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

In Orihuela Costa, at 10:30 hours on Thursday 22nd of September 2022, duly called in time and format by the President Mr. David Agnew (Gus), and with Mrs. María Jesús Sevilla Lizón acting as Secretary-Administrator, met in the Tamesis Bar, C/ Del Mar nº 8, Orihuela Costa, 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-2021/July-2022. Approval of certificates of debt.
- 2.- Presentation and approval, if the case, of the budget of ordinary expenses for the year August-2022/July-2023 and fees. (Proposal to increase the ordinary budget and fees with 10%)
- 3.- Restructuring work on the attic facade of Block C to avoid possible landslides and installation of expansion joints. The work will be paid from the community funds. (See attached voting form)
- 4.- Election of officers.
- 5.- Any other business.
- 5.1.- Reminding of procedure to follow regarding modifications-extensions.
- 5.2.- Reminding to respect community rules. Responsibility owners for renting their property. Information about the new regulation regarding holiday rentals.
- 5.3.- Date for the next AGM.

### Attendees:

Name	House
David & Patricia Agnew	Bajo B nivel C (10)
Denis Gerard & Veronica Esther Hassett	2ºB nivel A
Boseen, Ib Rigelso & Bente	3º B nivel B
<b>TOTAL</b>	<b>3</b>

### Represented :

Name	House	Represented by:
Sareb	Bajo A nivel A	AGM Administradores
Sareb	Bajo B nivel A	AGM Administradores
Sareb	Bajo D nivel B	AGM Administradores
Sareb	1º A nivel A	AGM Administradores
Sareb	1ºB nivel B	AGM Administradores
Sareb	1º C nivel A	AGM Administradores
Mark & Janet Michelle Herbertson	Bajo A nivel C	AGM Administradores
Sareb	1º A nivel B	AGM Administradores
Ranón Duran Hurtado y Mª Carmen	1º C nivel B	David Agnew (Bajo B nivel C)
Sareb	1º D nivel B	AGM Administradores
Sareb	2º A nivel A	AGM Administradores
Sareb	2º C nivel A	AGM Administradores
Sareb	1º A nivel C	AGM Administradores
Gerard & Alice Heffernan	1º C nivel C	David Agnew (Bajo B nivel C)
Sareb	2º A nivel B	AGM Administradores
Sareb	2º B nivel B	AGM Administradores
Sareb	2º C nivel B	AGM Administradores
Sareb	2º D nivel B	AGM Administradores
Denis Todd	3º A nivel A	David Agnew (Bajo B nivel C)
Sareb	3º B nivel A	AGM Administradores
	2º A nivel C	David Agnew (Bajo B nivel C)

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Martha Flynn		
Sareb	2° B Nivel C	AGM Administradores
Sareb	2° C nivel C	AGM Administradores
Sareb	2° D nivel C	AGM Administradores
Sareb	3° A nivel B	AGM Administradores
Sareb	3° D nivel B	AGM Administradores
Flynn, Martha & Brian Patrick	3° A nivel C	David Agnew (Bajo B nivel C)
John & Linsey Clenaghan	3° B nivel C	David Agnew (Bajo B nivel C)
Lose L. Ruiz Arjonilla	3° C nivel C	David Agnew (Bajo B nivel C)
Childs, Sarah	3° D nivel C	David Agnew (Bajo B nivel C)
<b>TOTAL</b>	<b>30</b>	

The President opens the session, thanking everyone for attending and proceeding to read a short report explaining the following points:

**- Sareb**

The company has paid all the accumulated debt just after the last meeting that was held in 2019. Also, they have already put up for sale the 21 properties that they have under their ownership, so if a neighbor is interested, they can get in touch with the president to receive more information.

**- Company in charge of cleaning the stairs**

Atlantir had relaxed and several visits in the community and cleaning services have been skipped. As a consequence, several quotations have been requested from other companies, but the price received was much more expensive than what is being charged with the current one. Therefore, a final touch has been given to Atlantir and after monitoring in recent months, they are complying with the contracted services.

**-Septic tank**

In the last year there had many problems with the septic tank in the community. Some neighbors have thrown wipes and plastic bags and as a result, both tank pumps have been damaged. As of today, the community has 2 larger pumps and is expected to have no problems. Even so, due to the large investment made by the community due to the very high cost of the work, all residents are asked to take responsibility and respect the community facilities.

**- Intercom system**

The president asks the owners, if anyone continues to have problems with the intercom system, to contact him or the administration.

The President also asks the neighbors to participate more in decision-making and communications sent, since for this meeting, even with a reminder sent, few have shown interest in participating, in person or by proxy.

After presenting the points indicated above, the different points on the Agenda were discussed:

**1.- PRESENTATION AND APPROVAL, IF THE CASE, OF THE ACCOUNTS FOR THE EXERCISE AUGUST-2021/JULY-2022. APPROVAL OF CERTIFICATES OF DEBT.**

**SUMMARY OF ACCOUNTS from 01/08/2021 til 31/07/2022:**

**RESERVES at 01/08/2021 ..... 105.988,10 €**

Bank.....101.200,48 €

Preisnet's petty cash.....517,55 €

Debtors.....10.880,00 €

Owners advances..... -6.580,00 €

Creditors (Hacienda)..... -29,93 €

**+INCOMES FOR BUDGETED FEES.....+24.000,00 €**

**-EXPENSES YEAR AUG-2021/JUL-2022.....-28.974,93 €**

(See detail attached)

**=RESERVES at 31/07/2022.....=101.013,17 €**

Bank.....96.887,12 €

President's petty cash.....537,47 €

Debtors.....12.000,00 €

Owners advances..... -8.380,00 €

Creditors (Hacienda)..... -31,42 €

Attendees are reminded that in the covid period, although meetings have not been held, information on the closing of accounts, details of expenses, list of debtors and any relevant community information has been sent to all owners.



It was explained to the attendees that the community has a very good balance, with a very healthy account, since Sareb has paid all the accumulated debt of the 21 properties. The community has ended up with a 5.000 € less in both reserves and bank balance. The balance in the bank represents the real amount available, while the reserves represent a theoretical amount, that is, what the community would have at its disposal if all debtors would pay their outstanding amounts and if the community had all invoices, contracts and services paid. However, the small deficit does not mean something negative, but rather that work has been carried out in the last 2 years that has been paid for from community funds without holding a meeting in which to propose and authorize an increase in fees that adapts the community to the real level of expenses and operation.

After some questions and the appropriate clarifications, those present unanimously approved the accounts for the 2021-2022 financial year.

Related to debtors, the following table is attached:

**DEUDORES a 20-10-2022:**

<b>BAJO B NIVEL B – PAULA JANE &amp; STEPHEN HALL.....</b>	<b>6.300,00 €</b>
<b>3°C NIVEL B -SABADELL SOLVIA.....</b>	<b>6.300,00 €</b>
1°C NIVEL A – SAREB.....	300,00 €
2°B NIVELB – SAREB.....	300,00 €
2°D NIVEL B – SAREB.....	300,00 €

It is explained to the attendees that the situation has improved significantly, as of today, only 2 properties with debts, the same ones belonging to the banks, but they are not yet registered in the Land Register Office. The administration is trying to negotiate with the banks but in these cases, it is recommended to be patient. As there is no new registered owner, legal action cannot be initiated. The bank, if not now, when selling the property, will have to pay the corresponding debt.

It is unanimously approved the outstanding debts of these properties, and will be communicated by the Secretary. Owners authorize 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-2022/JULY-2023 AND FEES. (PROPOSAL TO INCREASE THE ORDINARY BUDGET AND FEES WITH 10%).**

**ANNUAL BUDGET OF EXPENSES AUGUST-2020/JULY-2021:**

POOL, GARDEN, CLEANING MAINTENANCE.....	4.878,72 €
PALM TREES PRUNING.....	250,00 €
2 LIFTS + TELEPHONE.....	1.960,20 €
ADMINISTRATION.....	2.896,80 €
INSURANCE (extended policy).....	1.543,62 €
BANK COMMISSIONS.....	100,00 €
ELECTRICITY.....	2.000,00 €
WATER.....	1.000,00 €
SUNDRY.....	8.170,66 €
5% RESERVE FUND (conntingency).....	1.200,00 €
<b>TOTAL.....</b>	<b>24.000,00 €</b>

**Current fees:**

1 <sup>st</sup> Semester August-2020/January-2021.....	300 €
2 <sup>nd</sup> Semester February-July-2021.....	300 €

**Proposed fees:**

1 <sup>st</sup> Semester August-2022/January-2023.....	330 €
2 <sup>nd</sup> Semester February-July-2023.....	330 €

The attendees are informed, as informed in the summons, that the proposal for this year is to increase both the budget and the ordinary fees with 10% in order to adjust the community to the real level of expenses, since there is a gap of 5.000 € between the funds received and the funds spent. All services and contracts have increased in price-insurance, electricity (compared the September 2022 bill with that of September 2021, the amount of the same has doubled in a single year), water, etc. And inflation has reached a historic level of 10,5%. The



community has funds but cannot absorb all the increases in community funds, because they would decrease considerably, especially considering the urgent and pending work to be done.

Although the general opinion of the owners is in favour of the increase, Sareb continues to have the majority in the community and they have expressed themselves before the Meeting, in the proxy form, that they are against the increase.

Therefore, after the corresponding debate, the increase of 10% of the budget and ordinary fees is put to a vote, and it is rejected by a majority of votes.

The same increase will be presented again next year. At today's Meeting, the fees remain as follows:

**FEES AND PERIODS OF PAYMENT:**

1 <sup>st</sup> Semester August-2020/January-2021.....	300 €
2 <sup>nd</sup> Semester February-July-2021.....	300 €

We remind owners the bank details of the community for those who do not pay by direct debit:

**SABADELL: ES26 0081 0542 18 00 0131 8632**

(Please, do not forget to indicate your name and house number when doing the payment).

**3.- RESTRUCTURING WORK ON THE ATTIC FACADE OF BLOCK C TO AVOID POSSIBLE LANDSLIDES AND INSTALLATION OF EXPANSION JOINTS. THE WORK WILL BE PAID FROM THE COMMUNITY FUNDS.**

See the president's report attached below:

*From September 2021, myself and AGM had several builders and architects visit Estrella to assess the best way to complete the renovations and repairs, prepare quotes for the building repair work, give a timescale to complete the work and to guarantee the completed work.*

*So far, due to the extent of the damage, only one builder is suitable and able to complete this type of repair and to fully repair the faults correctly and safely and within an acceptable time frame and with a 10 years warranty.*

*I propose that due to the costs and time scale involved that we only renovate block C first which is most in need of repair due to its major cracks and crumbling facade. These repairs are extremely urgent to be carried as soon as possible in order to prevent any safety hazard.*

*The quoted cost of this building work is around 27,000 euros to date, inclusive of architect's fees (this might be subject to variations due to inflation and the increasing price of materials).*

*If the majority of owners agree to continue, this work could be scheduled to start at the end of December of 2022/ beginning of January 2023- depending on the weather conditions.*

*The repair work will consist in removing the row of tiles near the exterior wall of the top floor of Block C, installing expansion joints all around the perimeter, and 2 L shaped iron bars in each joint between the exterior top wall and the perpendicular ones in order to avoid future movements and cracks.*

*We kindly ask you to please, if you have any comments or feedback on the above presented, to let us know.*

*Once the repair work is completed, I would also like to plan the repainting of the entire building, stairwells, lifts, metalwork and outside perimeter walls and gates. Again, quotes will be requested for this work and we can decide on a color scheme etc; at a later date.*

It is emphasized, before proceeding with the vote, of the following: the works that are proposed are directed only to Block C, since it is the most damaged and where there is the greatest risk, and does not include any work on the aesthetics of the facades. The aesthetic part of the work, fixing the facades and painting will be dealt with, if funds allow, next year. The proposal will be presented with a fixed price (which to date ranges from 40.000 € to 50.000 €) and will be voted on at an extraordinary meeting.

It is also indicated that, after the architect's visit to the community, damage was detected in house No.34, which has community causes, and repairing the aforementioned is the community's obligation. Such a repair will increase the quoted price a little, but not noticeably. It is also reported that the cost of the minor building license will be added to the final price of the work, which by law must be requested from the Town Hall, the amount being approximately of 1.500 €.

After submitting to a vote, the restructuring work on the facade of the attic of Block C to avoid possible landslides and the installation of expansion joints was unanimously approved.

With the company that will be in charge of the work, a contract will be signed in which the final cost, start date and end date that must be met will be indicated, in the absence of weather that can cause delays.

The president reports the following: **the work will start in February and will take 2 months to be completed, months in which, for security reasons, the parking lot and the entrance gate above, where Block C, will be**



closed. Owners will have to use, while the works are carried out, the parking lot and the entrance door down the street, at the end of community.

#### **4.- ELECTION OF OFFICERS.**

Owners express their wish of Gus Agnew to continue in the position of President, so he stands, being unanimously re-elected.

And for the position of Secretary-Administrator, the administrator asks if owners have any other proposal, being none, therefore it is also unanimously re-elected MARÍA JESÚS SEVILLA LIZÓN - AGM Administradores.

Being the management board of the community for the year 2022/2023 as it follows:

PRESIDENT: GUS AGNEW (Nº10)

SECRETARY-ADMINISTRATOR: Mª JESÚS SEVILLA LIZÓN (AGM ADMINISTRADORES).

The president thanks the administration for the help provided in recent years, especially during the time of Covid, and for the good work done in the community.

#### **5.- ANY OTHER BUSINESS.**

##### **5.1.- REMINDING OF PROCEDURE TO FOLLOW REGARDING MODIFICATIONS-EXTENSIONS.**

We remind the information given in the previous general meetings regarding property modifications and the steps to be taken for extensions / modifications:

Once the corresponding urban planning license is obtained from the Town Hall, the Community by this means, and through this Board, will give permission to all owners to extend their property, provided that it is in accordance with the aesthetics of the community, and that they facilitate the Committee / Administration well in advance the description of the work that is planned to be done.

The foregoing does not constitute "carte blanche". Each request will be submitted to the Committee for individual evaluation, even in the case of a modification already made by another owner, and hoping to obtain a positive response.

The Administrator also clarifies that in case of sale of the property, the Notary now requests: a certified approval from the Administrator, and will also have to pay the corresponding price to declare the new useful square meters after the extension / modification. And it will be essential that the modification be included in the Community Minutes Book. This is why the Community will ratify and include in the Minutes those approvals granted during the year.

##### **5.2.- REMINDING TO RESPECT COMMUNITY RULES. RESPONSIBILITY OWNERS FOR RENTING THEIR PROPERTY. INFORMATION ABOUT THE NEW REGULATION REGARDING HOLIDAY RENTALS.**

A reminder of the community regulations is made:

##### *RULES AND REGULATIONS*

*Art 1 - These common elements will be used in accordance with the provisions of the regulations and the General Meeting. In the absence of agreement on a specific point, they will be used according to the destination and with the diligence of a good parent and the referral to the rules of current legislation.*

*Art 2 - House owners and occupants must ensure that peace and quiet is maintained within the urbanization. For this reason, they have to avoid any kind of disturbing noise e.g., loud music or general loud speaking. Any sound reproducing device such as the use of a radio and television must be adjusted in such a way that its effect does not go beyond the apartment or disturb persons in communal areas.*

*Art 3 - It is prohibited to park vehicles in parking spaces that are not your property.*

*Art 4 - All residents must look after the cleanliness and appearance of the urbanization. Consequently, it is forbidden to throw or leave objects, papers or any kind of general waste in community areas or into private properties within the urbanization.*

*Art 5 - Rubbish must be deposited in the containers provided by the council, outside the community, respecting the hours of collection.*

*Art 6 - It is FORBIDDEN to use the WC to discard of food remains, intimate hygiene products (compresses, tampons etc.) diapers, wipes or wet wipes etc... These products can damage or block the septic tank system.*

*Art 7 - House owners are obliged to maintain their properties and keep private installations in good condition so that they do not affect the Community or the rights of any other house owners. They will be responsible for any damage caused by their own negligence or the negligence of any person for who they are responsible.*

*Art 8 - Each owner/guest is responsible for their children when within the urbanization and in the pool area. They must watch over them and take care of them, exempting the Community from any responsibility for any incident.*



*Art 9 - It is totally forbidden to organize parties after 12 midnight. Noise levels must be kept to a minimum between the hours of 12 MIDNIGHT and 8 AM.*

*Art 10 - Pets must be kept according to legal regulations, and kept on a lead inside the residential area and on a public way. Dangerous animals have to wear a muzzle. In addition, the excrement caused by pets must be cleaned and removed.*

*Art 11 - DO NOT.... feed the feral cats inside the Community.*

*Art 12 - Ball games and other activities such as riding a bicycle, skateboards etc., which may cause inconvenience to other people or damage to property, are not allowed in community zones.*

*Art 13 - We remind all house owners that any modification to the exterior of their properties (color, conservatories, glass curtains, sheds, air-con, etc.) must have the permission and the authorization of the community in a general meeting. If not, the President and the Administrator will take the necessary legal actions against the owner.*

*The installation of awnings is prohibited.*

## POOL REGULATIONS

*OPENING HOURS..... 8 AM TO 10 PM.*

*Art 1 - By a majority vote, the swimming pool will remain open all year.*

*Art 2 - Only suitable swimwear should be worn, clothes not intended for this purpose are prohibited. Babies and small children should bathe with a suitable swimsuit to prevent defecation in the pool. It is mandatory to shower before entering the pool. It is forbidden to use shower gel or shampoo in the showers of the pool.*

*Art 3 - It is strictly forbidden to bring food or drink items to the pool enclosure, plastic bottles with water are allowed..... YOUR rubbish items MUST be taken home once finished at the pool area!*

*Art 4 - Pets are PROHIBITED in the swimming pool area.*

*Art 5 - It is forbidden to run in the pool area and to jump into the water disturbing other pool users.*

*Art 6 - Large inflatables are not allowed in the pool, small inflatables are allowed for children and people who do not know how to swim. Children under 12 must be accompanied at all times by an adult in the pool area.*

In case of non-compliance with the regulations, any owner can and must call the attention to those who cause problems.

In the event of a behavior problem with a tenant or owner, or if aggressiveness is reached, it is better to contact the Local Police directly, (mobile patrol phone: 649900304).

The Administrator explains that there are two regulations for renting:

1. The first regulation is valid for all owners and tenants and implies the obligation to register their details to the competent authorities, on the website of the Ministry of Tourism. You can use the following link for more information: [www.turisme.gva.es](http://www.turisme.gva.es) (Click on "tourist homes" there is information on the obligations and rights of the owners who rent their homes).

2. The second regulation is regarding holiday rental. In this case, the communities have the power, with a majority of 3 fifths, to limit the conditions of the holiday rental much more: they can prohibit or limit it, with a growth of up to 20% on their fees.

At the moment, in the community, there are no problems with the holiday rental and none of the options presented will be proceeded with, but the Administrator considers it appropriate to inform today what the options are, in case, in the future, some of the homes that Sareb has put up for sale could be purchased and used for this purpose.

### **Any other business:**

-The president proposes the hiring of a company that will be in charge, on a monthly basis, of the maintenance and revision of the septic tank and the pumps and emptying, if necessary. The monthly maintenance price would be 80 € and the emptying would be paid separately. They will keep records and present a report detailing the state of the facilities so that, in the event of a breakdown, comparing the date of the breakdown with the list of owners present in the community, they can easily identify the responsible.

After submitting to a vote, the contracting of a company dedicated to the maintenance of the septic tank and the pumps is unanimously authorized.

It is indicated, related to the septic tank, that an attempt has been made to initiate procedures to connect the community to public drainage pipes. To this end, an employee from the administration office, the president and an engineer from Hidraqua have met in the community. The engineer has commented that, in order to solve the problem, it is necessary to dig under the private properties that adjoin Estrella until reaching the main street. The

community cannot initiate this kind of works since the price would be very high, but the administration will continue insisting with Hidraqua.

-The following notices are made to the owners:

**Make sure you use only one parking space and that said parking is yours, and not your neighbor's.**

**For security reasons, all residents are asked to check that, after use, the community entrance doors remain closed.**

**5.3.- DATE FOR THE NEXT AGM.**

The General Meeting for next year will be celebrated on Thursday, 21<sup>st</sup> of September, 2023.

And with no further issues to discuss, the President closes the meeting being 11:30 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