

COMUNIDAD DE PROPIETARIOS LA CALA HILLS 1ª FASE

COMMUNITY OF PROPRIETORS CALA HILLS 1ª FASE

Minutes to the Ordinary General Meeting for the Community of Proprietors Cala Hills 1ª fase held on twenty-fifth October two thousand and eleven at the Tenencia de Alcaldía de la Cala de Mijas Costa.

Attendance:

APARTMENT	OWNER	COEFFICIENT	REPRESENTED BY
101	Mrs. P. Shellcock	0,88%	Mariscal, Jose María
104	Mr. Hein Lans Jans	0,88%	Avan der Herj-van Loopik
105	D. Felipe Cano Garcia	0,88%	Mariscal, Jose Maria
108	Mr. A. Wilson	0,88%	Ian Leader
111	Mr. A. T. Marcus & Eline C. Marcu	0,67%	Mariscal, Jose Maria
112	Mr. P. Koster	0,88%	Avan der Herj-van Loopik
115	Mr. Van Del Wal	0,91%	Avan der Herj-van Loopik
201	Mr. Derek Hills	0,88%	Mariscal, Jose María
202	Mrs. Caroline Ashley	0,67%	Avan der Herj-van Loopik
203	Mr. Van Der Heij	0,67%	
204	Mr. Nielsen Steen Brodum	0,88%	Mariscal, Jose María
205	Mr. Nicolas John & Angela Bate	0,88%	Avan der Herj-van Loopik
209	Sres. R. Ware & Sres. D. Jenkins	0,88%	Avan der Herj-van Loopik
210	Mrs. Margaret Smith	0,67%	Mariscal, Jose Maria
211	Mr. Turrel & Ms. Cark	0,67%	Mariscal, Jose Maria
212	Mr. D. J. Bennett	0,88%	Mariscal, Jose María
214	Mr. Willem Sluijter	0,90%	Avan der Herj-van Loopik
302	Mr. M. Foot	0,67%	Mariscal, Jose María
303	Mr. C. M. Bird	0,67%	B. Harris
304	Mr. M. Barnett	0,88%	Mariscal, Jose María
305	Mrs. Charo Van Hulst	0,88%	Mariscal, Jose Maria
306	Mr. R. Duckworth	0,67%	Avan der Herj-van Loopik
309	Mr. Peter Lloyd Evans	0,88%	Ian Leader
311	Mr. John Metcalfe & Irene Taylor	0,67%	Avan der Herj-van Loopik
312	Mr. Leader	0,88%	
401	Mr. Duin	0,88%	Avan der Herj-van Loopik
410	Mr. John Philip Prosser	0,67%	Mariscal, Jose María
503	Mr. K.A. Rhodes & Mrs. P. Willians	0,67%	Mariscal, Jose María
504	D. Rafael Espejo-Saavedra Vinuesa	0,88%	Senker, Patricia
507	Mr. Howard M. F. & Mrs. V. Wolf	0,67%	Senker, Patricia
509	Mr. Van Kl. EFFENSLAAN 88	0,88%	Avan der Herj.van Loopik
510	Mr. & Mrs. N. B. Smith	0,67%	Mariscal, Jose Maria
511	Mr. Van de Vossenverg	0,67%	Avan der Herj-van Loopik
602	D. Daniel Mozo Vargas	0,67%	Mariscal, Jose Maria
603	Mr. Robert Luijendijk	0,67%	Senker, Patricia
606	Mr. K. Foster	0,67%	Mariscal, Jose María
608	Mrs. Kolasa Patricia Villargilana	0,88%	Mariscal, Jose Maria
609	Mr. R. de Jong	0,88%	Avan der Herj-van Loopik

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610	Mr. R. de Jong	0,67%	Avan der Herj-van Loopik
611	Mr. R. de Jong	0,67%	Avan der Herj-van Loopik
701	Dª Cristina Lopez Cortijo Norskov	0,88%	
702	Mr. Franciscus Quirinus, Maria R.	0,67%	Avan der Herj-van Loopik
706	H. A. Investment SA	0,67%	Avan der Herj-van Loopik
708	Mr. M. Weinrabe	0,88%	Mariscal, Jose Maria
709	Mr. M. Emerson	0,88%	
710	Mr. R. Wright	0,67%	Mariscal, Jose Maria
711	Mr. J. Rouwenhorst	0,67%	Mariscal, Jose Maria
804	Real Time Invest SPRL	0,88%	Pierrard, Roger
805	Mr. Roger Pierrard	0,88%	
807	Mr. Manuel A. Jimenez Urbano	0,67%	Mariscal, Jose Maria
809	Mr. B. Harris	0,88%	
811	Mr. Philip Burns Devlin	0,67%	B. Harris
812	Mr. & Mrs. Senker	0,88%	
814	Mr. J. Poort	0,90%	Zupancich, Claudio
815	Mr. J. Poort	0,91%	Zupancich, Claudio
901	Mrs. S. Hastings	0,88%	Mariscal, Jose Maria
903	Mrs. Sroka	0,67%	Mariscal, Jose Maria
904	Mr. Henry & Mrs. Patricia J. Ander	0,88%	Mariscal, Jose Maria
907	Dª Mª Dolores Perujo	0,67 %	
908	Mr. D. Nolan	0,88%	Avam der Herj-van Loopik
909	Mr. A. Nelms	0,88%	Ian Leader
914	Mr. R. Small	0,90%	
915	Dª Carmen Montana	0,92%	
	TOTAL ASISTENCIA	49,93 %	

Having been previously convened by the President D. Jose María Mariscal, the above proprietors either meet or are represented to hold the Ordinary General Meeting. The President declares the Meeting officially constituted at 10.30 a.m. on the second call as there was insufficient quorum on the first call. The assembly is welcomed and the first point on the Agenda is introduced.

1. Welcome and report by the President.

The Presidential report was sent out to all the proprietors together with the letter of invitation and the assembly is asked if there are any questions in respect thereof:

First of all I should like to thank all the members of the Committee and those other members who have cooperated with us, such as D. Brayan Harris (809), D. Ian Leader (312), D. Jan Edgoe (707), and Dña. Patti Senker, for their inestimable help, support and cooperation that I have received from all of them at all times. They have given their services to the Community, with no personal interest, and have considered the interests of the Community at all times.

I also thank all the workers who, in one way or another, give their services to our Residential Complex, starting with the Consierges, continuing through the Gardeners, the Cleaners, Staff Maintenance, Administration, etc. who all work extraordinarily well for the community to function correctly and for us all to enjoy a high standard of living.

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As a result the outcome derived from the work carried out throughout this year is not the work of one person but of a whole human, well organised team, who have been keen to excel.

As President of the Community and on behalf of the Committee I should like to report that this year has been, without doubt, the year in which most investment has been put into the Community since it came into existence. At no time has the standard of living been diminished, to the contrary, we have all benefited and all with a Budget that has been cheaper than in previous years. Plus, we still have a fixed deposit account with Unicaja with a balance of 60.000€ that we have not used for anything this year.

List of Works carried out by the Committee:

Machinery room: A metal door has been installed to the machinery room and the water deposits because the existing one was broken and anybody could gain access and manipulate the machinery at will.

Maintenance company: We have engaged a 24 hour maintenance company which has been a resounding success.

Clear out of interior spaces: All the interior spaces have been cleared out. These spaces in previous presidencies had accumulated all old machinery which had never been thrown out, leaving less space to work.

Lighting: Cells have been installed in all the buildings and on the lights in the streets that do not allow the lights to work but merely activate the lights when the sunlight goes down. This device has been a huge success with consequent savings, in spite of electricity increasing by 15% and it keeps going up.

Water: Quite a lot of repairs have been carried out in the Community that have arisen due to the deterioration of the installations put in by the developer; these installations are not of good quality because the developer skimmed wherever he could; we are now resolving the problems as and when they appear.

Damp proofing of ground floor apartments: Several apartments located on the ground floors of the buildings have been made damp proof in the area where they overlook the garden. These properties were suffering damp inside due to rain and the automatic watering system in place in the gardens; the walls were peeling as a result of the damp.

Floods: Block nº. 1 has suffered a flood during this year leaving a lake of water about 15 cms in height in the garage and the storerooms. It would seem this is not the first time this has happened and the original problem was never resolved. This year however, we have had some work done to try to prevent, as much as possible, this problem from reoccurring in the future.

(Hydrants): There are two hydrants in the Community located in the large plaza of the Community and at the roundabout opposite blocks 5 & 6 respectively. These hydrants have never worked because they have never had any water. They now work properly. (We hope they never have to be used).

Manholes: All the manholes that made a noise when a vehicle drove over them have been repaired and made sound proof.

The Cascade or Fountain: The cascade or fountain situated opposite block 3 has been put into running order, a new motor has been installed and special lights and flowers. It also has fish and uses a system to prevent it from running dry. It is now working like a dream.

Stone Pathways: 75% of the stone pathways in the Community have been seen to. The only pathway remaining is the part from block 6 to the end of block 5, which will be completed next year.

Stray Animals: A company has been engaged to round up all the stray animals wandering around the Community.

Green Area: At our request the plot of land opposite Phase I & Phase III has been cleared up. We shall shortly ask for low watering maintenance trees to be planted by the Town Hall.

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Gardens: The Gardens are in splendid condition and looking very beautiful; everything is clean and in perfect condition thanks to Cristóbal & Alberto.

Pergola: Soft yellow lighting has been installed in the pergola on the main plaza of the Community.

Palm trees: They have had constant attention throughout the year.

Cliffbank area : This is the first time in eight years that the area of the garden known as the cliff bank has been pruned and cleared up. Further plants will be planted next year.

Swimming pools: Work has gone on at a tremendous pace as in every year but everything is working splendidly and the motors have behaved themselves.

Sunshades: All the sunshades around the three swimming pools have been replaced with new ones because the old ones were very shabby.

Benches: The garden benches have all been sanded down, painted and varnished.

Web Page: The current Committee has up dated 100% of the content of the page and have used this means of communication which is an impressive working tool, to inform the owners of all that is happening in the Community. It is swift and cheap.

A reminder of the address in case somebody does not know it:

www.lacalaowners.info

Swimming pool machinery room: The three steps giving access to the machinery room for the three swimming pools have been replaced by better quality ones. The old ones were rusty and eroded due to the condensation from the chlorine.

Lifts: The 9 telephone lines in the lifts were using 902 numbers which meant that for the calls made from these lines we had to pay half the cost. The replacement line with a 952 number means the calls are free. This is another area of success.

Leisure Area : The two Community sports tracks have been painted both inside and out; one has been adapted for basketball and football and the other one exclusively for paddle.

Anybody wishing to use these services should ask the consierge on duty for the key and the game equipment. When finished the keys and equipment should be returned to the same place from where it was taken.

Paddle Court: Lighting has been installed on the paddle court; anybody wishing to use the lights should acquire a coin which lasts for 1 hour at a cost of 3€. The time limit is up to 9 p.m. This network has also been replaced.

Community Entrance Gate: It has been necessary to replace the wheels on the entrance gate.

Community Party: The Committee agreed and decided to hold a free party for all the residents in the month of July focusing on "Culture and Gastronomy" of a Country. This year it was about Spain; for next year it can be about any country that is proposed to the Committee.

Painting of Blocks: The terraces and railings of blocks 7,8 & 9 respectively have been painted, plus the parapets that overlook the staircases.

Post-office: We have managed to make the Post Office include us on the daily distribution of the post, and we no longer depend on the services of a third party; previously the post was brought to us every two or three days. If you wish post to arrive daily you must ensure you write the address correctly. Example:

Sr. D. José María Mariscal Pareja

Urb. La Torre de la Cala Hills

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C/ Altabaca, nº. 2 – Apartamento nº. 907

29650 MIJAS COSTA – MALAGA (ESPAÑA)

Automatic remote controls: In the consierge office there are automatic remote controls at 40€ each. These are only available to proprietors who must hand in old ones which will be instantly de-activated.

Repair and conservation of the roofs: The roofs have all been inspected and all defects repaired throughout the Community.

Community Insurance: A policy has been taken out with another insurance company by the community which is more beneficial and more economic than the previous one.

Previous Company – MAPFRE Intercala; 7.735 €/year

New Company – LA GENERAL; 5.302 €/year

SAVING _____ + 2.433 €/year

Community storerooms: Several storerooms have been put up for rent at a price of 50 € per month. If any owner needs more space and wishes to rent one they can apply to the Committee.

TV: An agreement has been reached with Pacheco for the distribution of the costs for the television to be more equitable in relation to the other Communities. What I want to say with this is that the monthly quota for the Community has gone down.

Internet & telephones: We have reached a very beneficial agreement with the Internet company for the Community.

This company has never paid anything for the use of the room situated next to the paddle courts. For this reason we have once again negotiated with Juan Luís, who understood the situation perfectly and we have reached this more beneficial agreement. At the Meeting I shall report to you in detail.

Pest Control: We have engaged the services of a new company for pest control whose service is more effective and offers a saving to the Community.

Previous company: CONTRA PLAGA AMBIENTAL SL: 1.044 €/year

New company: SERVIPLAGA SL: 700 €/year

Total saving per year _____ 344 €/year

Work sheets: A new work system has been developed in order to solve problems as quickly as possible. When a problem is found a work sheet is filled in by the consierge on duty which has to be approved by the President on duty or, in his absence, by the Vice-president. This is then followed through until the problem has been resolved.

If the problem is urgent whether by day or night the maintenance company is called immediately and they come immediately to the Community.

Sewage drains: We have had to call the company to unblock drains on certain occasions due to problems with blocked drain in the Community.

It would appear that these drains are situated at the entrance to the buildings at a depth of a meter or more. Some of them have been located and brought up to street level, then placing a manhole over them. The remaining drains will be treated likewise when they present any problems.

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Consiierge: *I wish to inform all the proprietors that Samuel, the consierge who was engaged by the Committee from last year to substitute for Juan and Tommi is now on sick leave and has been claiming pay for approximately one year without working.*

I should like the Assembly to ask for an explanation from the person who recommended him; this person was aware of the ailment of this boy but still recommended him and engaged him.

I do not know if a lot has been done or little, whether we have made mistakes or not but, what I do know, is that we have tried to do everything in the best way possible; we have always tried to keep disturbances to a minimum and, if there has been some disturbance, I offer my deepest apologies.

A reminder that the Ordinary General Meeting will take place on Tuesday, 25/10/11 in the Salón de Actos at the Tenencia de Alcaldía, La Cala, at 10 a.m.

José María Mariscal Pareja
President Cala Hills – Fase I

No questions are posed concerning the Presidential report . A unanimous vote of appreciation and support for the President is recorded by the assembly.

2. Vote and approval of the Minutes to the Ordinary General Meeting held in October 2010.

The assembly is asked if they have any queries or require any clarification in regard to the previous Minutes.

Sr. Pierrard asks that for next year the votes should be more clearly reflected to ensure it is recorded that those proprietors who are in debt do NOT have the right to vote and is thus reflected in each vote taken.

Sr. Small comments that he has not received the Minutes. He is told that it was originally sent out to all the proprietors, it has been put on the web page and owners who do not receive the Minutes are requested to ask for them during the year and not wait until the day of the general meeting to request it. A note is taken of the person who did not receive the previous Minutes.

The Minutes to the previous Meeting are submitted to a vote and are Unanimously approved.

3. Unpaid Community charges. Vote and approval of settlement of debts by proprietors at the date of the Meeting and legal reclamation of same. Authorization to empower the President to issue powers of attorney to the lawyers and procurators to initiate legal proceedings.

Reference is made to the internal regulations of the community which specify that surcharges on community charges will go up to 15%. Therefore the debts outstanding to date are modified to reflect this 15%; thus the settlement of the outstanding debts stands as follows :

<u>VIVIENDA/FLAT</u>	<u>PROPIETARIO/OWNER</u>	<u>DEUDA/DEBT</u>
110	Gilding	744,44 €
207	Mr Steve Wedge	1.427,41 €
208	Mr. E. Reynolds	2.956,67 €
215	Mr. E. Reynolds	4.805,09 €
307	Mr Dermot J. Sullivan	1.314,20 €
315	Mr James Flanagan	3.997,97 €

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402	Mr & Mrs E Baker	2.686,96 €
403	Mrs E Duggan	682,98 €
408	Mr S Hooper	1.039,23 €
409	Mrs Susan Alice Mckeown	4.940,80 €
501	Dolores Caballero Montañez	901,08 €
515	Mr E Walsh	2.793,49 €
601	Mr Meenwis Adrian Burgers	1.033,06 €
614	Mr R Dove	1.570,44 €
702	Mr Franciscus Quirinus, M ^a Raemakers	252,09 €
705	Mrs E Ratchford	6.429,84 €
714	Mr B Chalmers	917,40 €
803	Sr. D. Manuel Yañez	1.365,96 €
808	Appletree Investment	779,65 €
902	Mr A Brignell	1.893,36 €
905	Alexander Kostromin	897,05 €
906	Mr L Chapman	1.507,87 €
911	Creative Accounting 2002 S.L.	2.259,28 €
912	Mr & Mrs D. Broome	148,20 €
	SMALL DIFFERENCES IN INCOME	85,68 €
PENDING CLARIFICATION BY THE OWNER		311,50 €
	TOTAL DEUDA/DEBT	47.741,70 €

The settlement of the outstanding debts is submitted to a vote and Unanimously approved. The initiation of legal proceedings to reclaim these debts is also Unanimously approved; proprietors are reminded that:

*All costs arising from these claims (whether legal or extrajudicial charges) will be the responsibility of the debtor in question.

*Any owner generating a debt over and above the limit of 1.500,00 € will be directly sued in the Courts of Fuengirola.

However, the current Lawyer for the Community explains how the procedure works in the Courts to reclaim outstanding debts.

The owner of 805 asks several questions on this issue and although these queries do not seem to be fully clarified in order not to extend the Meeting unduly the lawyer offers to speak to any owner and clarify and doubts they may have.

4. VOTE AND APPROVAL ECONOMIC ACCOUNTS 2010-2011. REPORT BY THE AUDITOR

Sr. Ian Leader, internal auditor of the Community accounts is invited to speak.

Appreciation is shown for his dedication to the study and appraisal of the accounts.

Sr. Leader explains various points of the accounts from his point of view. He comments that the accounts have been audited with the exception of the small modification that has to be

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implemented in regard to the 5% surcharge commented on in the above point. However, when the Minutes are sent out it will be possible to verify the modification.

Once the commentary has been completed the accounts are submitted to a vote and are Unanimously approved.

Literal:

COMMUNITY OF PROPRIETORS CALA HILLS FASE 1

ACCOUNT OF INCOME AND EXPENDITURE FOR THE ECONOMIC YEAR ENDING AT 30TH SEPTEMBER 2011

	2011	2010
NOTES	EUROS	EUROS
INCOME		
COMMUNITY CHARGES	300.922,24€	380.512,88€
SURCHARGE PAYMENTS	17.188,29€	
RENTAL OF STOREROOMS	1.504,88€	
INCOME FROM TV FROM OTHER PHASES	1.970,96€	

	321.586,37€	380.512,88€
EXPENDITURE		
GARDEN MAINTENANCE	60.000,00	63.960,92
GARDENING MISCELLANEOUS	7.799,13	4.588,95
SWIMMING POOL MAINTENANCE	4.211,31	6.247,73
GENERAL REPAIRS	15.572,59	6.509,34
COMMUNITY MAINTENANCE (MARCOS)	7.710,12	-----
FIRE PRECAUTION MAINTENANCE	757,03	358,09
LIFT MAINTENANCE	10.084,31	11.794,11
LIFT TELEPHONE MAINTENANCE	2.281,49	-----
INTERCOM MAINTENANCE	584,74	3.463,80
INTERCOM & tv EXPENSES	5.652,47	6.688,90
ADSL	17.098,20	20.930,42
SECURITY	64.996,79	57.517,36
COMMUNAL AREA CLEANING	15.702,00	25.068,41
PEST CONTROL	700,00	1.345,66
BUILDINGS INSURANCE	5.302,78	7.581,85
WATER	19.218,99	25.652,81
ELECTRICITY	28.028,00	33.727,90
REPAIRS TO BLOCK IV	15.360,00	22.638,50
ADMINISTRATION	7.362,00	8.500,00
MANCOMMUNITY	8.800,74	8.943,69
OFFICE MATERIAL/POSTAGE	398,48	791,87
BANK CHARGES	255,71	892,15
UNFORESEEN	5.217,48	6.841,17
LAWYER FEES	1.648,12	120,00
PATH REPAIRS	7.113,89	-----

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TOTAL EXPENDITURE	311.856,37	323.763,63
SURPLUS WITHOUT INCLUDING EXTRA ITEMS	9.730,00	56.749,25
ADJUSTMENTS TO LAST YEAR	-----	(2.132,46)
INTEREST ON THE DEPOSIT ACCOUNT	1.557,86	3.497,49
SURPLUS AFTER EXTRA ITEMS	11.287,86	58.114,28

COMMUNITY OF PROPRIETORS LA CALA HILLS FASE 1 BALANCE AT 30TH SEPTEMBER 2011

	NOTAS	2011 EUROS	2010 EUROS
ACTIVE			
BANK		28.166,23	80.106,49
CASH		1.261,00	0,00
INVESTMENT FUND		60.000,00	18.497,48
PROPRIETORS IN DEBT	2	50.639,02	30.646,64
OTHER DEBTORS	3	7.243,30	5.911,52
TOTAL ACTIVE		147.309,55	135.162,13
PASSIVE			
PROPRIETORS IN CREDIT	2	6.852,57	6.544,35
CREDITORS	4	22.228,92	21.677,58
PASSIVE		29.081,49	28.221,93
COMMUNITY RESERVES			
ACCUMULATED RESERVES		106.940,20	48.825,92
SURPLUS FROM THE ECONOMIC YEAR		11.287,86	58.114,28
TOTAL COMMUNITY RESERVES		118.228,06	106.940,20
TOTAL PASSIVE		147.309,55	135.162,13
<u>ANNOTATIONS TO THE ACCOUNTS</u>			

1. Principles of accountancy

The treatment of the community assets differs in the treatment of the same by companies which requires capitalization as a fixed asset and subsequent repayment over the number of years applied. The concept of taking acquisition costs to future years is not appropriate in the accounts of the community because it requires a comparison in cost and financing. The assets are treated therefore as expenses in the year of acquisition. No provision is made for bad debts. Exceptional bad debts will be charged to the reserves of the Community.

Income consists of the community charges of which the proprietors are duly notified in regard to the economic year independently of their date of issue; charges that have not been collected at the closure of the economic

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year are presented in the annual accounts as debtors. Equally, expenses pending payment at the end of the period are included in the accounts as liabilities.

2. BALANCES OF PROPRIETORS

THESE BALANCES ARE ANALYSED AS FOLLOWS:	NO.	EUROS	%
BALANCES > 2.500€	7	28.610,82	56.4
BALANCES > 1.000€ < 2.500€	9	13.760,81	27.17
BALANCES < 1.000€	10	8.267,39	16.33
TOTAL DEBTOR BALANCE		50.639,02	100.00

THE CREDITORS ARE ANALYSED AS FOLLOWS :

BALANCES >900€	2	2.164,20	31.60
BALANCES <900€	16	4.688,37	68.40
TOTAL CREDIT BALANCE	18	6.852,57	100.00

3. OTHER DEBTORS

EUROS

INTEREST ON THE BANK DEPOSIT	1.557,86
SR. BAKKER (rental storeroom)	1.139,76
COMMUNITY OF PROP. LA CALA HILLS 2	1.027,74
COMMUNITY OF PROP. LA CALA HILLS 3	2.741,90
COMMUNITY OF PROP. LA CALA HILLS 4	293,64
COMMUNITY OF PROP. LA CALA HILLS 5	482,40
	7.243,30

4. CREDITORS/PROVISIONS

EUROS

GARDEN MAINTENANCE	5.000,00
ADMINISTRATION SEPTEMBER	618,00
COMMUNITY CLEANING SEPTEMBER	1.300,00
COMMUNITY MAINTENANCE	700,92
SWIMMING POOL ANALYSIS	380,00
ELECTRICITY	3.000,00
WATER	10.000,00
PADDLE COURT LIGHTS	1.230,00
	22.228,92

5. Election and approval of Committee and Administration members

Prior to initiating this point on the Agenda appreciation is shown to the incumbent President for his dedication to the Community because seldom has the Urbanization looked in such good condition as now.

Once this appreciation has been expressed volunteers are invited to stand for the various officers to form the Committee; it is proposed that the incumbent Committee should continue for a further

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year. This proposal is submitted to a vote which is Unanimously approved, with the committee and administrative members appointed as follows:

*PRESIDENT of the Community of Proprietors Cala Hills 1ª Fase, DON JOSE MARIA MARISCAL, proprietor of apartment 907.

*VICE-PRESIDENT of the Community of Proprietors Cala Hills 1ª Fase, Dª Patricia Senker, proprietor of apartment 812.

*COMMITTEE MEMBER of the Community of Proprietors Cala Hills 1ª Fase, D. Ian Leader, proprietor of apartment 312. He is also ratified in his post as auditor for the Community.

*COMMITTEE MEMBER of the Community of Proprietors Cala Hills 1ª Fase, D. Howard M. Franklyn, proprietor of apartment 507.

*COMMITTEE MEMBER of the Community of Proprietors Cala Hills 1ª Fase, D. M. Emerson, proprietor of apartment 709.

For the post of:

*Secretary-administrator, Dª Mª Carmen García Manzano, Collegiate Administrator.

It is also agreed that the bank account opened in the name of the Community with UNICAJA is to remain operative using two of the three approved signatures from the following: President, Vice-president & Administrator.

6. VOTE AND APPROVAL OF THE NEW ORDINARY BUDGET FOR THE COMMUNITY.

The President explains that at one time the possibility of reducing the ordinary Budget even further was considered to thus reduce the community charges. However, after studying the issue together with the Administration and Sr. Leader we have reached the conclusion to maintain the existing ordinary Budget. The assembly is reminded that any proprietor who does NOT pay their community charges on time (within the first two weeks from the first month of the quarter) will not benefit from the 15% discount and will be penalised with a 20% surcharge.

7. VOTE AND APPROVAL OF INSTALLATION OF PRIVATE PERGOLAS ON PENTHOUSES. REFERENCE TO APARTMENT 915.

The President explains to the assembly that the proprietors of apartment 915 (as explained last year) have installed a wooden pergola WITHOUT THE CONSENT OF THE COMMUNITY. Certainly, it does not make the Urbanization look "ugly" BUT no owner should, or can, carry out any kind of external modification WITHOUT the unanimous consent of the proprietors.

The lawyer for Sra. Carmen Montana insists that originally verbal permission was given and that the reason and need to install the pergola derives from a defect of design (it can be observed that the next phases improved on defects in this first phase and they were installed). There is no outlet for rain water which gets into the property. On one occasion drainage pots were broken causing damage below and, after contacting the previous President and an architect, the latter indicated that the solution was to install a pergola and the President gave her permission. The lawyer insists that Sra. Montana does not want to cause any problems nor increase the volume of her property but only to find a solution to the water problem. The President replies that there is no written authorization which is what would be legally valid and that as a lawyer he must understand that verbal agreements do not count for anything in this type of issue.

The President comments that in his opinion the penthouses are being seriously affected by this issue because they have considerable water problems. These apartments were originally the most expensive and the ones with the least amount of usable surface area.

Therefore the following proposal is submitted to the assembly to be voted on: "Proposal to AUTHORISE the PENTHOUSES to install OPEN PERGOLAS, never closed in ones (which give the impression of a porch), all to have identical characteristics as the one installed by Penthouse 915. Prior to proceeding with the vote Sr. Small comments that if it is NOT PERMANENT and is not made of brick and is installed in phases 3,4 & 5 why cannot permission

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be given. He would like to record that he is a neighbour of Sra. Montana and, for his part, there is no problem with it.

It is explained to Sr. Small that this is the reason that the issue has been included on the Agenda in order to vote on it and that it should be the owners who decide so that in future there are no problems.

The previous proposal is submitted to a vote with the following conditions:

- 1.-Request prior permission from the COMMITTEE.
- 2.-All future pergolas must adhere to the same characteristics as the one installed in 915.
- 3.-This authorization is solely for the Penthouses.
- 4.-To be installed in the same area as in apartment 915 (at the front of the main room in the property) .
- 5.-They must be kept in good order and conservation at all times by each owner.

The proposal is submitted to a vote and is Unanimously approved by all those attending with the right to vote.

8. VOTE AND APPROVAL AND/OR OF MODIFICATION, WHERE APPLICABLE, TO THE INTERNAL REGULATIONS OF THE COMMUNITY, DUTIES OF CONSIERGE ON DAY AND NIGHT SHIFT

The President reminds the assembly that statutes and internal regulations exist as approved in 2003.

However, the proposal for the new internal regulations is only to insist on harmony among all the residents, both owners and tenants.

The President urges that these regulations should be contained within and made binding to the rental contracts issued by owners because then the non- fulfillment of the regulations can lead to the rescission of the contract.

The idea is that, among other things, the regulations can lead us to excellent harmony among us all.

It is proposed that URBANIZACION CALA HILLS FASE I should be for RESIDENTIAL PURPOSES and not for business purposes. Any owner/tenant who does NOT comply with any one of the regulations will be sent a first letter calling attention to the fact. Should they persist with the non- fulfillment of the regulations a notification advising of the fact will be placed on the notice board and, following that, if they still persist, services provided in the community will be rescinded. All this is included in the Internal Regulations and, providing it is approved, legal action can be taken against the perpetrator.

There is a general complaint because it would seem that the translations into English are not very clear and do not correspond faithfully to the translation in Spanish.

Sr. Pierrard proposes that these regulations should be studied and that approval be sought at a forthcoming meeting. The President replies that the Regulations were already approved in 2003 and now approval is requested only for a few additional clauses which were sent out to all the proprietors together with the letter of invitation to this meeting.

Following a short debate the proposal is submitted to a vote with the negative vote of:

Sr. Small, Sr. Roger Pierrard, Sra. A van der Heij-van Loopik, Sra. Lopez Cortijo and those she represents.

Therefore the Internal Regulations are approved by a majority.

Equally, the regulations for the Consierges is submitted to a vote and Unanimously approved.

We take advantage of this point on the Agenda to draw attention to certain owners who have carried out modifications in their properties without the consent of the owners and to remind them that as approved at previous meeting legal action will be taken against them. (WE REMIND THE ASSEMBLY THAT ANY OWNER WHO WISHES TO UNDERTAKE REFURBISHMENT IN THE PROPERTY THAT MAY AFFECT THE OUTLOOK AND DESIGN OF THE BUILDING MUST, ON

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THE ONE HAND, REQUEST PERMISSION FROM THE PROPRIETORS AND, ONCE THIS PERMISSION HAS BEEN OBTAINED, THEY MUST APPLY FOR THE CORRESPONDING LICENCE FROM THE MIJAS TOWN HALL):

* 115, 215, 303, 306, 515 have painted in a different colour to the existing one. Owners are reminded that a colour has been established with a code which the consierges have note of; it will also be posted on the web page.

Code : 47-486 48-26 50-22

Name: SUPER CARRARA-BL (Cala Hills Fase I)

Shop : PINTURAS ANDALUCIA, Carretera de Mijas

*514 has painted the front door to the property in white.

*814 has painted the front door to the property in white and has changed the position of said door.

*914 has painted the front door to the property in white

*614 is carrying a refurbishment to the terrace increasing the volume of construction.

They will all be duly notified and following a prudent period of time they will be reported to the corresponding entities and departments.

9. **ANY OTHER BUSINESS. VARIOUS MATTERS.**

***OUTSIDE PROFESSIONAL VISITS TO THE COMMUNITY .**

- Sr. Small would like to record his complaint on the manner in which blocks 7-8 and 9 are being painted. He states they have not prepared the wall, they have not cleaned it , they have painted over a live being (a plant) which will shortly grow again; the above mentioned blocks have only had one coat of paint and there are four apartments that could be taken as samples to be analysed with only one coat of paint. Sr. Small does agree with the manner in which his property has been done but NOT with how the others have. He would like to record that he has not been able to speak to the owner of the company; he spoke with another operator who explained what the matter was; he now presents a photo which shows how paint is peeling off. The President takes note in regard to this issue and will request an appointment with the owner of the company to take place in the building to supervise all the works.
- The proprietor of 415 has the same problem as indicated above. The President replies that these works were carried out by the previous contractors engaged by Sr. Small.
- Sr. Small comments that the penthouses (due to their water problems) are in a deteriorated condition and that the Community should attend to these damages. It is replied that the proprietors of those penthouses must attend to the conservation and maintenance of their terraces and that therefore they have to address the damages. A long debate ensues on this issue because the terraces are, in fact, communal, but of private use and the proprietors of these properties/terraces are responsible for the conservation and maintenance. Mention is made (314) of the drain outlets on each penthouse because it is the obligation of each owner to keep these in good condition to ensure they work properly. The owner of 410 comments that on his terrace a swimming pool has existed since the beginning. For all of the above Sr. Brian proposes that a meeting of the penthouses should take place to discuss queries and present proposals.
- The issue of the community storerooms is discussed. The President reminds the assembly that the community storerooms are rented out to residents for a monthly fee of 50,00€ per month.

He reports to the assembly that an owner from block 6 wanted to rent the community storeroom that is being used by the owner of 614, because his one had damp problems with the developer. The Committee informs this owner that if he uses it he must pay 50,00€ per

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month and if not, he must vacate it. The owner of apartment 105, through his spokesperson, reports he is interested in a storeroom in block 1. The Committee has agreed to rent it to him.

- At this moment the President distributes among the assembly a document which once it has been read by those present, he will explain. On being read several owners: Sr. Pierrard, Sra. Avan der Heij-van Loopik, feel offended with this document they have received and believe the President has exceeded his remit. Sr. Pierrard gets up asking the President to apologise immediately; he then leaves because no apology is forthcoming; likewise the other above mentioned owners leave, feeling very disgruntled. The owner of 701 is also offended because they have left with the comment: "Spanish people... in a pejorative manner". The President restores order and before commencing with his explanation would like to record HIS APOLOGIES if anybody has felt offended; maybe things have not been presented in the correct light but he asks to be able to explain.

First of all he would like to state that at no time is it his intention to directly offend anybody and he limits himself to collecting the complaints made by proprietors. The issue is that the "tenants" who come to the community "break" objects within the community and do not pay for them. The cleaners have broken the entrance gate to the urbanization and have not paid for it (it is said because the bill was very high). Just today some employees or workers for this company hit the consierge. The President insists he is only looking after the interests of the Community. Several proprietors present confirm that although there are many tenants in the urbanization the majority coming from this company are those who do NOT respect the community regulations and they support the President in the proposal to resolve the problems with tenants in general. However, the President wishes to apologise directly to Sra. Bakker but he also wants her to understand and also anybody else who rents out property in general that the issue of tenants has to be controlled in a specific manner. The President insists that the error has arisen in the manner in which the issue has been presented for which he assumes responsibility.

- The President proposes passing onto something else and comments that this year it is proposed to construct some small brick huts in the swimming pool area of blocks 4 & 7 to store such things as sun beds and parasols for the Urbanization so that they do not become deteriorated by the climate. This proposal is Unanimously approved.
- It is proposed to finish off the work on the paths by blocks 5 & 6. Proposal Unanimously supported by those attending. With this work 100% of the pathways will be completed.
- It is proposed to install lights to illuminate the back part of some blocks because these areas are too dark and seriously aggravate the night time work of the Consierges. Proposal Unanimously approved.
- It is proposed to paint the street signs on the Urbanization which are seriously deteriorated. Proposal Unanimously approved.
- It is proposed to paint the stairwells from the garage to the top floor. Proposal Unanimously approved.
- It is proposed for this next year to install more plants on the Urbanization. Proposal Unanimously approved.
- The proprietor of 701 comments that just before going into the portal there is a garden that has not been made damp proof which lies against a property wall and damages are caused; she asks for this to be repaired. It is also explained that outside there is a cypress that has been drastically pruned by the owner of 704. The pruning is requested to give more light. The reply is that it is impossible to do this and that 704 has done so without permission from the community. And that the community will take steps against them. It is stated moreover that nobody can manipulate the gardens to suit their whim; the Community will act vigorously against any action of this type. This is the purpose of the Committee which will look to the most appropriate decision.

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- The proprietor of 701 asks for handles to be placed on the entrance railings to prevent the noise and to keep them closed.
- Sr. Leader asks for a yellow line to be painted at the exit to the garage in block 2 because owners park there.
- The President asks to engage a Spanish/English speaking person in the months of July & August between the hours of 12 noon and 8 p.m. from Monday to Sunday to control the swimming pools in the Urbanization. This proposal is submitted to a vote and is Unanimously approved.
- He proposes reporting vehicles that have been abandoned outside block 4 (belonging to some tenants who left) and some old objects and furniture that have been there for two years. This proposal is Unanimously approved. This is an issue for Sra. Bakker because it would appear that they belong to people who are, or have been, tenants. They will be notified.
- Proposal to change the summer uniform of the consierges for another one that is more comfortable. Proposal approved Unanimously.
- The installation of some small swings on the lawn is proposed to be enjoyed by children as there are quite a number of small children in the Urbanization. Proposal unanimously approved.
- The President records that the owners of 905 have installed, with the consent of the President, in the porch at the back of block 9 an elastic bed for the use of all the small children of owners and tenants.
- It is also reported that lights for the paddle court are being installed and will cost 3 euros per hour for anybody wishing to make use of the illuminated courts.
- It is proposed that two days off a week be allowed for each consierge from next November and to introduce another support consierge. Submitted to a vote this proposal is Unanimously approved.
- It is reported that Samuel, the replacement consierge, has been off sick for a year. The social security has sent a report requesting that no further sick notes should be forwarded to the social security and a further six months have to pass before he is finally signed off by the company. At this point Sr. Small hands a letter to the Administrator requesting that the President should apologise to him. However the gentleman has to understand that the letter comprises four pages in English and that now it cannot be addressed; it will, however be given to the President for him to reply to it. The President however states that he is not attending the meeting today to constantly apologise for errors committed by others.
- The proprietor from 701 does not get good television reception, particularly, Canal +. Sr Pacheco will be consulted on this issue. Also the reception of foreign channels via digital television and not analogue has to be revised.

With no further points to discuss the Meeting rises at two forty p.m. on the same date and in the same venue indicated above.

And to full effect the present Minutes are signed herewith

Signed: The President
Jose María Mariscal

Signed: The Secretary Administrator
M^a Carmen García