

## MINUTES OF THE ANNUAL GENERAL MEETING OF THE COMMUNITY OF OWNERS "ESTRELLA DE ORIHUELA GOLF I"

In Orihuela Costa, Villacosta, at 10:30 hours on Wednesday 20<sup>th</sup> of August 2014, duly called in time and format by the President Mr. Gus Agnew, and with Mrs. María Jesús Sevilla Lizón acting as Secretary-Administrator, met in the Bar Cafetería Támesis, in front of the residential on second call owners attending and represented, that below are related, in order to celebrate the Ordinary General Meeting of the Community of Owners Estrella de Orihuela Golf I, and according to the following:

### AGENDA:

- 1.- Presentation and approval, if the case, of the accounts for the exercise August-2013/July-2014. Approval of certificates of debt.
- 2.- Presentation and approval, if the case, of the budget of ordinary expenses for the year August-2014/July-2015 and fees.
- 3.- Election of officers.
- 4.- Any other business.
  - Some items that have not been possible to attend due to the lack of funds: air conditioning repair, and modifications/updates in lifts by Industria.

### Attendees:

Janet M. Herbertson, Bajo A nivel C (9).....	2,40%
David & Patricia Agnew, Bajo B nivel C (10).....	2,40%
Carlos García Cano, 1ºB nivel C (19).....	2,29%
John & Lindsey Clenaghan, 3ºB nivel C (38).....	2,69%
Total of coefficients.....	9,78%

### Represented:

Rosemary Dight, Bajo C nivel B (4), repres. AGM Administradores.....	2,32%
Mª del Carmen Venero, 1ºC nivel B (13), repres. Gus Agnew.....	2,28%
Denis Gerard & Verónica Hassett, 2ºB nivel A (16), repres. Gus Agnew.....	2,36%
Gerard & Alice Heffernan, 1ºC nivel C (20), repres. Gus Agnew.....	2,29%
Denis Todd & David Adair, 3ºA nivel A (26), repres. Gus Agnew.....	2,97%
Kathleen Haynes, 3ºC nivel A (28), repres. AGM Administradores.....	3,00%
Martha Flynn, 2ºA nivel C (29), repres. Gus Agnew.....	2,31%
José L. Ruiz Arjonilla y Beatriz Cirilo, 3ºC nivel C (39), repres Gus Agnew.....	2,70%
Richard & Jane Harman, 3ºD, nivel C (40), repres. Gus Agnew.....	2,81%
Total de coefficients.....	23,04%

the President opens the Meeting, and starts dealing with the different points of the Agenda.

### 1.- PRESENTATION AND APPROVAL, IF THE CASE, OF THE ACCOUNTS FOR THE EXERCISE AUGUST-2013/JULY-2014. APPROVAL OF CERTIFICATES OF DEBT.

The Administrator explains the accounts and detail of expenses 2013-2014, that were sent together with the Summons, and are explained below:



### **SUMMARY OF ACCOUNTS from 01/08/2013 til 31/07/2014:**

<b>RESERVES at 31/07/2013.....</b>	<b>69.558,19 €</b>
Bank.....	1.495,44 €
Debtors.....	69.394,79 €
Agesul.....	66.073,77 €
Other.....	3.321,02 €
Owners advances.....	-1.299,28 €
Creditors.....	-32,76 €
IRPF July.....	-32,76 €
<b>+INCOMES FOR BUDGETED FEES.....</b>	<b>38.400,00 €</b>
(real fees collected: 14.960,00 €)	
<b>-EXPENSES EXERCISE AUG-2013/JUL-2014.....</b>	<b>-14.274,74 €</b>
<b>=RESERVES at 31/07/2014.....</b>	<b>=93.683,45 €</b>
Bank.....	3.905,74 €
Debtors.....	91.769,07 €
Agesul.....	86.233,77 €
Other.....	5.535,30 €
Owners advances/credits.....	-1.257,74 €
Creditors.....	-733,62 €
Mainten. Jul.....	-602,58 €
Hacienda IRPF.....	-131,04 €

The Administrator clarifies a couple of points regarding accounts:

-The expenses this year have been almost the half than in previous years. And around 3.000 € less than last year. Everything was reduced to the minimum to avoid another increase in the fees or extra fees, but even so, the debtors (mainly the promoter but also others) are not sustainable.

-The incomes in the summary of accounts are budgeted fees, but the real collected fees in the exercise August-2013/July-2014 were: 14.960,00 €.

The Administrator explains that even the reserve fund have increases, the surplus is not real due to the Agesul debt.

The President explains that all actions taken during 2014 to reduce to the minimum expense, had positive results, and the expenses of this year have been almost half than previous years.

He also explains that there are more plans to continue keeping the expenditure under control, because unfortunately the debtors situation, mainly the state of insolvency of the builder, will take time, and we need to continue taking all the necessary actions to spend the minimum.

Some actions to be taken during next year are:

-To re-negotiate again the contract with Mirete, the maintenance company, to establish the minimum services as last year, when the cost was reduced and had good results regarding the maintenance.

-To winterize the pool. The President wants to winterize the pool again this year. He explains that the pool must be covered with a protective plastic to cover the pool and put special chemicals during the winter months to maintain the water in hygienic conditions so when the summer time arrives, in a couple of days, with some cleaning actions, owners could have the pool in the best conditions to be used.

-The President explains the lawnmower purchase has been beneficial and we have saved in maintenance cost. Even there are not many grass areas in the Community, we can not clearly abandon. The majority of neighbours are ready to take part in the maintenance and cut of the grass when they are in the residential.

-The President explains the Iberdrola offers, specially the light cost reduction, if the "Dual tariff" modality is taken. It is agreed to contact with Iberdrola and ask for information. At the same time he mentions that adopting this modality the nocturnal tariff is much more cheaper, so we will speak with Mirete, the maintenance company, to adapt the "on" swicht of the pool motor to this timetable. In that

way the water would be better preserved, and we will avoid to have the motors damaged during the winterizing time of the pool, contrary to the last year, those will be working during some hours.

-The President explains on one side the savings we got contracting the new lifts company, that brought to the community a reduction in the lift maintenance of more than 50 %. On the other hand, it is explained all attendants the excellent service the company provided to Estrella Golf, because they had allowed the reposition of the damage pieces from last year flooding to be paid little by little. The President expressed to the comercial agent his gratitude in the name of all owners of Estrella Golf.

The expenses are explained in detail. After some questions and the opportune clarification, those present unanimously approved the accounts for 2013-2014.

Regarding debors, the list of outstanding fees till 31-07-2014 is as follows:

**GESTIÓN AGESUL, S.L. (EACH OF THE 21 PROPERTIES)**

REST OF FEE JANUARY-2011	70,00 €
FEE FEBRUARY-2011	80,00 €
FEE MARCH-2011	80,00 €
FEE APRIL-2011	80,00 €
QUARTERLY FINE 10%	47,00 €
FEE MAY-2011	80,00 €
FEE JUNE-2011	80,00 €
FEE JULY-2011	80,00 €
QUARTERLY FEE 10%	59,70 €
FEE AUGUST-2011	80,00 €
FEE SEPTEMBER-2011	80,00 €
FEE OCTOBER-2011	80,00 €
EXTRA FEE OCTOBER 2011	480,00 €
QUARTERLY FINE 10%	89,67 €
FEE NOVEMBER-2011	80,00 €
FEE DECEMBER-2011	80,00 €
FEE JANUARY-2012	80,00 €
FEE FEBRUARY-2012	80,00 €
FEE MARCH-2012	80,00 €
FEE APRIL-2012	80,00 €
FEE MAY-2012	80,00 €
FEE JUNE-2012	80,00 €
FEE JULY-2012	80,00 €
FEE AUGUST-2012	80,00 €
FEE SEPTEMBER-2012	80,00 €
FEE OCTOBER-2012	80,00 €
FEE NOVEMBER-2012	80,00 €
FEE DECEMBER-2012	80,00 €
FEE JANUARY-2013	80,00 €
FEE FEBRUARY-2013	80,00 €
FEE MARCH-2013	80,00 €
FEE APRIL-2013	80,00 €
FEE MAY-2013	80,00 €
FEE JUNE-2013	80,00 €
FEE JULY-2013	80,00 €
FEE AUGUST-2013	80,00 €
FEE SEPTEMBER-2013	80,00 €
FEE OCTOBER-2013	80,00 €
FEE NOVEMBER-2013	80,00 €
FEE DECEMBER-2013	80,00 €
FEE JANUARY-2014	80,00 €
FEE FEBRUARY-2014	80,00 €
FEE MARCH-2014	80,00 €
FEE APRIL-2014	80,00 €
FEE MAY-2014	80,00 €



FEE JUNE-2014	80,00 €
FEE JULY-2014	80,00 €
FEE AUGUST-2014	80,00 €
FEE SEPTEMBER-2014	80,00 €
FEE OCTOBER-2014	80,00 €
FEE NOVEMBER-2014	80,00 €

**TOTAL** 4.426,37 €

**TOTAL DEBT AGESUL (21 PROPERTIES)** 92.953,77 €

**Nº3-PAULA JAYNE & STEPHEN HALL**

REST OF FEE MAY-2013	49,04 €
FEE JUNE-2013+REJECTION EXPENSES	82,26 €
FEE JULY-2013	80,00 €
FEE AUGUST-2013	80,00 €
FEE SEPTEMBER-2013	80,00 €
FEE OCTOBER-2013	80,00 €
FEE NOVEMBER-2013	80,00 €
FEE DECEMBER-2013	80,00 €
FEE JANUARY-2014	80,00 €
FEE FEBRUARY-2014	80,00 €
FEE MARCH-2014	80,00 €
FEE APRIL-2014	80,00 €
FEE MAY-2014	80,00 €
FEE JUNE-2014	80,00 €
FEE JULY-2014	80,00 €
FEE AUGUST-2014	80,00 €
FEE SEPTEMBER-2014	80,00 €
FEE OCTOBER-2014	80,00 €
FEE NOVEMBER-2014	80,00 €

**TOTAL** 1.491,30 €

**Nº12-JOSÉ GARCÍA SÁÑHEZ Y AMPARO RAMA ALCÁNTARA**

1/2 EXTRA FEE OCTOBER-2011+REJECTION EXPENSES	281,48 €
FEE MARCH-2013+REJECTION EXPENSES	82,26 €
FEE JANUARY-2014+REJECTION EXPENSES	82,26 €
FEE FEBRUARY-2014+REJECTION EXPENSES	82,26 €
FEE MARCH-2014+REJECTION EXPENSES	82,26 €
FEE APRIL-2014+REJECTION EXPENSES	82,26 €
FEE MAY-2014+REJECTION EXPENSES	82,26 €
CASH DEPOSIT	- 240,00 €
FEE JUNE-2014+REJECTION EXPENSES	82,26 €
FEE JULY-2014+REJECTION EXPENSES	82,26 €
FEE AUGUST-2014	80,00 €
CASH DEPOSIT 29-09-14	-160,00 €
FEE SEPTEMBER-2014	80,00 €
FEE OCTOBER-2014	80,00 €
CASH DEPOSIT 27-10-14	-160,00 €
FEE NOVEMBER- 2014	80,00 €

**TOTAL** 699,56 €

(paying by instalments)

**Nº21- BANKIA**

REST OF FEE AUGUST-2012	54,00 €
FEE SEPTEMBER-2012	80,00 €
FEE OCTOBER-2012	80,00 €
FEE NOVEMBER-2012	80,00 €
FEE DECEMBER-2012	80,00 €
FEE JANUARY-2013	80,00 €
FEE FEBRUARY-2013	80,00 €
FEE MARCH-2013	80,00 €

FEE APRIL-2013	80,00 €
FEE MAY-2013	80,00 €
FEE JUNE-2013	80,00 €
FEE JULY-2013	80,00 €
FEE AUGUST-2013	80,00 €
FEE SEPTEMBER-2013	80,00 €
FEE OCTOBER-2013	80,00 €
FEE NOVEMBER-2013	80,00 €
FEE DECEMBER-2013	80,00 €
FEE JANUARY-2014	80,00 €
FEE FEBRUARY-2014	80,00 €
FEE MARCH-2014	80,00 €
FEE APRIL-2014	80,00 €
TRANSFER ORDER	- 240,00 €
FEE MAY-2014	80,00 €
FEE JUNE-2014	80,00 €
FEE JULY-2014	80,00 €
TRANSFER ORDER	- 1.040,00 €
FEE AUGUST-2014	80,00 €
FEE SEPTEMBER-2014	80,00 €
FEE OCTOBER-2014	80,00 €
FEE-NOVEMBER-2014	80,00 €
TRNASFER ORDER 29-10-14	-160,00 €

**TOTAL 774,00 €**

**N°34- BANKIA (debt paid except current month)**

FEE NOVEMBER-2014	80,00 €
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**TOTAL 80,00 €**

**N°35- DEAN EDWARD HUTCHINSON**

REST OF FEE JUNE-2012	45,96 €
FEE JULY-2012	80,00 €
FEE AUGUST-2012	80,00 €
FEE SEPTEMBER-2012+REJECTION EXPENSES	81,52 €
FEE OCTOBER-2012	80,00 €
FEE NOVEMBER-2012	80,00 €
FEE DECEMBER-2012	80,00 €
FEE JANUARY-2013	80,00 €
FEE FEBRUARY-2013	80,00 €
FEE MARCH-2013	80,00 €
FEE APRIL-2013	80,00 €
FEE MAY-2013	80,00 €
FEE JUNE-2013	80,00 €
FEE JULY-2013	80,00 €
FEE AUGUST-2013	80,00 €
FEE SEPTEMBER-2013	80,00 €
FEE OCTOBER-2013	80,00 €
FEE NOVEMBER-2013	80,00 €
FEE DECEMBER-2013	80,00 €
FEE JANUARY-2014	80,00 €
FEE FEBRUARY-2014	80,00 €
FEE MARCH-2014	80,00 €
FEE APRIL-2014	80,00 €
FEE MAY-2014	80,00 €
FEE JUNE-2014	80,00 €
FEE JULY-2014	80,00 €
FEE AUGUST-2014	80,00 €
FEE SEPTEMBER-2014	80,00 €
FEE OCTOBER-2014	80,00 €
FEE NOVEMBER-2014	80,00 €



**TOTAL 2.367,48 €**

**Nº37- MARTHA & BRIAN FLYNN**

OPENING BALANCE	- 3,79 €
FEE AUGUST-2013	80,00 €
FEE SEPTEMBER-2013	80,00 €
FEE OCTOBER-2013	80,00 €
FEE NOVEMBER-2013	80,00 €
FEE DECEMBER-2013	80,00 €
FEE JANUARY-2014	80,00 €
FEE FEBRUARY-2014	80,00 €
FEE MARCH-2014	80,00 €
FEE APRIL-2014	80,00 €
FEE MAY-2014	80,00 €
FEE JUNE-2014	80,00 €
FEE JULY-2014	80,00 €
BALANCE WITH CREDIT PROP.Nº29	- 117,75 €
FEE AUGUST-2014	80,00 €
TRANSFER ORDER 13-08-14	-240,00 €
FEE SEPTEMBER-2014	80,00 €
TRANSFER ORDER 02-09-14	-80,00 €
FEE OCTOBER-2014	80,00 €
TRANSFER ORDER 02-10-14	-80,00 €
FEE NOVEMBER-2014	80,00 €
TRANSFER ORDER 03-11-14	-80,00 €

**TOTAL 678,46 €**

The Administrator explains the debtors situation have progressed a little during 2014, but we must always bear in mind that we still have the builders Agesul as the largest debtors. The Administration office has had several conversations with Agesul, by email and by telephone. They have been informed by writing about the total debt of community fees, and we asked them to pay the debt, but not success by now, and even the bankruptcy proceeding is quite paralyzed. It has been valued if it is viable or convenient to start legal actions due the economical situation of Estrella.

It is explained to the owners that house number 12, due to personal situation is having problems to pay the fees. The Administration has contacted with him by post and by telephone explaining him as much important is for all the community that he pays the outstanding amount. Also, the President has offer him the option to pay by now the current months, and the outstanding amount the day of the meeting to be paid little by little.

The President explains that the most important for Estrella is to increase the incomes, and that this owners at least pays something. At the date to send these Minutes the owner is fulfilling the agreement of payment of the debt.

Regarding houses 31 & 34 owned by Bankia, we have good news and the Bank is paying little by little, even they are always with delay and they must be constantly asked to pay.

Regarding house nº37, it has recently been purchased by the owners house nº29, we would like to explain that we informed the owners before they signed the deeds, regarding this property debt, and that they should negotiate the debt with the bank before signing, because if not, the debt would be legally imputable to the new owner, and this owner should ask to the bank, and not the community. President and Administration have spoken with them explaining the situation. In addition, as house nº 29 had a surplus of -117,75 €, it has been discount from the debt of nº37.

Houses 3 and 35 are in repossession proceeding but until it is not been executed, the Bank can not register these houses on his name, and we can not officially ask them, but they have been informed extra officially. When they register, the Bank will pay the legal part they must pay, and from this they will pay regularly the monthly fees



It is unanimously approved the outstanding debts of these properties, and will be communicated by the Secretary. Owners authorise President and Administrator to grant powers of attorney to Lawyers and Procurator to claim in Court, in case the debt are not solved within a period of 15 days.

## **2.- PRESENTATION AND APPROVAL, IF THE CASE, OF THE BUDGET OF ORDINARY EXPENSES FOR THE YEAR AUGUST-2014/JULY-2015 AND FEES.**

After what it was explained in the first point, regarding all the actions taken and to be taken to control the expenses to the minimum, owners consider that even the economical situation of the Community is still very delicate, they must keep the same fees and budgeted than last year, and try to recover part of the debts as soon as possible.

The Administrator informs of the increase on her fees in a 5% as in the last 4 years she has not increased and the IPC did. All those present agree.

It is unanimously approved to keep same budget and fees than last year, 80€ per month per property to be paid at the beginning of every month.

We remind owners the Community bank details:

SOLBANK: 0081-0542-18-0001318632 (Please, do not forget to include your full name and your property number when you do the payment).

## **3.- ELECTION OF OFFICERS.**

Mr. Gus Agnew expresses his wishes to stand as President during one year more, being no more volunteers. And for the position of Vice president, Mr. Herbertson, even he is not in the meeting, also expressed to the President his intention to continue.

The following officers are unanimously approved:

PRESIDENT: GUS AGNEW (nº10)

VICE PRESIDENT: MARK HERBERTSON (nº9)

And for the position of Secretary-Administrator is asked if there is another proposal, being none, is re-elected also unanimously M<sup>a</sup> JESÚS SEVILLA LIZÓN - AGM Administradores.

## **4.- ANY OTHER BUSINESS.**

**SOME ITEMS THAT HAVE NOT BEEN POSSIBLE TO ATTEND DUE TO THE LACK OF FUNDS: AIR CONDITIONING REPAIR, AND MODIFICATIONS/UPDATES IN LIFTS BY INDUSTRIA.**

-The President explains that some time ago some telecommunication companies contacted with Estrella Golf and with himself, they were interested in installing an aerial on the top roof of the building prior payment. Due to the economical situation of the community, the President asks to the Administration to contact some telecommunications companies how much they would pay if they were allowed to install one of their aerials. As this is a very delicate item for some people, because some people are afraid to the possible effects for health this aerial could cause. It is decided to check between all owners opinion and, and if they agree to get the information through the Administration and the economical benefits for the residential.

-Owner nº13 asks what can be done to resolve the air conditioning problem. The Administrator and the President mention that as in previous occasions, Estrella have not funds to carry out the air conditioning conduit repairs because it is very expensive and there is not really guarantee to get it resolved in a total and satisfactory way.

Therefore it is agreed that by now every owner can try to repair their own machine or install an air Split system, heat/cool. Actually those are very cheap, and very effective. Some owners already did it in a particular way. These days, the reparation in a communal way is not economically viable. As soon as Estrella has enough funds it will be studied the possibility to repair all the system together if the owners decided in this way.

-The President asks to the Administration to get in touch with the Town and ask information regarding

two public lamps installation, because the street entrance is very dark at night.

The President informs the wish of the owners to install a barbecue for the use and enjoyment of all owners, and he has doubts if this is viable for the authorities or the insurance company in case any prevention must to be taken and cover. The Administration will contact with the insurance company, in case it affects to the extension of the insurance coverage, but at first, in the area where they want to install it, at the pool corner away from the houses we consider there is not a problem.

-The Administrator, reminds we are now 2 years late with the improvements and alterations of the lifts that Industria requests, obviously because there are no funds. It has been asked to ADP, the lifts company that do the maintenance, the confirmation that this must be done as soon as possible, and if Industria requests to do it now, we would immediately speak with ADP to have the works done and negotiate the way to pay these, considering that we all know there are not enough funds to deal with all the necessities of the residential.

-The President mentions that owner nº29 told him she wants to repair the damaged part of her facade, and the President has replied her that the facade is comunal and there are a lot of other parts of that also need to be repaired, and consequently we will wait till we have enough funds and then repair all the areas that need it.

-The date for the next Annual General Meeting will be on Monday 28<sup>th</sup> of September 2015(as it was spoken years ago, to have the meeting alternately in August and September-October to do it easier to attend for all nationalities).

And with no further issues to discuss, the President closes the meeting being 11:22 hours, on the same day and the same place as initially stated, and of its contents, as Secretary-Administrator, I bear witness and sign with the approval of the President.

THE PRESIDENT  
GUS AGNEW

THE SECRETARY-ADMINISTRATOR  
MARÍA JESÚS SEVILLA LIZÓN