der Wal	115	0,910	
Mr Derek Hills	201	0,880	
Mr Van Der Heij	203	0,670	
Mr E Myerscough	204	0,880	
Mr. Age Johnny Ulvedalen	206	0,670	H.E. Stauffeldt
Mr Steve Wedge	207	0,670	José María Mariscal
Mrs Margaret Smith	210	0,670	Michael Foot
Mr. Willem Sluijter	214	0,900	V.D.Hey
Mr M Foot	302	0,670	
Mr. C. M. Bird	303	0,670	Michael Foot
Mr R Duckworth	306	0,670	Michael Foot
Mrs. Christine Sullivan	307	0,670	Michael Foot
Mr Taylor	311	0,670	
Mr Leader	312	0,880	
Mr & Mrs E Baker	402	0,670	Michael Foot
Mr W Moss	404	0,880	Michael Foot
Mr A Marshall	406	0,670	
Mr M Howarth	407	0,670	
Mr A Hess	411	0,670	Michael Howarth
Mr T J Booth	412	0,880	
Mr B Ahlefeld-Engel	415	0,910	
D <sup>a</sup> . Dolores Caballero Montañez	501	0,880	
Mr C Furey & Mrs Marshall	502	0,670	M. Mann
D. Kurt Berthelsen	505	0,880	Frank Bakker
Mr P Dubberley	506	0,670	Michael Howarth
Mr Howard M Franklin & Mrs V Woolf	507	0,670	
Mr F Bakker	508	0,880	
Mr A Van Velzen	509	0,880	Frank Bakker
Mr Van de Vossenbergh	511	0,670	V.D. Heij
Mr A J Van Wijk	514	0,900	Horst Erbacher
Robert Luijendijk	603	0,670	Frank Bakker
Mr R De Jong	609	0,880	J. Poort
Mr R De Jong	610	0,670	J. Poort
Mr R De Jong	611	0,670	J. Poort
Friedrich Regina	612	0,880	Horst Erbacher
Mr R Dove	614	0,900	
Pleun y Hein Smits	703	0,670	
Mr R Müller	704	0,880	H.E. Stauffeldt
Mr M Mann	706	0,670	
Jan Egdoe	707	0,670	Patti Senker
Mr M Weinrabe	708	0,880	
Mr M Emerson	709	0,880	

Mr H E Staufeldt	712	0,880	
Mr Horst Erbacher	805	0,880	
Mr B Harris	809	0,880	
Mr J Poort	814	0,900	
Mr J Poort	815	0,910	
Mr S Sroka	903	0,670	José María Mariscal
D. S. R. Wedge y D. S. J. Gayler	905	0,880	José María Mariscal
Mrs Dolores Perujo	907	0,670	
Mr A Nelms	909	0,880	
Mr D Phillips & McMillen	910	0,670	José María Mariscal
Mr. & Mrs. D. Broome	912	0,880	José María Mariscal
Mr R Small	914	0,900	
Sra. Carman Montana	915	0,920	Patti Senker

And José Luis Navarro Rosado and Lázara Barranquero for Intercala Asesores, S.L. Administrators.

The President, Mr. Howarth, declared the Meeting officially open at the second calling, a quorum not reached in the first. He said that for unexpected reasons he had been away from the Community since May. He also said that last Friday he had been presented with an alternative budget produced by Mr. Mariscal who had asked for permission to present it to the Owners at the current Meeting, and because the election of officers could be dependant on the budget decision, he proposed that the Meeting change the order of items 4 and 5 in the Agenda. The Meeting understood the reasons and agreed to the proposal. Mr. Howarth then went on to discuss the Agenda for the present Meeting.

## 1. Reading and Approval of the Previous Meeting

The Minutes of the Annual General Meeting held on the 16<sup>th</sup> October 2006 were taken as read and they were proposed by Mr Leader and seconded by Mr Newman and then unanimously approved.

## 2. President's Report

The President's report had been sent to the Owners prior to the Meeting and the Owners thanked the President for the information therein.

*President's Report 2007*

*This report is being issued earlier than usual because of the need to report important items which will need to be discussed at this year's AGM and to review activity and progress over the past few months.*

### FINANCES

*The community remains in a healthy financial position largely because of :*

1. *The creation of a reserve fund which currently stands at 40,000 euros made possible largely by*
2. *the collection of outstanding community fees*
  - *at 18 July 2007 the total amount outstanding was 39,788.94 euros, most of which is current quarter 1 July – 30 Sept*
  - *at 18 June 2007 the total amount outstanding was 12,225.63 euros with only a couple of serious debtors*

*Do bear in mind that if community fees to 30 September are not paid up you will not be entitled to vote at the AGM.*

*It is also worth remembering that community fees which are paid within the first month of each quarter receive a 15% discount.*

### GARDENS AND POOLS

*The gardeners are continuing with re-planting where necessary and have now completed the work to cover the two indoor garden areas of each block with decorative stone to prevent cats from soiling these areas.*

*The gardeners have also expanded the areas where local grass has been woven into the existing grass. The solar heating system of the large pool required a complete overhaul due to damage sustained in the high winds earlier in the year. Quotes for this work were obtained but the work was actually carried out by myself and several other owners at a greatly reduced cost to the community.*

### REPAIRS

Major repairs had to be carried out to the Pool adjacent to blocks 1 and 2 which involved the renewal of the filtering system.

Roof tiles which were again damaged in the high winds also had to be repaired, the cost of which is covered by MAPFRE, (community insurers).

Floor tiles which had lifted in various blocks have also now all been replaced.

### TV CHANNELS

Extra TV channels have been added to the community service which now serves Phases 1,2,3, 4 and 5 of La Cala Hills.

### COMMUNITY RULES

Last year I took the opportunity to remind all owners of community rules and also to ask that all properties which are rented out have the community rules displayed inside the apartment so that tenants and holidaymakers are aware that community rules do exist for the benefit of everyone.

The noticeboards in each block now have the community rules in Spanish, English and Dutch so there is no excuse for not knowing what these rules are.

With the summer season upon us rule breaking is rife - towels hanging over balconies, rubbish dumped by the bins, cats allowed to foul in common areas, ball games in the gardens, lilos and ball games in the pools, pool hours not observed, sun beds not put away, parking all around the access roads and serious noise issues. And it is not just holiday renters that are to blame!

Last year I also requested that all renters be supplied with remote controls thereby enabling them to park in the underground garages. I hope that all owners who rent out their properties have ensured that this has happened and that they request their tenants to use the underground parking.

The security guard is, once again, under instruction not to allow any more cars to enter Phase 1 if there are no surface parking spaces available. It would help if cars could be parked underground wherever possible.

### THEFT & DAMAGE

Sadly there have been some items stolen from underground garages – namely emblems from cars and two fire extinguishers. Why anyone would choose to steal these items remains a mystery and it is worrying to think that someone living in or visiting our community is responsible. If anyone has information about this matter please contact a member of the Governing Board.

There have also been a large number of garden flowers which have had the heads deliberately broken off – again why anyone would want to do this is something I personally cannot comprehend.

### COURT CASE AGAINST SEVEN HILLS

The case relating to the community's claim against Seven Hills for serious defects have been submitted to the Marbella Court House and we are waiting for the hearing.

### MACRO COMMUNITY

The Macro Community is the overall body to govern common areas of all the phases of La Cala Hills as well as the other communities located in our neighbourhood. Currently this function is still taken care of by a consortium of the developers until the Town Hall is satisfied that all demands and requirements of the Town Hall are met. We are still endeavouring to push this matter forwards and Intercala's lawyer has scheduled a meeting with the committee of the Junta de Compensacion.

### WATER METERS AND SUPPLY OF WATER

Our water system has, as yet, not been adopted by the local water company. The charge for our water therefore continues to be paid from community funds. We still have no access to cheaper water for the gardens and therefore ALL our water is now classed as 'domestic'. The overall cost is very high, an official drought order has been in place since November 2005 and I would urge everyone not to waste this costly and precious commodity.

### BASURA

The situation regarding disposal of rubbish remains unsatisfactory but until the Macro Community is established and they take over the responsibility there is little that can be done.

### AGM

The AGM for 2007, as previously advised, will be held on Monday 22nd October at 10am at the Tamisa Hotel. We are unable to use the Casa de la Cultura in La Cala as it is undergoing refurbishment work. It is my intention to stand down as President and I therefore invite any owner who wishes to be considered as a candidate to advise any member of the Governing Board or Intercala by 15<sup>th</sup> September 2007. This will allow time to notify owners of candidates and to allow proxy votes to be received by the date of the AGM.

I look forward to seeing you at the AGM. If you are unable to attend please ensure that you give your Proxy to a member of the Governing Board or to another owner.

*Michael Howarth*  
*President*

### **3. Rendering of Accounts for 2006/2007**

The President turned the floor over to Mr. Erbacher, the Vice President, who had monitored the accounts last year, who firstly thanked Mr. Ian Leader for doing the auditing, which saved the Community that cost. He also said that in his opinion Mr. Leader has maybe been much more thorough than a professional auditor. Copies of the Auditor's report were made available at the Meeting.

Mr. Erbacher then explained the accounts in detail and said that for the first time in the history of the Community, the accounts show a deficit. He said that the deficit was due to the following reasons:

- 1.- Prompt payment discount, 4.700 Euros - 5% of the budget out of the Community accumulated results.
- 2.- Difference in pool material, due to the replacement of the sand and repair to the pump in the filtering system of pool number 1.
- 3.- Garden expenses, works to the internal garden being made "cat proof": Replacing the earth for stones to prevent the cats using the garden as a toilet.
- 4.- Cleaning staff difference, payment of redundancy monies to Victoria. At this point Mr. Mariscal asked for clarification of the cleaning staff; the Meeting was informed that Nati and Lola, as was Victoria, are our direct employees and their employment is governed as per the Spanish labour laws. The Administration office has all the information in this respect which is open for any Owner to view.
- 5.- Bricklaying repairs to the floors of the internal corridors, where tiles were lifting in many areas. This work was carried out at the same time the roof tiles were replaced, paid by the Community Insurers MAPFRE, as explained in the income and expenditures account summary.
- 6.- Rise in the electricity costs, due to increase in the price of this utility. However, the use was monitored and there wasn't much of a variance.
- 7.- Installation of electronic testers and dispensers of chlorine and ph., as requested by the pool inspectors. This invoice is still being negotiated and has already been reduced to around 13,000 Euros; however, the Committee will still negotiate with the supplier.

He also mentioned that, as will be reported later in detail, the Community has managed to reduce the amount of outstanding fees which has enabled the Community to open another reserve fund, Fontesoro, for the amount of 20.000 Euros. He reminded the Owners that in 2004 the amount of outstanding fees was 110,000 Euros and that as at the 30<sup>th</sup> September last it was 12.000 Euros. He also said that the Community total budget for the first year was 432,000 Euros not including repairs and that today's total running cost is 365,000 Euros including all costs.

The President proposed a vote of thanks to Mr. Erbacher for all his efforts and dedication to the Community for the past 3 years.

The President then asked the Owners if they had any questions:

Mr. Mariscal asked the reason that the Community pays for the gardener's uniforms. Mr. Erbacher said that two years previously there had been a request from the Owners to have the gardeners identified, so this is what was done. Mr. Mariscal said that the gardening company should have born the cost. The President said that this item was merely to approve the accounts and not to determine the pertinence of the expenses. Mr. Mariscal asked how many cats had been sterilised and at what cost per cat, and said that he found the costs excessive. Mrs. Senker said that the cost includes more items than just the sterilisation and the cost was 230 Euros for 6 cats.

He also asked about the Community's reserves and it was reported that the Community has three government bonds for a total of 60.000 Euros, at an average rate of 3% which will be paid at the time of cashing the bonds. The bonds are payable without cost after one year from the purchasing date. Mr. Erbacher said that the purpose of these reserves is to meet extraordinary expenses without the need for issuing an extraordinary fee. Mr. Erbacher also said that under AOB he will make some expense proposals which should be financed outside the ordinary budget.

Mr Franklin, 507 – Said that the main expenses appear to be the gardens and pool, and asked how many gardeners there were and how many hours do they work. Mr. Erbacher said that the gardening company supplies 2 gardeners and a helper, 8 hours per day and that they are also available 24 hours. He then

reported that he has checked this cost thoroughly and that he had previously asked two outside gardening companies to quote and that both were more expensive than what was actually being paid, but that the difference between the three was within a thousand €. He also said that the Committee has also investigated the possibility of employing the gardeners directly, which would save the Community around 7.000 Euros yearly including all costs, but said that in his opinion the saving would not compensate for the difficulty of managing this service. Also Mr. Foot questioned the cleaning costs and these were explained.

After these explanations, the accounts were then unanimously approved, proposed by Mr. E Myerscough, seconded by Mr. A Nelms. However, Mr. Mariscal said that he considers the accounts to be correct but that the Community funds were being wasted.

	<b>Ingresos</b>	<b>Gastos</b>	<b>Resultados</b>
	<b>Income</b>	<b>Spent</b>	<b>Results</b>
<b>JARDIN Y PISCINA / GARDEN &amp; POOL</b>			
Mantenimiento / Maintenance (IVA incluido / VAT included)	87.000,00	87.000,00	0,00
Análisis/ Pool analysis	0,00	1.501,22	-1.501,22
Material vario piscina/ Miscelanea pool	3.500,00	6.643,91	-3.143,91
Paneles piscina / Pool signs	418,97		
botiquín / first aid kit	158,39		
buzo piscina / underwater tile repairs,	590,00		
reparación bombas / pumps repairs	1.756,65		
cambio arena filtro camión / change of sand in the filter	3.645,90		
varios / miscelanea	74,00		
Material vario jardín/ Miscelanea garden	4.000,00	7.499,84	-3.499,84
contenedores / skips	1.561,85		
plantas, amoniaco, piedra / plants, fertilizer, rockery	2.689,70		
material vario / small material	1.761,29		
Retirar basura /Garbage	1.487,00		
<b>REP. Y CONSERVACIÓN/ REPAIRS &amp; MAINTENANCE</b>			
Limpieza escaleras / Starway cleaning	36.000,00	41.797,41	-5.797,41
Desratización / Pest Control	850,00	1.240,10	-390,10
Reparaciones Generales	10.000,00	12.636,07	-2.636,07
señal de tráfico / trafic sign	232,00		
reparaciones a cancelas y puertas de garaje / gates repairs	500,00		
desatoros / unblockages	499,96		
reparación arqueta / manhole repair	550,00		
mejoras sistema TV / TV upgrading	2.002,60		
reparación de riego / sprinklers repairs	420,04		
reparaciones eléctricas / electricity repairs	1.127,81		
mejoras caseta de seguridad / security house	472,81		
reparaciones de albañilería / bricklayer repairs	5.015,91		
equipamiento aseos / pool toilets fittings	520,74		
bolardos / bollards	823,60		
máquina de agua a presión / cleaning machine	149,95		
reparación cerramiento / repair to the fencing	320,65		

Mantenimiento Ascensores / Lift Maintenance	13.500,00	13.928,79	-428,79
Instalación contra incendios / Fire security system maintenance	500,00	318,00	182,00
Porteros y Telecomunicaciones / Interccoom & Digital	3.000,00	3.236,69	-236,69
Interccoom expenses	3.000,00	1.632,50	1.367,50
<b>SUMINISTROS / UTILITIES</b>			
Electricidad	16.000,00	20.210,38	-4.210,38
Agua	22.000,00	22.175,27	-175,27
<b>ADMINISTRACIÓN / ADMINISTRATION AND BANK</b>			
Honorarios Administración / Administration Fees	12.930,00	12.930,00	0,00
IVA Administración / VAT Administration Fees	2.070,00	2.070,00	0,00
Material Oficina / Office Materials	1.200,00	1.106,54	93,46
Gastos Bancarios / Bank Charges	1.500,00	1.492,09	7,91
<b>SEGURO / BUILDING INSURANCE</b>			
	6.000,00	6.386,79	-386,79
<b>IMPREVISTOS / UNFORESEEN</b>			
	10.000,00	24.763,00	-14.763,00
informe técnico / technical report	2.320,00		
Traductor / Interpreter	493,00		
Auditoría Fay & Co / Audit	3.227,72		
Propina personal de seguridad / Tip to security staff	250,00		
refrescos AGO / AGM refreshments	42,30		
uniformes / uniforms	441,37		
Abogado / Lawyer	365,57		
otros gastos asamblea / other AGM expenses	280,00		
esterilización gatos y otros / cats sterilization and others	611,31		
Previsión de Riesgo Laboral / Health and Safety	540,08		
Inspección piscinas / Pool inspección	43,27		
Aguinaldo / Christmas present	850,00		
instalaciones varias piscinas / pool devices instalation	15.298,38		
<b>FONDO DE RESERVA / RESERVE FUND</b>			
	16.350,00	0,00	16.350,00
<b>MANTENIMIENTO ADSL / ADSL MAINTENANCE</b>			
	26.600,00	24.927,64	1.672,36
<b>24 Hrs SEGURIDAD / SECURITY</b>			
	72.000,00	72.000,00	0,00
<b>NETO / NETT</b>			
	348.000,00	365.496,24	-17.496,24
<b>DTO. PRONTO PAGO / PROMPT PAYMENT DISC,</b>			
	38.666,00	43.355,20	-4.689,20
<b>TOTAL / GRAND TOTAL</b>			
	386.666,00	408.851,44	-22.185,44
Diferencia en emisión / Budget difference	2,24	0,00	2,24
Alquiler trastero blq 5 / block 5 store room rental	700,00	0,00	700,00
Ingreso MAPFRE / MAPFRE payment	1.608,51	0,00	1.608,51
<b>RESULTADOS TOTALES/TOTAL RESULTS</b>			
	<b>388.976,75</b>	<b>408.851,44</b>	<b>-19.874,69</b>

#### 4.- Debtors

Mrs. Senker presented this issue, and spoke of the Community's history in respect of the outstanding fees. She said that back in 2004 the outstanding fees amounted to over 104.000 Euros. She also said that it was essential to keep the collection of fees under control; otherwise the Community would suffer with its cash flow. The list of arrears was then read to the date of the Meeting to the Owners and approved as follows:

**APARTMENT NAME**

**Deuda**

401	Mr Duin	850,67 €
511	Mr Van de Vossenberg	551,01 €
615	Mr & Mrs P Buckley	63,58 €
701	Mr R Page	978,27 €
714	Mr B Chalmers	2.022,00 €
808	Appletree Investment	5.104,02 €

The Meeting unanimously agreed to start whichever actions might be necessary to recover these fees, including the starting of court proceedings. The President was then given full authority to sign whichever documents were necessary to that effect. It was also agreed that all expenses derived from this claim will be charged to the debtor.

As previously agreed the Agenda was altered to discuss item number 6.

## **6. Approval of the Budget 2007/2008**

The President said that the Committee will present his budget, but he had been informed, tardily in his opinion, that Mr. Mariscal will be presenting an alternative budget.

Mr. Erbacher presented this item saying that there has been no budget increase for the past 3 years, that contrary to this, last years Owners enjoyed a further 5% discount on their net fee from the Community reserves as explained in the accounts presentation. He said that this year a provision for an increase in costs should be made in the budget, thus proposing a budget increase of 11,000 Euros. He reminded Owners that a budget is an estimation of the costs and it gives the Committee the limit for expenses, and that the approval of the budget does not at all mean that it will be spent in full. He says that there is a foreseeable expense in changing the filtering system in pool n°. 3 as has been done for pool n°. 1, which cost around 3.600 Euros.

Mr. Foot said that all the works that are being done should carry the necessary guarantees.

Mr. Erbacher said that the Committee has this year made a detailed study of the gardening costs, that quotations had been obtained from two outside gardening companies and that the variation between the three, including the current company, is below the 1.000 Euros, he also reported that the possibility of employing the gardeners directly had also been studied, finally he asked for permission from the Meeting to keep checking this costs and to make any decision to this respect. The Meeting thanked the Committee for this study and gave them sufficient authority to deal with this matter.

He said that also one of the pumps needed to be replaced and the other one needed servicing at a total cost of 2.700 Euros, and that one big item of expenditure was the maintenance of the pumps and that the maintenance contracts will be studied. He reported that the electricity increase was mainly due to the increase in electricity prices and that not much can be done to reduce the usage, except to maybe recheck the garage lights.

Mr. T J Booth said that the general standard of the gardens were extremely good and reminded the Owners that cheapest is not the best.

Mr. Mariscal asked why the amounts are not exact, i.e. cleaning was over budget and broadband is below budget. Mr. Erbacher said that the cleaning costs vary depending on tax and national health insurance payments and that ADSL is still to be negotiated. The President said that a budget is an assessment.

The bank charges were also questioned. An Owner proposed the use of the Community reserves to cover the cost increase. Mr Erbacher said it would not be the Committee's advice to reduce the reserves, but that it was a decision to be made by the Owners.

Mr. Hills said that in his opinion the reserves should not be used to cover running costs but for extraordinary expenses. Mrs. Bakker asked what the committee's advice for the community reserves was. Mr. Erbacher said that the actual reserves are about 15% of the community's yearly costs. Mr. Senker said that the repercussions for the owners of paying the reserves back will be minimal but that should the Community need to face extraordinary expenses it would be more traumatic to ask for an extraordinary fees.

Mr. Erbacher said that a proposal will be made under AOB which will affect the reserves.

The President then invited Mr. Mariscal to present his budget.

Mr. Mariscal's budget had been handed to the Owners prior to the meeting. He introduced his budget saying that the level of services will be maintained. He presented the principle behind his budget, saying that he was presenting this budget merely to compare with Intercala's budget because he does not like Intercala. He then explained his budget proposal. Mr. Erbacher said that the budget that had been presented was the Committee's budget. Lázara Barranquero, Intercala's representative, said that this was not their budget and that the only budget they had prepared was the one approved at the AGM held on the 11<sup>th</sup> November 2004 when they were appointed, which meant a straight reduction of 20% in the costs and after that all the budgets had been prepared by the Committee. Mr. T.J. Booth asked what Intercala had done wrong in Mr. Mariscal's opinion. Mr. Senker asked whether his costs were fixed. It was noted that the main difference was in the gardening costs and the reduction in the unforeseen expenditures and the reserve items, and that the rest of the items were very much the same as the budget presented. Some Owners then asked Mr. Mariscal to give the Committee the contact details of the gardening company. Mr. Newman asked Mr. Mariscal what was his hidden agenda. Mr. Mariscal said it is to remove Intercala and to appoint another Administration company. It was pointed out by Mr. Newman that Mr. Mariscal was not proposing a new budget but to change the Administrator.

Mr. H E Staufeldt asked about Mr. Mariscal's alternative Administrator. He said that he was proposing an Administration company in Las Lagunas. Mr. Leader said that in this item of the Agenda the budget should be discussed and that only four items are negotiable and that on two of the items Mr. Mariscal is keeping costs the same; the only difference is in gardening and administration and that the rest of the items were only estimates. Many Owners then said that Mr. Mariscal should work together with the Committee to finalise the budget and he was then asked whether he would be prepared to be on the Committee, he then said that he would not be prepared to work with Intercala and that he will put himself forward for President. The President then closed the discussion and asked for the vote to be taken.

Those in favour of Mr. Mariscal's alternative Budget and against the Committee's Budget:

Felipe Cano García  
Gilding  
Mr Steve Wedge  
Mrs Margaret Smith  
Mr M Foot  
Mr. C. M. Bird  
Mr R Duckworth  
Mrs. Christine Sullivan  
Mr & Mrs E Baker  
Mr W Moss  
D<sup>a</sup>. Dolores Caballero Montañez  
Mr Howard M Franklin & Mrs V Woolf  
Mr B Harris  
Mr S Sroka  
D. S. R. Wedge y D. S. J. Gayler  
Mrs Dolores Perujo  
Mr D Phillips & McMillen  
Mr. & Mrs. D. Broome  
Mr R Dove

Those in favour of the Committee's Budget:

Mr C Burton & Mrs Jennifer Burton  
Mr Hein Lans Jans  
Mr & Mrs W Newman  
Mr P Koster  
Mr A Hess  
Mr Van Der Wal  
Mr Derek Hills  
Mr Van Der Heij  
Mr E Myerscough  
Mr. Age Johnny Ulvedalen  
Mr. Willem Sluijter  
Mr Taylor  
Mr Leader  
Mr A Marshall

Mr M Howarth  
 Mr T J Booth  
 Mr B Ahlefeld-Engel  
 Mr C Furey & Mrs Marshall  
 D. Kurt Berthelsen  
 Mr P Dubberley  
 Mr F Bakker  
 Mr A Van Velzen  
 Mr Van de Vossenbergh  
 Mr A J Van Wijk  
 Robert Luijendijk  
 Mr R De Jong  
 Mr R De Jong  
 Mr R De Jong  
 Friedrich Regina  
 Pleun y Hein Smits  
 Mr R Müller  
 Mr M Mann  
 Jan Egdoe  
 Mr M Weinrabe  
 Mr M Emerson  
 Mr H E Staufeldt  
 Mr Horst Erbacher  
 Mr J Poort  
 Mr J Poort  
 Mr A Nelms  
 Mr R Small  
 Sra. Carman Montana

The budget presented by the Committee was then approved as follows and against Mr. Mariscal quote:

	año 07/08
	year 07/08
<b>JARDIN Y PISCINA / GARDEN &amp; POOL</b>	
Mantenimiento / Maintenance	87000
(IVA incluido / VAT included)	
Análisis/ Pool analysis	1500
Material vario piscina/ Miscelanea pool	7000
Material vario jardín/ Miscelanea garden	6000
<b>REP. Y CONSERVACIÓN / REPAIRS &amp; MAINTENANCE</b>	
Limpieza escaleras / Starway cleaning	39000
Desratización / Pest Control	1250
Reparaciones Generales	10000
Mantenimiento Ascensores / Lift Maintenance	14000
Instalación contra incendios / Fire security system maintenance	400
Porteros y Telecomunicaciones / Interccoom & Digital	3300
Gastos TV - TV expenses	2000
<b>SUMINISTROS / UTILITIES</b>	
Electricidad	20000
Agua	22000
<b>ADMINISTRACIÓN / ADMINISTRATION AND BANK</b>	

Honorarios Administración / Administration Fees	12930
IVA Administración / VAT Administration Fees	2070
Material Oficina / Office Materials	1200
Gastos Bancarios / Bank Charges	1500
<b>SEGURO / BUILDING INSURANCE</b>	<b>6500</b>
<b>IMPREVISTOS / UNFORESEEN</b>	<b>8000</b>
<b>FONDO DE RESERVA / RESERVE FUND</b>	<b>18000</b>
<b>MANTENIMIENTO ADSL / ADSL MAINTENANCE</b>	<b>24000</b>
<b>24 Hrs SEGURIDAD / SECURITY</b>	<b>72000</b>
<b>NETO / NETT</b>	<b>359650</b>
<b>DTO. PRONTO PAGO / PROMPT PAYMENT DISC,</b>	<b>39961</b>
<b>TOTAL / GRAND TOTAL</b>	<b>399611</b>

**Fees apportionment:**

FINCA	COEFICIENTE	CUOTA BRUTA TRIMESTRAL			
APARTMENT	COEFFICIENT	GROSS QUARTERLY FEE			
101	0,88	879,14	307	0,67	669,35
102	0,67	669,35	308	0,88	879,14
103	0,67	669,35	309	0,88	879,14
104	0,88	879,14	310	0,67	669,35
105	0,88	879,14	311	0,67	669,35
106	0,67	669,35	312	0,88	879,14
107	0,67	669,35	314	0,90	899,12
108	0,88	879,14	315	0,91	909,12
109	0,88	879,14	401	0,88	879,14
110	0,67	669,35	402	0,67	669,35
111	0,67	669,35	403	0,67	669,35
112	0,88	879,14	404	0,88	879,14
114	0,90	899,12	405	0,88	879,14
115	0,91	909,12	406	0,67	669,35
201	0,88	879,14	407	0,67	669,35
202	0,67	669,35	408	0,88	879,14
203	0,67	669,35	409	0,88	879,14
204	0,88	879,14	410	0,67	669,35
205	0,88	879,14	411	0,67	669,35
206	0,67	669,35	412	0,88	879,14
207	0,67	669,35	414	0,90	899,12
208	0,88	879,14	415	0,91	909,12
209	0,88	879,14	501	0,88	879,14
210	0,67	669,35	502	0,67	669,35
211	0,67	669,35	503	0,67	669,35
212	0,88	879,14	504	0,88	879,14
214	0,90	899,12	505	0,88	879,14
215	0,91	909,12	506	0,67	669,35
301	0,88	879,14	507	0,67	669,35
302	0,67	669,35	508	0,88	879,14
303	0,67	669,35	509	0,88	879,14
304	0,88	879,14	510	0,67	669,35
305	0,88	879,14	511	0,67	669,35
306	0,67	669,35	512	0,88	879,14
			514	0,90	899,12
			515	0,91	909,12

601	0,88	879,14	801	0,88	879,14
602	0,67	669,35	802	0,67	669,35
603	0,67	669,35	803	0,67	669,35
604	0,88	879,14	804	0,88	879,14
605	0,88	879,14	805	0,88	879,14
606	0,67	669,35	806	0,67	669,35
607	0,67	669,35	807	0,67	669,35
608	0,88	879,14	808	0,88	879,14
609	0,88	879,14	809	0,88	879,14
610	0,67	669,35	810	0,67	669,35
611	0,67	669,35	811	0,67	669,35
612	0,88	879,14	812	0,88	879,14
614	0,90	899,12	814	0,90	899,12
615	0,91	909,12	815	0,91	909,12
701	0,88	879,14	901	0,88	879,14
702	0,67	669,35	902	0,67	669,35
703	0,67	669,35	903	0,67	669,35
704	0,88	879,14	904	0,88	879,14
705	0,88	879,14	905	0,88	879,14
706	0,67	669,35	906	0,67	669,35
707	0,67	669,35	907	0,67	669,35
708	0,88	879,14	908	0,88	879,14
709	0,88	879,14	909	0,88	879,14
710	0,67	669,35	910	0,67	669,35
711	0,67	669,35	911	0,67	669,35
712	0,88	879,14	912	0,88	879,14
714	0,90	899,12	914	0,90	899,12
715	0,91	909,12	915	0,92	919,11

## 5. Election of Officers

Mr. Howarth said that he was retiring and that he will not present himself for re-election. A vote of thanks was then proposed to the President which was unanimous and warmly seconded by the owners.

Mr. Howarth, seconded by Mr. A Nelms then proposed Mrs. Patti Senker for President. – Unanimous  
Mrs. Senker proposed Mr. Horst Erbacher for post of Vice President. Mr. Erbacher was unanimously elected.

Mrs. Senker then proposed that Intercala Asesores, S.L. be re-appointed as Administrator of the Community. Mr. Foot then said that he had given a quote for an alternative Administrator to the President and that the President said that she would look at it. Intercala Asesores, S.L. in the person of the Administrator Colegiado nº. 1880 in the province of Málaga, José Luis Navarro Rosado were then re-appointed Administrators of the Community.

## 7. Date of the Next AGM

It was unanimously agreed that the 2008 AGM be held the last week of October 2008.

## 8. Any Other Business

D<sup>a</sup>. M<sup>a</sup>. Dolores Caballero Montañez, asked the community to carry out all the necessary works to prevent the ingress of water in her apartment, she suggested that the outlets of the penthouses terrace be enlarged. The Meeting gave the Committee authority to carry out the necessary works.

The President reported that when the pools were inspected it was found that no opening licence can be granted to the small pool behind blocks 7 and 8 as it was too deep to be considered a children's pool and that if it is to be considered to be multifunctional it must have the same installations in respect of showers and ladders as the big pool. The President presented the options which were to either raise the pool floor to make it 40 cms depth from the lowest level to the pool floor; to install ladders and showers or the least

option which would be to close this pool and to put up a sign informing the owners accordingly. The Owners unanimously agreed to adopt the last option and instructed the President accordingly.

Mr. Erbacher proposed to install a barrier to avoid electricity costs and wear and tear on the main gates; he proposed that the barrier should only be used during daytime hours. Mr. Cano says that the gates are also very noisy and that the barrier system would not stop the noise during the night which is the most disruptive. The Owners gave the President the authority to make the decision in respect to the barriers but said that before they were installed the gates should be serviced and the noise problem be solved. On answering an Owners question, the President informed the Meeting that the zappers can be bought from the security staff.

Mr. Erbacher reported that the showers cannot be closed and that the shower trays have become very dirty and that he had asked for quotations for push button showers and for the trays to be replaced. He proposed to take this cost out of the reserve fund. The price is around 9.000 €. Mrs. Marshall said that her husband could do the job and that maybe other Owners could also help within the Community. The Meeting gave the Committee the authority to sort out this problem in the best manner for the Community.

Mrs. Burton said that the security personnel were very efficient but they could be abusive at times, and that she had felt insulted when been asked to quieten down when she was talking to a neighbour at 11.00 hrs pm.

Mr. B Ahlefeld-Engel said that he had big cracks in his property and asked the President for permission to put in a claim for the repairs to the Promoter. The President thanked him and the Meeting unanimously gave him this authorisation. Owners were then asked to report if cracks had appeared in their properties.

The President was asked to tell the cleaners not to leave the mail outside the houses as it makes it obvious that the Owners are absent.

Mr. H E Staufeldt said that some Owners have put wire mesh in the utility rooms to prevent the pigeons from entering their properties. The President said that they have all been asked to have them removed and that only non-framed glass was allowed.

On answering a question from an Owner the Meeting was informed that the toilet windows do open in full to facilitate the cleaning. Owners asked the Committee to study a way of having the shutters cleaned by the Community as those on the façades cannot be cleaned from the properties.

Mrs. N Weinrabe said that there was no place for the children to play football. The President said that goal posts were going to be painted in the tennis courts but that it has been decided against as it has a crack that has been claimed from the Promoter. The President also reminded owners that there is a community rule which prevents ball games in the garden and pool areas.

An Owner reported that on one occasion Helicopteros Sanitarios could not enter the Complex because cars were parked in the road. Owners were reminded not to park in the road. The security service will be asked to prevent this uncivil and dangerous behaviour.

Mr. Dove asked that the Community roads be made one way only. The President explained that this was impractical as there is only one way in and out of the complex.

Owners reiterated their complaints about the behaviour of some tenants.

And there being no further business to discuss, the Meeting closed at 14.45hrs.

Seen by:  
THE PRESIDENT

THE SECRETARY-ADMINISTRATOR