

## MINUTES OF THE ANNUAL GENERAL MEETING OF THE COMMUNITY OF OWNERS “ZENIAMAR V”

In Orihuela Costa, at 10:30 hours on Friday 26<sup>th</sup> of October 2012, duly called in time and format by the President Mr. Soren Rasmussen, and with Mrs. María Jesús Sevilla Lizón acting as Secretary-Administrator, the owners of Residential “Zeniamar V” met on the second call, in the Orihuela Costa Resort, according to the following:

### AGENDA:

- 1.- Management report.
- 2.- Accounts for 2011/2012
- 3.- Fees for 2012/2013
- 4.- Budget for 2012/2013
- 5.- Election of Administrator
- 6.- Election of President and Vice President
- 7.- Election of 3 Committee Members
- 8.- Wise Sat TV
- 9.- Proposals from the house owners
- 10.- Proposals from the Committee
- 11.- Any other business.

### Attendees:

Jorge Ramón Rodríguez García (8)  
Mariano Terrés Moreno (21)  
Soren Rasmussen (24)  
Noreen Florence Woods (25)  
Peter George Goodger (49)  
Michael Cunningham (50)  
Gary & Susan Gay (59)  
James Gibson McNeil (66)  
Arne Svein Toklum (83)  
Marja-Lisa Salonen (87)  
Thomas Francis McGillivray (88)  
Willi & Laila Skaara (89)  
Alf Ingvar & Elsie Bengtsson (91)  
David Henrick Jagintowicz (95)  
Dennis Henry Gould (100)  
Willi Skaara (101)  
Tor Kristian Holen (107)  
Johan & Els Brugmans (112)  
Kenneth Alan Smith (125)  
Terry & Susan Weston (128)  
David Joseph Smith (135)  
Risto & Liisa Villikari (139)

Total attendees..... 22

### Represented:

Hugo Jacobsen (1).....repres. by Soren Rasmussen (24)  
Neil Schofield (4).....repres. by Soren Rasmussen (24)  
Gerhard Donat Kauth (9).....repres. by Soren Rasmussen (24)  
Fco. De Miguel Hernando (13).....repres. by Soren Rasmussen (24)  
Kjell Oivind Larsen (20).....repres. by Soren Rasmussen (24)  
Hjoerdis Soby/Ole Magnus Soby (26).....repres. by Soren Rasmussen (24)  
Borre & Ragnhild Sollie (30).....repres. by Soren Rasmussen (24)  
Philip Hurlstone (38).....repres. by Kenneth Alan Smith (125)  
Vicente Sánchez Vilches (46).....repres. by Soren Rasmussen (24)  
Juan Rodríguez Gómez (47).....repres. by Soren Rasmussen (24)  
Barry Raymond Brown (51).....repres. by Michael Cunningham (50)  
John Daniel Peter Fisher (52).....repres. by Soren Rasmussen (24)  
Jaime Rodríguez de Torres (57).....repres. by Soren Rasmussen (24)  
Joan Bradley-Balmer (62).....repres. by David Perkins (135)  
Emile Corneel Morret-Trooskens (75).....repres. by Els Brugmans (112)  
Kjell & Jean Yden (79).....repres. by Willi Skaara (89 y 101)  
Faustino Villaverde Núñez (81).....repres. by Soren Rasmussen (24)  
Leif Goran Persson (93).....repres. by Soren Rasmussen (24)  
William Wilfred George Hyde (96).....repres. by David Jagintowicz (95)  
Manuel Guerrero Guillén (97).....repres. by Soren Rasmussen (24)  
Esteban Gorrochategui Álvarez (99).....repres. by Soren Rasmussen (24)  
Dag Engelsvoll (109).....repres. by Soren Rasmussen (24)  
Manuel Velarde Molero (115).....repres. by Soren Rasmussen (24)  
Celia Selles Corpa (116).....repres. by Soren Rasmussen (24)  
Britts & Eric Granryd (122).....repres. by David Perkins (135)  
José Ferrandiz Olcina (126).....repres. by Soren Rasmussen (24)  
Maureen Harris (129).....repres. by David Perkins (135)

Francisco Gutiérrez Gutiérrez (130).....repres. by Soren Rasmussen (24)  
Carl Porter (132).....repres. by David Perkins (135)  
David Smith (133).....repres. by Soren Rasmussen (24)  
Jorge Garijo Payo (136) .....repres. by Soren Rasmussen (24)  
Antonio Tomás Martínez Carri (138).....repres. by Soren Rasmussen (24)  
Javier Vicente García Car (144).....repres. by Soren Rasmussen (24)  
Lars & Ester Havso (152).....repres. by Willi Skaara (89 y 101)

Total represented.....34

The President opens the Meeting welcoming attendees and thanking them for coming. There is a counting of attendees and represented indicating in each case who is representing each property (as exposed above).

The Administrator explains a very important point regarding owners who have the right of vote in this AGM: due to no traspassing of documentation from the previous administrator of the owwner's bank account numbers some owners who normally pay by direct debit and always pay haven't paid their fees for August 2012. During the last months, and thanks to the effort in contacting everybody (without disposing neither of contact details from the owners), from the Administration and also from the Community Committee, we have eventually contacted and copilating details from most of the owners.

Even so, today's date, there is still a group of owners who we do not have yet their bank details. In this situation are the following properties: 10, 23, 27, 28, 32, 33, 37, 44, 45, 47, 55, 56, 57, 64, 65, 72, 78, 84, 85, 90, 99, 103, 114, 120, 124, 130, 131, 138, 146 and 148.

No way we can treat these owners as debtors, as they have always paid, and they only keep unpaid the 2<sup>nd</sup> semester 2012, and for reasons out of their control.

Therefore, and under the recommendation of the new Administrator, the Committee has decided not to avoid the right of vote to any of them in this Meeting, in case some is attending or represented.

## **1. MANAGEMENT REPORT.**

### **Debtors list**

Mr. David Jagintowicz complains that there are too many debtors and those should be treated as exactly that, and not giving the right of vote.

It is explained, once more, that no way this small group of owners with the 2<sup>nd</sup> semester outstanding for reasons out of their control will be treated as debtors, because they are not.

### **New web site**

Mr. David Jagintowicz complaints that the community web doesn't work properly because some submenus disappeared. The President explains, that to have a correct functioning it is better to use Internet Explorer, instead of Google Chrome.

### **Pools, paths and green areas**

No comments

### **New administrator**

Mr. David Jagintowicz, asks about the current legal situation regarding the previous administration. The current Administrator explains that the previous administrator were claiming amounts of money which are not acceptable for both the amounts and the concepts They were already paid their fees from the date of their dismissal, until the closing of the fiscal year of the community, this means, from May to July both included. Today's date, there isn't any denounce presented in Court from any of the parties.

### **Insurance company**

The President explains that we keep the same company, but we negotiated better conditions for a better price. Now the private pipes from properties are included, therefore we recommend owners, when negotiating their private insurances for their homes, to bear this in mind for obtaining probably a discount for not repeating covers. Questions about private insurance must be asked to La Torre Solutions S-L.

### **Wise TV**

Wise Sat TV will be discussed at the end of the Meeting

### **Building alterations**

The President explains that all these anomalies made by some owners have been now corrected, and all the modifications done are approved by the Committee, according to the rules in past meetings.

### **The garage**

The President explains that although they have been during years functioning as a separated community from the properties, in the general deeds of the community, the garages are block number 16 of community Zeniamar V. And they have decided to pay their correspondent coefficient of participation of 5,94% (the insurance fee).

### **Umbrella organisation**

The President informs that phase 4, 5, 6, 7, 8 and 10 have decided to have a common meeting twice a year to share experiences, achieve benefits and savings etc. The other phases will be invited to attend.

### **Gates**

This will be discussed as a separate item

### **New system for fines and penalties**

This will be discussed as a separate item

### **New bank account**

The community bank was changed because the new administrator has an agreement with the bank for zero commissions for maintenance and direct debit orders.

### **Grill Party**

The Committee explains the intention of celebrating another BBQ party on the 21<sup>st</sup> May 2013, but in order to avoid that some owners could feel unhappy for that, it was decided to vote about this BBQ should be done as community or as private.

It was decided unanimously to celebrate as a community.

## **2. ACCOUNTS FOR 2011/2012.**

Accounts are presented as exposed below:

### **C.P. ZENIAMAR V: SUMMARY OF ACCOUNTS FISCAL YEAR 01/08/2011 to 31/07/12:**

RESERVES at 01/08/2011.....	19.379,22 €
Bank Caja Murcia.....	12.356,34 €
Debtors.....	8.630,35 €
Owners advances.....	-1.607,47 €
INCOMES FOR BUDGETED FEES.....	65.676,42 €
Ordinary fees.....	63.461,06 €
Penalti 20% semest.....	715,36 €
Penalty 100 €.....	1.500,00 €
EXPENSES FISCAL YEAR AUG-2011/JUL-2012.....	-65.322,83 €
Sundry & repairs.....	14.124,42 €
Maintenance pool+garden+cleaning.....	19.859,44 €
Administration fees.....	8.019,53 €
V.A.T.....	1.443,48 €
Photocopies.....	56,00 €
Correos.....	186,69 €
Translations.....	126,00 €
Legal/judicial expenses.....	1.825,14 €
Community insurance.....	6.026,28 €
Comissions Caja Murcia.....	392,31 €
Comisisions Solbank.....	14,58 €
Electricity.....	7.228,40 €
Water.....	5.397,79 €
Expenses for regularizations.....	622,77 €
RESERVES at 31/07/2012.....	19.732,81 €
Bank Caja Murcia.....	294,97 €
Bank Solbank.....	17.207,10 €
Debtors.....	9.792,85 €
Owners advances.....	-2.489,47 €
Creditors.....	-5.072,64 €
AGM July.....	-523,04 €
Viv. Victor July.....	-1.671,18 €
Pentágono Apr-Jul....	-2.845,44 €
IRPF July.....	-32,98 €

An owner asks about the expenses for regularizations, and if this means that the community have “forgiven” the penalties to some owners. The Administrator explains that the community hasn’t forgiven penalties to any owner. Those regularizations are coming from corrections of irregularities

found in the debtors balance presented by Pentágono after checking with bank extracts and owners' bank statements of payments.

Those present vote, resulting the approval of the accounts unanimously.

The Administrator explains the situation of the different debtors of the community, dividing them in 2 groups:

-Debtors

-Owners with 2<sup>nd</sup> semester outstanding due to no traspassing of documents by previous administrator.

**LIST OF DEBTORS 04-11-2012:**

PROPERTY	NAME	DEBT
6	JUAN CARLOS GARCÍA CANO (Agreement payment by installments)	635,78 €
12	HANS ANDERS JOHANSSON (rejection of payment)	397,59 €
14	JOSÉ VALLEJO RUBIO (Agreement payment by installments)	1.374,68 €
39	MARK ANTHONY ROBERTS (Agreement payment by installments)	425,21 €
67	REPOSSESSED-IN PROCESS OF BEING REGISTERED BY BANK	1.925,23 €
74	ARVE RYEN & SOON ISOLASJONS (rejection of payment)	226,74 €
82	JULIÁN CRISTÓBAL ALONSO BERC (rejection of payment)	405,47 €
92	EDWARD & ANN MEEGAN	1.042,46 €
118	EUROPEAN VILLAGE AGENCY, S.L.	3.118,19 €
134	WIEGERSMA WILLEM FRITS	377,47 €
142	DAVID McDERMOTT (rejection of payment)	171,33 €
143	PAUL & JANETTE GREGG (rejection of payment)	178,26 €
	<b>TOTAL DEBT</b>	<b>10.278,41 €</b>
10	REZA ETEMAD	197,53 €
23	DAWN ELIZABETH CESTÓN	218,32 €
27	STAFFAN & ULLA AHLSTEDT	225,25 €
28	LESLIE ROBERT ALLISON	159,41 €
32	TORBJORN OSTRO	225,25 €
33	JEAN PAUL & CHRISTINE DECLER	308,42 €
37	MILES BROUGHTON & SUSAN LOMA	149,01 €
44	INGUNN WESTERGAARD	218,32 €
45	SAEMUNDUR GISLASON	200,99 €
47	JUAN RODRÍGUEZ GÓMEZ	176,74 €
55	REINHOLD & INGRID HOTING	197,53 €
56	BJARNE OLAV DYVIK	207,93 €
57	JAIME RODRÍGUEZ DE TORRES	311,89 €
58	AGUSTÍN MARTÍNEZ RUIZ	154,71 €
64	KEVIN PHILLIP MACK	169,81 €
65	PHILIP JOHN COPPOCK	218,32 €
72	FILIEP MAURITS CNEUT	159,41 €
78	ROBERTO SAN FRUTOS PÉREZ	214,86 €
84	NORSKPOST OG KOMMINSJONSFORBU	207,93 €
85	HARRY KRISTER OLAVI NYMAN	259,91 €
90	DANIEL PATRICK ONEIL	180,20 €
99	ESTEBAN GORROCHATEGUI ÁLVAREZ	176,74 €
103	JARI PETTERI APAÑEN	183,65 €
114	LUISA BERMEJO GÓMEZ	176,74 €
120	ROLF HJALMAR JENSEN	287,63 €
130	FRANCISCO GUTIÉRREZ GUTIÉRREZ	176,74 €
131	ERIC ÑACLE LAFITTE	176,74 €
138	ANTONIO TOMÁS MARTÍNEZ CARRI	263,37 €
146	ERIC LANZ & AGNETA LINDVAG	183,67 €
148	JAMES MARTIN HUGHES	177,16 €
35	SUSAN & JOHN WOOD	9,09 €
124	MICHAEL LOUGHNANE	100,96 €
127	ANTONIO PACO GIL	24,54 €
	<b>TOTAL OF OUTSTANDING UNPAID FEES</b>	<b>6.298,77 €</b>

**IMPORTANT NOTE:** If you see your name in this list, even if you think that you have payments by direct debit, it is not like this. Contact with our office immediately to give your bank details and contact details in order to solve the unpaid fees.

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

### **3. FEES FOR 2012/2013.**

The proposal is to increase the fees in a 3% because the VAT has increased this amount, and it was approved unanimously.

### **4. BUDGET FOR 2012/2013.**

Those present approve the budget by majority of votes, except owner from number 66 that considers that it should not be so much money spent in the garden maintenance. The approved budget is as it follows:

BUDGET FOR 2012-2013:	
Sundry & repairs.....	7.500,00 €
Maintenance pool+garden+clean.....	21.000,00 €
Admin. fees.+VAT.....	6.900,00 €
Photocopies+Correos.....	500,00 €
Community insurance.....	3.700,00 €
Electricity.....	8.600,00 €
Water.....	5.700,00 €
New gates.....	4.300,00 €
5% oblig. reserv fund.....	3.266,14 €

### **5. ELECTION OF ADMINISTRATOR.**

It is unanimously elected Mrs. María Jesús Sevilla Lizón (AGM Administradores) as Secretary-Administrator.

### **6. ELECTION OF PRESIDENT AND VICE PRESIDENT.**

It is unanimously elected Mr. Soren Rasmussen (24) as President, and Mr. Peter Goodger (49) as Vice President.

### **7. ELECTION OF 3 COMMITTEE MEMBERS.**

The owner from number 101 doesn't belong to the Committee no more, because he has recently sold his house.

Beside the 2 current Committee Members, it is also standing the owner from property number 13.

It is unanimously elected as Committee members the following owners: Willi Skaara (89), Hugo Jacobsen (1) and Francisco de Miguel Hernando (13).

### **8. WISE SAT TV (the item was discussed at the end of the meeting)**

Wise Sat TV is used to receive English TV instead fog each b user having his own satellite dish. Basically it is not any concerns of the community but it is the user's responsibility.

The Vice President explained what has happened in the past and the committee's attempt to create a system where the users pay to a kitty to be used to pay for repairs. The idea is that the users pay 40 € and when that money have been used they pay again. Of course there will be a special account for that

The interest to pay 40 € to at kitty has only been little because only 12-14 users have paid until now.

The President and the Vice President have had a meeting with John from Wise Sat TV and the conclusion now is as follows:

-The 40 € is not a yearly payment. When paid once and the money in kitty are user they must pay again

-For those who pays the 40 € into a kitty the money will we used to pay their share for repairs of the Wise Sat TV system

-The owners who don't pay the 40 € will be invoiced individual from Wise Sat TV and they will also have to pay a "calling out fee" of 60 € each.

-If they don't pay the invoice to Wise Sat TV this company will be allowed to cut off their connection. If they want to be reconnected they must pay for it.

-In the future the community will get 50 € of the initial payment of 300 € from new users. This money will be put into the kitty. New users must subscribe to the common system (= must pay the 40 €)

-There is no "one year free warranty" for new owners.

### **9. PROPOSALS FROM THE HOUSE OWNERS.**

With 30 votes for and 26 votes against it is decided to change the time for the next AGM from October to August. Next AGM will be held on Friday 30<sup>th</sup> August 2013.

## **10. PROPOSALS FROM THE COMMITTEE.**

### **New system for fines and penalties:**

The proposal substitutes the current system of applying the 20% and the 100 €, for the following system:

-debts at 1<sup>st</sup> September and 1<sup>st</sup> March (1 month late), they will receive a letter, and if not paying within 1 week, will be fined with 50 €.

-debts at 1<sup>st</sup> October and 1<sup>st</sup> April (2 months late), they will receive a registered letter, and if not paying within 1 week, will be fined with another 100 €.

-debts at 1<sup>st</sup> November and 1<sup>st</sup> May (3 months late), they will receive a burofax and if noth paying within 1 week, we will iniciate the legal actions against.

The proposal is approved with a majority of 41 votes in favour.

### **Change of the internal rules**

To accept walls and balaustrades in the boundary areas between gardens, as soon as they sep the existing aesthetic and if both owners agree.

To accept balaustrades and fences in the perimeter walls (the ones that face the exterior of the community), as soon as they are in white colour.

The proposal is approved by unanimity.

### **Change or improve the community gates:**

The existing gates are not fulfilling with their function for being to low, and as being anchored to the walls instead of to the floor, this is causing damages at the walls.

After the voting, it is approved by majority of 44 votes for and 2 against to change the gates according to option 3. (to change all the doors for taller ones, web anchored, with spikes on top, and access by special keys. If the budget is not allowing to realice this in one year, it will be done in two, but no extra fee is requested, but to do it from the community funds as soon as available.)

An owner proposes to install a gate/door at the mail boxes house. It is decided to delegate to the Committee, to do it if factible, after asking for the correspondent quotations.

## **11. ANY OTHER BUSINESS.**

\*There are complaints from some owners about the distribution and use of the bin containers for organic and recycling placed behind the Commercial Centre. There are also complaints people accumulate al green rests there, outside the bins.

There appeared different views and suggestions but the problem is that no one wants these bins and piles of garden rubbish “outside their door”

The Administrator emphasized

-That according to existing normative there must be bins near restaurants

-That bins are public and not owned by the phases or community

A possible solution could be to ask the Town Hall to get 2 pruning bins, to be put in Pino Piñonero street, in the area where ends phase 4 and there is an empty land. At the same time we could put a big sign on the wall behind the green containers telling where you have to leave your garden waste and the phone number you have to call to get rid of furniture’s, washing machines etc

Some owners want to ask to the Town Hall for a couple of “sleeping policeman” with zebra crossing at Pino Piñonero street, so we will send a petition to the Town Hall.

\*There is another proposal from owners about installing Internet service at the community. We will ask for quotations, and contact and inform owners, to see if the proposal is of general interest, if there are enough owners to be viable.

And with no further issues to discuss, the President closes the meeting being 15:00 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  
SOREN RASMUSSEN

THE SECRETARY-ADMINISTRATOR  
MARÍA JESÚS SEVILLA LIZÓN