

La Cala Hills 1ª Fase C.P. JGE 02.03.2010

COMMUNITY OF PROPRIETORS LA CALA HILLS 1ª FASE

At ten thirty a.m. on second of March Two Thousand and Ten in Hotel Tamisa Golf, and having been convened by the President, D. Horst Erbacher, on the second call, we meet to hold the Extraordinary General Meeting, to discuss the following points on the Agenda, with the presence-representation of the following proprietors:

APARTMENT	PROPRIETOR	COEFFICIENT	REPRESENTED BY
101	Shellcock, Mrs. P	0,88%	Erbacher, Horst
102	Burton, Mr. C & Mrs. Jennifer	0,67%	
103	Wakeling, Mr. G	0,67%	Erbacher, Horst
105	Cano Garcia, Felipe	0,88%	Mariscal, Jose Maria
106	Wellerm, Mr. & Mrs. M	0,67%	
111	Mr. Anthony T. Marcus	0,67%	Howard M. Frankild
112	Koster, Mr. P	0,88%	Bakker, Franck & Els
114	Molloy, Mr. P	0,90%	Bakker, Franck & Els
115	Mr. Van Der Wal	0,91%	Bakker, Franck & Els
201	Mr. Derek Hills	0,88%	Honeysett, Mrs. C
203	Mr. Van Der Heij	0,67%	Erbacher, Horst
205	D. Nicolás John & Sra. Ángela B.	0,88%	Bakker, Franck & Els
206	Mr. Age Jonny Ulvedalen	0,67%	Erbacher, Horst
209	Sres. R. Ware & Sres. D. Jenkins	0,88%	Bakker, Franck & Els
214	Mr. Willen Sluijter	0,90%	
301	Mr. Craig Lance Davies	0,88%	
302	Mr. M. Foot	0,67%	Mariscal, Jose Maria
303	Mr. C. M. Bird	0,67%	
305	Mrs. Charo Van Hulst	0,88%	Bakker, Franck & Els
310	Mr. Kenneth J. & Patricia M.	0,67%	
312	Mr. Leader	0,88%	Erbacher, Horst
314	Mr. Michael Owen Reilly	0,90%	
406	Mr. A. Marshall	0,67%	Honeysett, Mrs. C.
407	Mrs. C. Honeysett	0,67%	
414	Mr. D. Hayde	0,90%	Bakker, Franck & Els
415	Mr. B. Ahlefeld-Engel	0,91%	
501	Dª Dolores Caballero Montañez	0,88%	
503	Mr. K. A. Rhoder & Mrs. P. W.	0,67%	Howard M. Frankild
506	Mr. P. Dubberley	0,67%	Howard M. Frankild
507	Mr. M. Frankild Howard	0,67%	
510	Mr. & Mrs. N. B. Smith	0,67%	Howard M. Frankild
511	Mr. Van de Vossenbergh	0,67%	Bakker, Franck & Els

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601	Mr. Meenwis Adriaan Burgers	0,88%	Bakker, Franck & Els
603	Mr. Robert Luijendijk	0,67%	Erbacher, Horst
606	Mr. K. Foster	0,67%	Erbacher, Horst
612	Mrs. Regina Friefrich	0,88%	Erbacher, Horst
614	Mr. R. Dove	0,90%	
702	Mr. Franciscus Quirinus	0,67%	Baker, Franck & Els
703	Mr. & Mrs Smits	0,67%	
704	Mr. R. Muller	0,88%	Erbacher, Horst
706	Mr. M. Mann	0,67%	Mr. R. Dove
707	Mr. Jan Egdoe	0,67%	
709	Mr. M. Emerson	0,88%	
711	Mr. J. RouwenHorst	0,67%	Bakker, Franck & Els
714	Mr. B. Chalmers	0,90%	Bakker, Franck & Els
801	Mr. J. Lacey	0,88%	
802	Mrs. J. Cornwell-Smith	0,67%	
805	Mr. Horst Erbacher	0,88 %	
806	Mr. John William skinner	0,67%	Emerson, M.
809	Brian Harris	0,88%	
811	Mr. Philips Burns Devlin	0,67%	Erbacher, Horst
904	Mr. & Mrs. Anderson	0,88%	
909	Mr. A. Nelms	0,88%	Erbacher, Horst
914	Mr. R. Small	0,90%	
915	Sra. Carmen Montana	0,92%	Erbacher, Horst
	TOTAL CUOTA	43,18 %	

Sr. Erbacher, President of the Community of Proprietors, welcomes the assembly and starts the Meeting with the following Agenda:

1. DECISION TO BE TAKEN REGARDING THE CONTRACT FOR THE PORTERS/SECURITY STAFF. VOTE AND APPROVAL.

Sr. Erbacher reminds the assembly of his report sent out to all the proprietors together with the letter of invitation to this meeting and comments that the Community had, at one time, engaged the services of a company called "Controladores Malaga": However, this contract has had to be rescinded at the request of the company because, initially it was worth their time to supply the workers because they had several workers in the area but, by December 2009, they only had two workers left and, economically, their situation was not viable unless the staff members were changed using new workers from Fuengirola or if

we were to approve an increment in the price of the service up to 90.000€ per annum. Due to the poor conduct of the company in this matter and the short time offered in which to take a decision they were advised of the decision to rescind the contract.

Having studied all existing proposals and requested various estimates from other companies and, bearing in mind that a large proportion of the owners are very content with the current staff that we have working in the Community, it was decided, after much evaluation, to continue with the services of Tommy and Juan, (plus Alejandro as substitute, for special circumstances). They were given a three month temporary contract (from 15th December 2009 to 15th March 2010). The Law allows for a further temporary contract that will take them up to midway through December of this year, following which we have no option other than to offer them indefinite employment or finish with their services.

The assembly is informed that the cost of maintaining the two employees plus the substitute, including their social security amounts to 54.000€, including a provision fund to defray the costs of redundancy, at a rate of 42 days per year worked (should it become necessary).

The majority of the proprietors present comment that they are quite content with the abovementioned employees. Some feel that due to the loyalty shown by these two workers indefinite employment should be offered to them from now onwards. Others believe it would be better to extend the temporary contract until 15th December this year and, on maturity, to then make it permanent.

Several owners feel that as these workers are now Community employees the community should provide them with a detailed list of their obligations.

Sr. Erbacher comments that they are going to carry out the same jobs they have done to date, with the sole difference being that they are now employed by the Community and not by another company.

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A proprietor proposes that further investigation be given to the option of the workers forming their own company or becoming self-employed. The owner is advised that this had been the first option to be studied but it is not viable.

Several proprietors then comment that this issue should have been put onto the Forum or the Web page, which would have enabled the owners to have more information.

Following a short debate the following proposal is submitted to a vote:

- 1.-In favour of issuing a permanent contract.
- 2.-In favour of issuing a temporary contract.

Submitted to a vote the proposal APPROVED BY THE VAST MAJORITY of those present is the option to offer indefinite employment now, with the negative vote of the owners of apartment 301 and the abstention by the owner of 407.

2. VOTE & APPROVAL OF SETTLEMENT OF DEBTS TO DATE.
AUTHORIZATION TO THE PRESIDENT TO ISSUE POWERS OF
ATTORNEY TO LAWYERS AND PROCURATORS TO LEGALLY RECLAIM
SAID DEBTS.

Attached is list of debtors:

VIVIENDA/FLAT	PROPIETARIO/OWNER	DEUDA/DEBT	
103	Wakeling, Mr G	998,19 €	Surcharge
104	Lans Jans, Mr Hein	977,76 €	1st quarter
106	Wellerm, Mr.& Mrs M	1.124,45 €	
110	Gilding	744,43 €	1st quarter
202	Ashlev, Mrs Caroline	150,83 €	1st quarter
204	Gomis Mayol, D. Miguel	977,76 €	1st quarter
208	Reynolds, Mr E	2.022,45 €	
209	Mr. R. Ware & Mr. D. Jenkins	779,65 €	
215	Mr E. Reynolds	1.235,53 €	
306	Mr. R. Duckworth	744,43 €	1st quarter
307	Mr Dermot J. Sullivan	1.539,84 €	
308	Mr M Reynolds	2.722,45 €	

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315	Mr. James Flanagan	1.011,10 €	1st quarter
401	Mr Duin	1.794,47 €	
402	Mr & Mrs E Baker	1.338,03 €	
409	Mrs Susan Alice Mckeown	1.757,41 €	
508	Mr B J Lubbers	1.379,25 €	
512	Mr B J Lubbers	3.316,71 €	
601	Mr Meenwis Adriaan Burgers	779,65 €	
608	Oak Tree Holding, S.L.	977,76 €	1st quarter
611	Mr R De Jong	744,43 €	1st quarter
614	Mr R Dove	875,36 €	
615	Mr Patri Buckley	5.791,33 €	
701	López Cortijo Norskov, Cristina	1.757,41 €	
705	Mrs E Ratchford	8.463,59 €	
708	Mr M Weinrabe	1.757,41 €	
801	Mr R Lacey	977,76 €	1st quarter
803	Yáñez, D. Manuel	685,67 €	1st quarter
806	Mr John William Skinner	744,43 €	1st quarter
808	Appletree Investment	779,65 €	
901	Mr S Hastings	977,76 €	1st quarter
902	Mr A Brignell	803,79 €	
903	Mr S Sroka	803,79 €	
905	DSR Wedge y DSJ Gayler	779,65 €	
906	Ms L Chapman	1.931,63 €	
908	Mr D Nolan	779,65 €	
910	Mr D Phillip & Mcmillen	744,43 €	1st quarter
911	Creative Accounting 2002 S.L.	744,43 €	1st quarter
	TOTAL DEUDA/DEBT	56.514,32 €	

Submitted to a vote the settlement of the debts by the proprietors listed above is unanimously approved. Also, the PRESIDENT is authorised to issue powers of attorney to lawyers and procurators to legally reclaim said debts. It is also unanimously agreed that all costs ensuing from legal proceedings to reclaim the debts (lawyers, procurators fees, etc.....) will be the responsibility of the owner in question.

The Administrator would like the assembly to be aware that she received the documentation for the community in mid December and, in becoming familiar with all the material, small "teething problems" have been encountered that are

currently being resolved. Among these problems, she would like to apologise to the owner of 605 who has been included in the list of debtors because that was how it appeared in the previous administration. Once she contacted the previous administrator they were able to ascertain that it was a small accounting error on typing in a return of unpaid community charges, which was adjudicated erroneously to that owner.

INFORMATION TO THE PROPRIETORS REGARDING THE VOZPLUS COMPANY. VOTE AND APPROVAL.

Sr. Erbacher comments that this company has been dealing with the maintenance service in the Community since its conception and, following several meetings with the directors, the committee, the administrator and Sr. Mariscal, the following conclusions have been reached:

- 1.-Five year contract at a price of approximately 11€/per property/per month, for the first year and the four remaining years at 14€/per property/per month.
- 2.-Annual contract at a price of 14€/per property/per month.

It is recorded that both contracts represent a considerable reduction on what is currently being paid.

An owner feels that in the world of computer technology five years is a long time and over the course of time we may obtain further savings.

Sr. Mariscal believes that it would be normal to have annual contracts the same as the committee appointments are annual.

In general terms the proprietors seem to be content with the service offered.

Therefore the proposal is submitted to a vote by the assembly and it is UNANIMOUSLY agreed to adopt an ANNUAL contract.

3. VOTE AND APPROVAL OF CHANGE OF BANK.

The President reminds the proprietors that up until now the Community has worked with SOLBANK, and he feels their bank charges are excessive. To date, for this economic period, the charges have been 1.300€, which, we reiterate, is excessive.

Bank charges at other banks have been looked into, such as UNICAJA, where the cost is approximately an annual 50,00 €/.

The assembly is therefore invited to vote to authorise the Committee and Administration to change the bank.

The proposal is submitted to a vote and unanimously approved.

An owner asks if there is a branch at La Cala to which the reply is affirmative.

4. VARIOUS MATTERS. ANY OTHER BUSINESS.

*The President would like to clarify what was voted on and approved at the last Ordinary General Meeting in regard to the discount for prompt payment, which is 20%. At the time the Minutes were sent out to all the owners containing an error. However, on the same day the corresponding rectification was also sent out.

*An owner complains about the lack of information provided by the Committee on the community web page, and he feels there should be much more information available to all the owners in the Community. He would like to thank Sr. Mariscal for all the information he introduces onto the web page for the benefit of everybody. Sr. Erbacher, together with the Vice-president, explains that normally they do not have enough time to control the input of the web page because their time is used for specific meetings and resolutions that are for the benefit of the Community. However, Sr. Howard Moss volunteers to keep the owners informed.

*Several owners complain about the digital television system whose service is poor. Those affected are asked to contact the technical service of the maintenance company who are there for that very purpose and are usually quite

punctual when called. Complaints are made by the Spanish owners regarding the scant installation of Spanish TV channels.

*An owner complains about a conifer tree in front of her kitchen that eliminates her natural light. It is also thought that where it is planted could cause damage to the structure of the building. The President advises her to talk to Alberto but she says she has already spoken to him and he claims he needs authorization to prune it.

*An owner comments that several proprietors have received letters from Endesa (electricity board) indicating changes should be made to their installations. The Administrator offers to help with this problem, but it is stated that the problem is private and not communal.

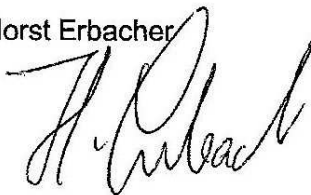
*Complaints are made about the continuing mess in communal areas from cats & dogs. Opportune measures will be taken.

With no further points to discuss the meeting rises at twelve hours twenty minutes on the same date and in the same venue originally indicated.

And to full effect these Minutes are signed as follows:

Signed: President

Horst Erbacher



Signed: Secretary-Administrator

Carmen García

