

COMUNIDAD DE PROPIETARIOS MARINAS DEL CANTAL

MINUTES OF THE ANNUAL GENERAL MEETING

In Mojacar (Almeria), on the grounds of the Community of "Marinas del Cantal" t being 18:30 pm on 13 August 2014, the owners meet for the Annual General Meeting , located in C / Juan Ramón Jiménez, Mojacar (Almeria), according to the Article 16 of Law 49/1960, of 21 July, Horizontal Property law , amended by Law 8 / 1999 of April 6, with the following ASSISTANCE:

PROP.	NOMBRE	APELLIDOS	COEF.	P	R	REPRESENTADO POR:
APT-03	JOSE ANTONIO	MARTINEZ BAUTISTA	1,96	P		
APT-05	JOSE ANTONIO	MARTINEZ BAUTISTA	1,96	P		
APT-06	HUBERT EDRIC	ROBINSON	2,67		R	JUAN MONTERO MELGAR
APT-07	ANTONIO	CAMPOS PERNIAS	1,96	P		
APT-08	BARTOLOME	BELMONTE FLORES	1,96	P		
DUP-03	CLARA	CATEDRA NAVARRETE	2,06	P		
DUP.04	MAX MILLIAN	BRIDEN	2,06	P		
DUP-07	MAX MILLIAN	BRIDEN	2,06	P		
DUP-08	RICHARD T.	ANDREWS	2,06		R	JUAN MONTERO MELGAR
DUP-09	UNA M.	BYRNE	2,06		R	JUAN MONTERO MELGAR
LOC-03	MIGUEL	RIOS RIOS.	2,85	P		
SOT-03	MIGUEL	RIOS RIOS.	2,85	P		

Owners deprived of their vote , DEBTORS, in accordance with point 2 of Article 15 of the LPH provides that "... The Minutes of the Annual General Meeting will reflect the owners who are unable to vote , whose person and share in the community will not be computed in order to achieve the majorities required by this Act ... ". Resulting in the following:

Apt.04	Pedro A. Flores Flores	1,96
Loc.01	Declan Tobin	3,46
Loc.06	Coast Investments Partners	2,60
Sot.01	Declan Tobin	2,55
Sot.06	Coast Investments Partners	2,91
Sub-S	Declan Tobin	2,78

The meeting proceeds on the second calling , under the chairmanship of Mr. Martínez Bautista, author of the Notice; acting as Secretary, D. Juan Montero Melgar, representative of the commercial entity Indasol Services Mojacar, SL, with the following AGENDA:

- 1°.- Reading of the Minutes of the Previous Meeting.
- 2°.- Study and Approval of the Accounts for the year 2013/2014.
- 3°.- Outstanding Community fees. Action to be taken.
- 4°.- Problematic odours, noise from the Locals 3,4,5, which are dedicated to the catering industry which have installed machinery without permission by the community in communal areas by owner/tenants of these premises. Action to be taken, debate and vote.
- 5°.- Proposal received from the owner of Duplex 4:
 - a) Cover the balcony-terrace of the second floor.
 - b) Installation of a sliding door and window in aluminium behind the grills similar to Duplexes 9 and 10.
- 6°.- Proposal received from the owner of Duplex 7:
 - a) Cover the balcony-terrace of the second floor like the duplex 3.

- b) Installation of protective grills on the ground floor, installation of sliding door and window in aluminium behind the grills similar to Duplexes 5, 7 and 10
- c) Ceramic tiling on the courtyard steps similar to Duplex 9.
- 7°.- Report of the status of works of improvements for accessibility for people with disabilities or reduced mobility to the community.
- 8°.- Proposal received from the owner of Apartment nº 2 for the completion of the installation of a system to facilitate access to the property. Study, debate and vote.
- 9°.- Proposal received from the owner of Duplex 9 for the change of water pipes supplying all the duplexes. Study, debate and vote.
- 10°.- Proposal from the owner of Apartment 3 and 5 for construction of the pool, this was discussed at the last AGM. Debate and vote.
- 11°.- Study and Approval of the Forthcoming Years Budget 2014/2015.
- 12°.- Election of Officers.
- 13°.- Any Other Business.

And the meeting, following this order, agree and approve the following:

ITEM 1. READING OF MINUTES OF THE PREVIOUS MEETING, IF NECESSARY.

The meeting is opened by the President who thanks the owners for attending this years AGM and requests that the interventions from the owners are undertaken in an organized fashion so that the meeting can be carried out in an ordinary manner.

Following on from this the Administrators asked the owners if they have received the Minutes from the previous meeting and if owners are in agreement with their content. The owners manifest their approval of the previous years meeting unanimously.

ITEM 2. STUDY AND APPROVAL OF THE ACCOUNTS FOR THE YEAR 2013/2014.

Mr. Montero Melgar legal representative of the Indasol Services Mojacar, SL entity that holds the position of Community Administrator/ Secretary gives a detailed report on the financial situation for the previous year. A copy of these Accounts had been sent to the owners prior to the meeting, and should any owner require further clarification all the relevant documentation was available at the Indasol Services offices.

Firstly the Administrator proceeds to make a comparison between the financial years 2012/2013 and 2013/2014, noting that the fees for the year 13/14 were lower in 650.00€, as at the previous meeting it was agreed to reduce the budget by that amount. Mr. Montero explains that this is the second year that the quotas had been reduced and that the ordinary costs incurred in the current year had also been lower in 917.15€ than in the previous year, however it should be emphasized that during this year the bridge and ramp access had been constructed to the value of 9,129.66€. These improvements were not included in the ordinary running budget and no Extra Ordinary Invoice had been issued, this had been paid for by the monies saved over the years, however, it should be pointed out that the community now is at its lowest ever financially, and should there be an emergency there is the possibility that an Extra Ordinary Invoice would have to be issued.

On page 2 of the documentation provided the Budget Deviation is detailed enabling owners to ascertain which items had been correctly or incorrectly anticipated for this past financial year. Regarding the ORDINARY expenses, it should be noted that the resulting deviation has exceeded budget by 118.64€, if we include the IMPROVEMENTS previously discussed, the bridge and ramp, then the above deviation is negative in 8,383.30€.

On page 3 of the documentation the Balance Sheet is detailed being the actual economic situation of the community as at 30 June 2014. On that page the amounts which the community owes its creditors, community fees which are owed to the community and the cash and bank balances is clearly shown.

Regarding outstanding community fees , the community is owed 13,652.19 €, in cash and bank accounts there is 4296.90 €. Provision of funds to Lawyers and Attorney fees the sum of 1767.56 €, that the community should recover when trials are won, and costs are paid.

The community as at 30th June 2014 owes its creditors the sum of 3.878,13€.

The Administrator summarizes the communities financial situation by reporting that if the community recuperated its outstanding fees, paid its creditors , the theoretical situation would be a net worth of 19,716.65 €.

In the following pages of the Accounts provided to the owners the outstanding fees and Budget for the forthcoming year 2014/2015 are shown and would be discussed under their respective points on the Agenda.

The Accounts for the period 2013/2014 are submitted to the owners for their approval , with a unanimous vote.

ITEM 3. OUTSTANDING COMMUNITY FEES. ACTION TO BE TAKEN.

With regard to this point, it was adopted unanimously by those present, the settlement of the outstanding debts to the community of the owners which are detailed below:

Apt.04	Pedro A. Flores Flores	1,96	4.078,35 €	393,64 €	4.471,99 €
Loc.01	Declan Tobin	3,46	2.810,00 €	459,52 €	3.269,52 €
Loc.06	Coast Investments Partners	2,60	1.391,35 €	326,82 €	1.718,17 €
Sot.01	Declan Tobin	2,55	970.84 €	232,32 €	1.203,16 €
Sot.06	Coast Investments Partners	2,91	538.91 €	250,96 €	789,87 €
Sub-S	Declan Tobin	2,78	1.073,01 €	253,28 €	1.326,29 €

In accordance with the terms of Article 21 of Law 8/1999, of 6 April, in reformation of Law 49/1960, of 21 June, regarding Property in a Condominium, the debts herein presented are considered outstanding as of the end of the communities financial year **30.06.2014**, and it is unanimously agreed that corresponding legal action will be taken against the proprietors who are totally or partially responsible for the debts if they are not settled immediately.

In accordance with the terms of point 1 of the cited Article “The President or Administrator, may demand payment judicially”, and to this end, those present unanimously authorise both the President and the Administrator to pursue such claims, and are expressly authorised to confer the necessary powers to lawyers and public prosecutors, either before notary or court clerk or official accordingly authorised.

It is likewise unanimously agreed that the defaulting proprietors must pay for all judicial and extra-judicial costs arising from any such action taken to recover the money they owe the community.

The Administrator, Mr.Montero would like to inform the owners that the outstanding fees have greatly reduced this past year by 7,564.34€ , all due to various legal claims and the proposal made by Ms. Morales last year.

ITEM 4.- PROBLAMTIC ODOURS, NOISE FROM THE LOCALS 3,4,5, WHICH ARE DEDICATED TO THE CATERING INDUSTRY WHICH HAVE INSTALLED MACHINERY WITHOUT PERMISSION BY THE COMMUNITY IN COMMUNAL AREAS BY OWNER/TENANTS OF THESE PREMISES. ACTION TO BE TAKEN, DEBATE AND VOTE.

The President initiates this item and informs the owners of the problems found in this past year: he had during Easter Week, a meeting with the tenants of these locals informing them of the problems they are causing and urgently request that this should not continue in the future. The businesses are:

Local 3, RESTAURANT DESIRE.

Local 4, RESTAURANT "KEBAB DÖNER".

Local 5, CANTINA DON PANCHO.

The President continues informing the owners that last year there had been many complaints from owners who live above these premises, including his own, and that he could verify the noise, especially late at night and the early hours of the morning which prevented the residents of these apartments to rest. Mr. Martinez Bautista indicates that apart from the scandals of those persons using such businesses with noise, there were loud voices, fights among customers, dragging of tables and chairs, etc. etc., it also appears that the extractor fan in the locals are not working correctly or they have not installed them and the smells affect the apartments above.

To make matters worse, the President informed that Local 5, CANTINA DON PANCHO, has installed a system for extracting heat from the kitchen, but it has been done installing it on the back facade of the building so that it makes an infernal noise, this machine extracts heat but also cooking odors, thus making the stay in the apartments above impossible, in fact some neighbors who came for weekends had to leave. The President manifests that the Community is not opposed to the installing of machines to facilitate the work in the kitchens but they must do so with the appropriate permissions and so as not to disturb a third party, in this case they do not comply as they do not have permission from the Community to install a machine on the Community facade and the disturbance caused to other residents or neighbors adjacent to the business.

Following a brief discussion it was unanimously agreed that this matter should be transferred to a lawyer to reclaim the adaptation of the locals to the Health & Safety Rules and also Soundproofing Rules. At the same time Local 5 must remove the extractor fan from the façade of the building and place it on the roof which will therefore not cause damage or discomfort to their fellow neighbors.

ITEM 5.- PROPOSAL RECEIVED FROM THE OWENR OF DUPLEX 4.

a.) COVER THE BALCONY-TERRACE OF THE SECOND FLOOR.

The owner of Duplex 4 was present at the meeting and stated that his proposal was to close the upper terrace of the duplex equally to the lower terrace and with the same materials. The owners present discussed the proposal and felt this would alter the external appearance of the complex and did not consider it appropriate or desirable. It was pointed out that this proposal had been previously put forward by another owner in a previous AGM and had been denied. The proposal was put forward for voting, resulting in 8 votes against and 4 in favor.

b.) INSTALLATION OF PROTECTIVE GRILLS ON THE GROUND FLOOR, INSTALLATION OF SLIDING DOOR AND WINDOW IN ALUMINIUM BEHIND THE GRILLS SIMILAR TO DUPLEXES 5,7,AND 10..

Mr. Briden indicates that there are several owners who have made this modification in their homes, duplexes 9 and 10 and asked to do the same. The owners present unanimously agree to

the request as long as Mr. Briden does it the same way, the features and materials used by the neighbors concerned.

ITEM 6.- PROPOSAL RECEIVED FROM THE OWNER OF DUPLEX 7:

a.) COVER THE BALCONY-TERRACE OF THE SECOND FLOOR LIKE DUPLEX 3.

The owners present pronounce themselves as in the same way as they voted in the previous item (5), paragraph 1, that is, the proposals for the same reasons and the same result of the vote is denied.

2) INSTALLATION OF PROTECTIVE GRILLS ON THE GROUND FLOOR, INSTALLATION OF SLIDING DOOR AND WINDOW IN ALUMINIUM BEHIND THE GRILLS SIMILAR TO DUPLEXES 5, 7, AND 10.

This proposal was put to the vote and was unanimously approved as long as the same materials are used as in duplexes 5,7,10.

3) CERAMIC TILING ON THE COURTYARD STEPS SIMILAR TO DUPLEX 9.

A vote was taken on this item and it was approved unanimously by the owners present and can be carried out in Duplex 4 & 7 as long as it is in the same manner as Duplex 9.

ITEM 7.- REPORT OF THE STATUS OF WORKS OF IMPROVEMENTS FOR ACCESSIBILITY FOR PEOPLE WITH DISABILITIES OR REDUCED MOBILITY TO THE COMMUNITY.

The President takes the floor to report on the works of improvements agreed at the last meeting in relation to the system adopted to facilitate access to the owners of Phase 1, ie the owners of the apartments 1-9, consisting of construction of a ramp, (avoiding the stairs next to apartment 10), which is accessed from the street Juan Ramón Jiménez and from there to their apartments by building a metal footbridge between phase I and II so that owners of apartments 1 to 9 can also access their properties directly if they come in vehicles through the parking area located on phase II and from these, walk through the gateway to their apartments.

The President continues by saying as did Mr. Montero Melgar earlier, the cost of these works has been 9129.66€ without the community having to issue an Extraordinary Invoice. Mr. Martinez also reported that the bridge design due to the characteristics of the height required the dimensions and the possible danger factor the plans were drawn up by an Industrial Technical Architect and the project has met all requirements / statutory licenses and was stamped by the College of Architects of Almería.

The President ends this report by indicating that there is still pending the installation of a system whereby apartments 1 and 2 have access from the lower corridor, this improvement will take place next year if cash permits as there are different projects to be undertaken and little money to do so.

ITEM 8. PROPOSAL RECEIVED FROM THE OWNER OF APARTMENT 2 FOR THE COMPLETION OF A SYSTEM TO FACILITATE ACCESS TO THE PROPERTY. STUDY, DEBATE AND VOTE.

The Administrator informs the owners of the request received by the owner of apartment 2.

The President manifest that the most important and costly works have already been undertaken, as previously mentioned in the construction of a walkway and ramp saving the main stairs and

the gap that divides the two phases which constitute the complex Marinas Cantal and that access from the hallway for the apartments 3-9 to the hallway access to apartments 1 and 2.

In this forthcoming year he will obtain quotations for either a lift or external powered platforms. These improvements would depend on the cost and if there any grants available that the government can give.

It was put to a vote and unanimously agreed that the President would investigate this item, should there be grants available, alternative quotes etc and adopt the most suitable system ,funds permitting in order to go forward.

ITEM 9. PROPOSAL RECEIVED FROM THE OWNER OF DUPLEX 9 FOR THE CHANGE OF WATER PIPES SUPPLYING ALL THE DUPLEXES. STUDY DEBATE AND VOTE.

The Administrator states that the owner of Duplex 9 Sra. Byrne last year sent a letter which requested that the Community seek a solution to the problem of the breakage of individual water connections supplying all the duplexes.

He continues by informing the owners that last year it was agreed to contact a plumber to explore the possibility of installing a pressure regulator in the pipeline for the general supply to the Complex to see if that installation stopped the problems.

A plumber was called out and informed the Administrator that the inlet pressure to the duplexes was correct and the constant water leaks was not due to excess pressure but rather the state of the pipes installed to the duplexes as they may be defective or during the construction of the complex they may have been damaged due to vehicles or other issues.

Mr. Montero confirms the above statement made by Ms. Byrne and indicates that again this year there have been many leaks in the area of duplexes and it is urgent that this is repaired because all this water loss filters into the containing wall where the duplexes are built and it is not at all convenient to overload the retaining wall with the weight of the water from the domestic pipes.

The President manifests that there are two owners who are plumbers and who better than them to present a quotation to carry out the work of the change of pipes to the duplexes in order to resolve once and for all this problem.

Mr. Montero also reported that possibly the insurance company Mapfre will not renew our policy due to the numerous claims the community have made or they may possibly increase the insurance policy.

The owners present, once debated and studied the issue, consider the urgency to undertake this work and will request quotations from the owners who are plumbers for the solution of the problem stated by Ms. Byrne. It is also agreed that once the quotes are accepted there will be an Extra Ordinary Invoice submitted to cover the cost of this work. Owners will be inform with ample time of the additional charge. The decision of the company who will be rewarded the contract is delegated in the figure of the President.

ITEM 10. PROPOSAL FROM THE OWNER OF APARTMENT 3 AND 5 FOR THE CONSTRUCTION OF THE POOL, THIS WAS DISCUSSED AT THE LAST AGM. DEBATE AND VOTE.

With regard to this point the President indicates the desirability and the value the complex would have if the owners decided to build a swimming pool in the inner area of the complex. Some owners are reluctant to unnecessary costs especially in the current crisis.

The Administrator indicates that the Horizontal Property Law in Article 17.4 suggests that three-fifths of the owners that also represent three-fifths of the participation fees are required to approve such an improvement and that this agreement does not require the owners who do not want to be part of it, if for this improvement it exceeds the amount of three ordinary monthly community fees.

The proposal was taken to the vote with the following results:

In favor: Aptos. 3, 5, 7, 8.

Against:

Abstaining: Apto.6, Duplex 3, 4, 7, 8, 9, Local 3.

The President requests that this proposal is put back for a future General Meeting

POINT 11.STUDY AND APPROVAL OF THE FORTHCOMING YEARS BUDGET 2014/2015.

The Administrator proceeds to make a detailed presentation of the proposed budget for the period 2014/2015, which is contained in the documentation provided to the owners and forms part of these Minutes.

The Administrator explains the distribution of costs for the different items .

The proposed Budget of 15,000€ for the year 2014/2015 is put forward to the owners to vote and it is unanimously approved.

COMMON EXPENSES DUPLEX APARTMENTS, ROOMS, CELLARS.

GASTOS COMUNES DUPLEX, APARTAMENTOS, LOCALES, SOTANOS.

SERVICIOS PROFESIONALES		3.445,00
Administración	2.995,00	
Gastos Administración	450,00	
PRIMAS DE SEGUROS		3.000,00
Seguro Comunidad	3.000,00	
MANT. SESINSECTACION/VERMIN CONTRACT		475,00
Desinsectación-Desratización	475,00	
GASTOS FINANCIEROS		150,00
Comisiones Bancarias	150,00	
FONDO MANIOBRA		400,00
		7.470,00
	TOTAL (1)	7.470,00

GASTOS COMUNES DUPLEX, APARTAMENTOS, LOCALES

MANT. JARDIN-LIMPIEZA		3.100,00
Mant. Jardin - Limpieza	3.100,00	
EXTRAS JARDIN		150,00
Extras Jardines	150,00	
SUMINISTROS		200,00
Agua	200,00	
OTROS SERVICIOS		150,00
Otros Gastos	150,00	

FONDO MANIOBRA	<u>260,00</u>
TOTAL (2)	<u><u>3.900,00</u></u>

GASTOS COMUNES DUPLEX, APARTAMENTOS.

MANTENIMIENTO/REPARACION	<u>2.230,00</u>
Mantenimiento-Reparaciones	<u>2.230,00</u>
EXTRAS JARDIN	<u>350,00</u>
Extras Jardines	350,00
SUMINISTROS	<u>350,00</u>
Electricidad	<u>350,00</u>
FONDO MANIOBRA	<u>200,00</u>
TOTAL (3)	<u><u>3.130,00</u></u>

GASTOS PRIVADOS SOTANOS

Gastos Mant./Reparación/Limpieza	<u>500,00</u>
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TOTAL 15.000,00

Below is detailed the different fees payable by the owners for the year 2014 / 2015, owners are reminded that the invoices are issued on a quarterly basis within the first five days of JULY , OCTOBER , JANUARY AND APRIL .

Elemento	Cuota Total Urban.	Total Anual	Total Trimestral
APT-01	2,48	483,07	120,77
APT-02	2,48	483,07	120,77
APT-03	1,96	381,78	95,44
APT-04	1,96	381,78	95,44
APT-05	1,96	381,78	95,44
APT-06	2,67	520,08	130,02
APT-07	1,96	381,78	95,44
APT-08	1,96	381,78	95,44
APT-09	1,96	381,78	95,44
APT-10	3,46	673,96	168,49
DUP-01	2,06	401,26	100,31
DUP-02	2,06	401,26	100,31
DUP-03	2,06	401,26	100,31
DUP-04	2,06	401,26	100,31
DUP-05	2,06	401,26	100,31
DUP-06	2,06	401,26	100,31
DUP-07	2,06	401,26	100,31
DUP-08	2,06	401,26	100,31
DUP-09	2,06	401,26	100,31

DUP-10	2,06	401,26	100,31
DUP-11	2,06	401,26	100,31
DUP-12	2,06	401,26	100,31
LOC-01	3,46	446,30	111,57
LOC-02	2,92	376,64	94,16
LOC-03	2,85	367,61	91,90
LOC-04	2,62	337,95	84,49
LOC-05	3,53	455,33	113,83
LOC-06	2,6	335,37	83,84
LOC-07	2,6	335,37	83,84
LOC-08	3,69	475,96	118,99
SOT-01	2,55	235,76	58,94
SOT-02	3,21	296,78	74,20
SOT-03	2,85	263,50	65,87
SOT-04	2,92	269,97	67,49
SOT-05	3,97	367,05	91,76
SOT-06	2,91	269,05	67,26
SOT-07	2,91	269,05	67,26
SOT-08	4,06	375,37	93,84
SOT-09	2,78	257,03	64,26

Total 100,00 15.000,00 3.750,00

ITEM 12 . ELECTION OF OFFICERS.

The President D. José Antonio Martínez Bautista, puts his resignation forward to the meeting and requests candidates for the Committee for the forthcoming year.

The owners request that Mr. Martinez Bautista continues in office for another year. This is unanimously approved.

For the position of Vice President Don Antonio Campos, owner of the apartment 7 was elected unanimously by those present and represented.

Finally, for the post of Secretary-Administrator , Indasol Services Mojacar SL are proposed and they thank the owners for their confidence. This proposal is approved unanimously.

All these posts, once completed this year, will be automatically extended the time needed until the owners meet again to elect a new governing board.

At this time the persons designated are authorized to carry out all the necessary steps to ensure the normal functioning of the community, and any other necessary actions for the proper execution of all resolutions adopted by the Annual General Meeting.

ITEM 13. ANY OTHER BUSINESS.

13.1 The Administrator D. Juan Montero Melgar reports that after many letters to the Town Hall the road in front of the locals has finally been tarmacked.

13.2.- The President asked if there is the possibility of installing a light , funds permitting, on the transit area next to apartment 10.

13.3.- It is requested by those present that the Committee consider installing a handrail on the newly built ramp next to Apartment 10.

10.4.- Another owner requests that the pedestrian gate and sliding parking doors are fixed because apparently they are disjointed and do not close properly.

10.5.- The owner of the Duplex 3 requests that the crack between his house and the adjoining sidewalk is filled in as when it rains water gets in and creates damp in his property.

10.6.- Another owner requests that instructions should be given to the cleaning company to clean more often the area between the stairs down from the apartments to the entrance of the office of Cajamar and front parking area.

10.7.- The Administrator reports that he has received complaints from the bank Caja Granada that every time it rains water filters in from the roof into their offices. They request that the owner of apartment 9 fixes this anomaly. The Administrator informs that he will resend a letter to this owner once again reminding him of this problem.

10.8.- Owners are again reminded that due to the limited parking spaces within the complex that only one car per household should use the communal car park.

There being no further business, the meeting was adjourned at 20:45 hours on the day previously indicated.

President

Vº Bº. Secretary.