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ANNUAL GENERAL MEETING OF THE RESIDENCIAL LOS EUCALIPTOS DE LOS ARQUEROS COMMUNITY OF OWNERS

In Benahavis, on the 9th February 2013 at 14.30.p.m., starts the Annual General Meeting of the Residential Los Eucaliptos de Los Arqueros Community of Owners in NH de San Pedro de Alcántara, in second call as established by the law 8/99 of the 6th April 1999 of Horizontal Property.

The session starts with the following presents or represented:

PRESENTS	**COEFFICIENTS %**
Mr. Willem Van Der Molen, Bl.3-6, G.13, T.17	1,138%
Mr.& Mrs. Coyle, Bl.5-2, G.22, T.30	1,246%
Mrs. Danielle Jansens, Bl.5-6,G.21,T.29	1,143%
Mrs. Nicola Vieira Rodrigues, Bl.7-6, G.47, T. 41	1,000%
Mr. Alan. Ayres, Bl. 8-3, G.43, T. 45	1,261%
Mrs. Jannette Woodhouse y Mrs. Lynn Jackson, Bl.9-6, G.51,T. 54	1,16%
Mr. William Rees Bl.10-1,G.55,T. 57	1,027%
Mrs. Nicola Whelan, Bl.13-5, G.79, T. 79	0,995%
Mr.& Mrs. John F. & Maureen Hay, Bl.9-5, G.52, T.53	0,960%
Mr. Ettienne Dreesen, Bl.10-5, G.57, T.59	1,010%
Mrs. Mary McDonell, Bl.11-6, G.59, T.66	0,972%
Mr . Daniel Bóveda Tejada, Bl.15-4, G.87, T.82	1,106%
Mr.& Mrs. Teresa & Stephen Dix, Bl.1-6, G.2, T.5	1,160%
Mr.& Mrs. Fco. Javier & Larraine Fdez. Rodiño, Bl.2-3, G.8, T.8	1,105%
Mr. Graham Francis Bowden Bl.3-4, G.10	1,035%

Mr. Enrique Prieto (Encino del Puerto, S.L.), Bl.15-5, G.85, T.86 1,161%

Mrs. Ana Muñoz and Mr. Carlos Díaz as Secretary-Admistrator; and Mrs. Ana Espinosa assistant.

Mr. Kent as translator.

TOTAL COEFFICIENT VOTES PRESENTS **17,479%**

OWNERS DULY REPRESENTED	**COEFFICIENTS**
• Mr. Thomas Rees, represents to the following owners:	
Mr.&Mrs. Beijerbergen, Bl.2-1, G.29	1,235%
Mr.&Mrs. Scaife, Bl.2-6, G.7, T.9 y 12	1,018%
Mr. Per Johansen, Bl.3-3, G.26	0,906%
Pallet Fstighetsförvaltining I Linköpin, Bl.5-1,G.19, T.27	1,445%
Mr. Ole Hansen y Sra. Vera Westlesen, Bl.5-3, G.23, T. 25	1,245%
Mr. Graham Holt, Bl.5-5, G.20 , T.28	1,154%
Mr. Shamil Naoum, Bl.7-3,G.46, T.37	1,094%
Mr. Jeremy Gordon y Sra. Lynn Thompson, Bl.7-5, G.37, T.42	1,165%
Mr.&Mrs. Williams, Bl. 8-6, G.41, T. 47	1,159%
Mr.&Mrs. Skarland, Bl.9-1,G.54	0,880%
Mr. Andrés Roldán, Bl.9-3,G.50,T,51, Garaje 28	1,016%
Mr. Mohamed Lotfy & Mrs. Mercedes Gómez B.9-4,G.53,T. 49,50 y 55	1,317%
Mr. Nicholas Williams y Sra.Jane Coglan, Bl.10-4, G.74, T. 56	0,896%
Mr.&Mrs. Stuart, Bl.11-4, G.73, T. 64	0,978%
Mr. Thomas Cook, Bl.11-5, G.60, T. 65	1,166%
Mr.&Mrs. Cane, Bl. 13-6, G.78, T.74	1,133%
Mr.&Mrs. Mackay, Bl. 14-1,G.89, T.78	0,968%

Mr.&Mrs. Colin D. & Andrea L. Bell, Bl.14-3, G.81	1,064%
Mr.&Mrs. David Barrington & Ann-Marie Jefferys, Bl.15-2, G.83, T.83	1,161%
Mr.&Mrs. Michelle & Docherty Logie, Bl.15-6, G.84, T.85	1,166%
Mr.&Mrs. Paul & Ella Beijerbergen, Bl.2-1, G29	1,235%
Mr.&Mrs. Daniel & Vanessa Lavery, Bl.3-1, G.11, T.15	1,062%
Mr.&Mrs. Jaap & Rath C. Van den Bosch, Bl.3-2, G.27, T.14	1,257%
Mr.&Mrs. Steen & Britt van Hauen, Bl.6-3, G.32, T.33	0,938%
Mr.&Mrs. Gary & Jane Underwood, Bl.6-6, G.33, T.35	1,159%
Mr.&Mrs. Andrew & Karen Jackson, Bl.10-6, G56-, T.60	0,980%
Mr. Diego Montero García, Bl.5-4, G.18	1,024%
TOTAL VOTES REPRESENTED BY MR. REES	**29,821%**

- Mr. Alan Ayres represents to the following owners:

Mrs. Shona Staunton, Bl.8-1, G.45, T.43	1,396%
Mr. Alan Harris & Mrs. Susan Harris, Bl.9-2, G.76, T. 52	1,336%
TOTAL VOTES REPRESENTED BY MR. AYRES	**2,732%**

- Mr. Enrique Prieto, represents to the following owner:

Mrs. Pilar Varó Alcalá-Zamora, Bl.13-2, G.92	1,198%
TOTAL VOTES REPRESENTED BY MR. PRIETO	**1,198%**

- Mr. van der Molen, represents to the following owner:

Mr. Ralph Bodenehr, Bl.4-5, G.15, T.24	1,165%

TOTAL VOTES REPRESENTED BY MR. VAN DER MOLEN 1,165%

- Mrs. Margareth Harrison, represents to the following owner:

Mr. Peter Harrison, Bl.7-1, G.38, T.39 1,214%

TOTAL VOTOS REPRESENTADO POR LA SRA. HARRISON 1,214%

TOTAL VOTES PRESENTS O REPRESENTED……. 53,609%

AGENDA:

1. President's report.
2. Presentation and approval of the accounts 2012 and extra fee to cover deficit accounts 2012.
3. Approval of the budget from 1st January until 31st December 2013.
4. Approval of an extra penalty charge of 100% to those owners who have a unpaid debt up to the end of the year.
5. Election of President and Vice-President for 2013.
6. Election of Administrator for 2013.
7. Approval for debtors list and action to be taken.
8. Approval painting fund to start the interior communal areas in 2013.
9. Proposal from Mr. Van Der Molen (owner of B3-6) to use and limit the proxies votes.
10. Date for next AGM.
11. Any other business

Signed: Mr. William Rees (President)

1.- PRESIDENT REPORT.

After having counted votes from attendees and represented, we start the session.

Mr. Rees, President of the Community welcomes to the attendees.

Mr. Ayres, the Vice-President also welcomed to attendees and commented that last year has been a very difficult time, that we have finished the year with deficit even not having funds enough to pay supply bills in the last quarter; we expect to pay them in January when January – March 2013 community fees are charged to owners, but this situation is causing problems in Los Eucaliptos.

Mr. Ayres also informed about some issues discussed in the last EUC Los Aguilares AGM held last February the 8h to which he attended in representation of Los Eucaliptos Community of Owners both he and the President, that is the reason why the budget was sent in the last moment just to have accurate figures; and he pointed out as follows:

The following issues were remarked:

1º Security is hired by EUC Los Arqueros who has a contract signed with Casesa; two years ago, EUC Los Aguilares decided to sign its own contract but the cost for a 24 hours service was excessive then after negotiating with EUC Los Arqueros, we share the same contract with a coefficient of 28% in total.

we tried to reduce that coefficient with Los Arqueros or look for a less expensive security company; but as the contract is between Casesa and Los Arqueros, we have no option, we go on as until now, or we can contract our own services but the cost as mentioned before would be very high.

Mr. Rees would like to thank Mr. Ayres for all his hard work during this period.

Mr. Muñoz said that Minutes from EUC Los Aguilares general meeting will be sent to Los Eucaliptos owners as soon as we receive it.

2.- PRESENTATION AND APPROVAL OF THE ACCOUNTS 2012 AND EXTRA FEE TO COVER DEFICIT ACCOUNTS 2012.

Mr. Carlos Díaz informed that comparative accounts, balance and expenses explanation report were sent to all owners both in Spanish and English.

The exceed entries have been mainly due to great number of reparations in the irrigation system broken down we have suffered this year and also, a few reparation in the receptor for both aerial and the sky reception.

Mrs. Muñoz explains to attendants that although most of the entries are around the estimated, the exceed ones have been caused by VAT increase to 21%.

Also, mentioned that electricity and water supply have been over budgeted. Tariff have increased and in the case of water, we have to say that last summer was very dry but we are always checking the irrigation system avoiding leaking and in the winter when the weather is more humid watering with irrigation is reduced.

As we have exceed in expenses during 2012, and up to date, there is a few supply companies that have not been paid like the cleaning and the gardening company from December and the Administration since September; we should approve an extraordinary fee to afford the over budgeted, or we could use part of the approved extraordinary painting fee to be paid in this

year for the amount of 25.000€. In case we use the painting fund for this purpose, we will have to postpone painting works in interior of building for next year. Another option would be to increase community fees this year.

Some owners commented that fees are quite high and cannot afford the increase of them and consider postponing the painting works in buildings one year more.

Attendants were asked for any doubt about accounts in 2012.

No having any question or doubt, it was proceeded to vote and accounts were approved unanimously without the approval of extra fees, but using part of the 25.000€ painting fund for 2013 to cover overspent in 2012.

3.- APPROVAL OF THE BUDGET FROM 1ST JANUARY UNTIL 31ST DECEMBER 2013.

Mr. Carlos Díaz explained that a Budget proposal of 237.405€ was sent for 2013 once we have known the fees for the EUC Los Aguilares entry which meeting was held the day before and also, including the extra cleaning, re-grouting and change the filter sand in children's pool in phase II as agreed last year.

Owners want the administration look for better options or renegotiate prices with the current companies we are working , trying at least, a reduce of 10%; and for next AGM bringing quotations from several companies in order to compare tariffs.

Also, it was proposed to reduce the electricity inspection in the community from monthly as done until now to weekly inspections which would save cost.

Regarding cleaning service, a working hours reduce was proposed but finally and after votes, it was not approved to reduce this service in hours.

Daniel Bóveda insisted in look for better prices in lifts services for 2014, and once the contract with the current company expires proceed to change of company; doing the same with the insurance company.

Not having more question, the Budget for the amount of 237.405€ in 2013 was approved unanimously.

4.- APPROVAL OF EXTRA PENALTY CHARGE OF 100% TO THOSE OWNERS WHO HAVE A UNPAID DEBT UP TO THE END OF THE YEAR.

It was proposed a penalty of 100% of the debt to those debtors that at the end of the year have fees pending of payment; it could be approved but legally, there is a limit for late interest of 32% and in case of overpass that limit any owner could impugn it. It was proceed to vote and penalty of 32% to be imposed at the end of the year was approved unanimously.

5.- ELECTION OF PRESIDENT AND VICE-PRESIDENTS FOR 2013.

Once again, Mr. Rees was presented for the President positions, but Mr. Ayres did not want to present his candidature for Vice-President anymore; he invited other owners who are interested to do it and following his suggestion, Mr. Coyle owner in B5-2 and Mr. Bowden owner in B3-4 presented their candidature for the post of Vice-President.

After votes, the approved election was as follows:

President: Mr. William T. Rees.

Vice-Presidents: Mr. Raymond Coyle.

Mr. Graham F. Bowden.

6.- ELECTION FOR ADMINISTRATOR FOR 2013.

Mr. Carlos Díaz and Mrs. Ana Muñoz were the unique presented as candidate again.

Owners are very satisfied with Ana Muñoz labour done during the last few years and propose to continue with her.

It was proceed to vote and approved unanimously.

7.- APPROVAL FOR DEBTORS LIST AND ACTIONS TO BE TAKEN.

Mr. Carlos Díaz exposed that debtors list sent by e-mail before up to date is for the amount of 21.118,35€.

The most considerable debt is owed by apartment B8-2.

Mr. Díaz mentioned that the opportune legal actions against this owner have been taken and he has been notified by the court through burofaxes. The corresponding up-dated debt will be approved.

Regarding apartment B14-1, it will be notify again and in case of not clarifying the debt legal actions will be started.

Apartment B10-2 has been taken for bank repossession by CAM and we are waiting the payment of fees in brief.

Owners in apartments B7-4 and B11-2 asked the opportunity to solve their situation in a

couple of months without taking any legal decision; Mr. León, owner in B11-2 has sent an apologize letter explaining his situation and proposing the payment of his debt in brief, he has the intention to rent his apartment and as soon as possible he will pay the outstanding and will pay the community fees in time.

Owner B13-1, the debt is not a big amount and corresponds to interest for late payments caused by the debt he owed at the end of the year, the debt has been paid but not the interest. We will keep claiming it.

Owner in B4-4 and B15-1 will be claimed for the last time before stating legal actions.

It was proceeded to vote and the updated debtors list to be taken to legal actions was approved unanimously.

8.- APPROVAL PAINTING FUND TO START THE INTERIOR COMMUNAL AREAS IN 2013.

It was discussed in the issued for approval of budget.

9.- PROPOSAL FROM MR. VAN DER MOLEN (owner of B3-6) TO USE AND LIMIT THE PROXIES VOTES.

Mr. van der Molen propose the limit use of proxy votes for each person; attendants comment that each owner can give the proxy vote to whom consider for the confidence they could have with that person, but they proposed that when proxies are sent, owners should try to remark those issues to be approved.

It was proceed to vote and limit use of proxy was not approved; but it was approved the proposal to remark issues to be approved by unanimity.

10.- DATE FOR NEXT AGM

It will be held after the celebration of Los Aguilares AGM, and then we will have a budget more accurate.

It was proposed in on Saturday, February 8th 2014.

After votes, it was approved by unanimity that it will be held on Saturday 8th February always that it be after the celebration of the EUC Los Aguilares AGM .

11- OTHER BUSINESS.

Mrs. Whelan proposes the use of parking places not occupied paying fees for the rental to the community.

Also, some owners complain that coexistence rules are not fulfill in the community and ask to send a reminder of the internal rules to all owners again. (it will be sent enclosed to this Minutes).

Mr. Ayres, comments about the pool problem regarding owners in B1-2 who want the pool area is locked to protect their children; it was explained that the pool is closed when not summer period is but in case of an owner wish to use it, it could be possible by his own risk. Then, it must be opened (if not we should give a key to every owner) for owners and for the gardener use. Some owners commented that we could install a locker codified.

Mr. van der Molen said that he is not paying if someone has an accident in the pool area.

Not having more issues to discuss and thanking to all attendants, this meeting finished at 19.30.-p.m.

President Secretary-Administrator