

## Minutes of the Ordinary General Meeting OF THE COMMUNITY OF OWNERS CP ALCAZABA LAGOON SECTOR I

In CASARES, at 11: 30 hours of April 5, 2022, and in OFFICES OF THE ADMINISTRATION, duly convened, meet in second call the co-owners, present or represented, who subsequently relate, under the acting presidency of D. Paul Dragonetti, Vice-President of the Community, due to the impossibility of attending Mr. President, and acting as Secretary-Administrator Mrs. Joni Burnett on behalf of Comunimas, SLU, in order to hold the Ordinary General Meeting of the Community of Owners of CP ALCAZABA LAGOON SECTOR I, and in accordance with the following:

### AGENDA:

1. Reading and approval of the accounts for 2021.
2. Approval of the budget for 2022.
3. Approval, if it proceeds, to authorize the current President / Administrator to, without the need of a General Meeting, appoint a Lawyer / Barrister or any other means to pursue, in or out of Court, those owners who are not up to date with their Community fees, both in Spain and the rest of the EU and other non EU countries when applicable.
4. Election or reelection of Community representatives
5. Entity updates.
6. Lagoon updates.
7. AOB.

### Present:

Owner	Property	Copr fee. %	Position on the Board
STEVE McDONALD	APT.104-G1-T1	0,81340	
MICHAEL MOSES	APT.111-G6-T6	1,01140	
JAN HEDRICH	APT.311-G6-T6	1,01140	
JASON & AMBER CALLOW	APT.422-G8-T9	1,01140	
THOMAS MAIR FLETT	APT.705-G7-T4	1,29840	
JAMES STUART WALLACE	APT.711-G9-T6	1,19120	
PAUL DRAGONETTI DRAGONETTI	APT.801-G5-T4	1,15100	Vice president
AART VAN OS	APT.922-G7-T4	1,35200	

### Represented:

Owner	Property	Copr fee. %	Represented by
FINN HOLM & INGER MARIE HOLM	APT.211-G10-T10	0,78050	PAUL DRAGONETTI
ALEXANDER NIAL LIVINGSTONE	APT.411-G10-T10	0,78050	AART VAN OS
DAVID PETER SEXTON	APT.502-G10-T10	0,87640	PAUL DRAGONETTI
NICOLA ANNE MASON	APT.503-G9-T2	0,87630	PAUL DRAGONETTI
BRUTOUT SERGE OSCAR SIMON	APT.511-G2-T4	0,97680	PAUL DRAGONETTI
MATTHEW PAUL MARGERESON	APT.601-G12-T11	1,29850	PAUL DRAGONETTI
DAVID J. FITCHETT & CARRIE A. STANLEY	APT.702-G13-T7	0,95670	AART VAN OS
PHILIPPE FORTEMPS & MARTINE MIGEOT	APT.704-G14-T11	0,95680	PAUL DRAGONETTI
OLLI JOHANNES HARKKI	APT.812-G10-T10	0,87640	PAUL DRAGONETTI
PATRICIUS ADRIANUS MARIA BALLERING	APT.814-G9-T7	0,97680	AART VAN OS
OTTMAR AND FRESIA DEL CARMEN BECK	APT.821-G6-T5	1,29850	AART VAN OS
WILLEM CORNELIS VAN ROES & PASCALE MARIE	APT.912-G1-T10	0,95670	AART VAN OS
KATIE JOYCE PETTITT	APT.1003-G8-T6	0,87640	PAUL DRAGONETTI

This Ordinary General Meeting of the Community of Owners of CP ALCAZABA LAGOON SECTOR I begins, in second Call, with a total of 21 owners present and represented, representing a total of 21.3275%, this meeting is valid according to the Horizontal Property Law.

The meeting began by discussing the items on the agenda. Any owners who were not up to date with the payment of all their fees at the beginning of the meeting, were able to participate in the meeting, but were not been able to vote on the items discussed.

The absence of Mr. President, Chris Armitage, who has not been able to travel from England to attend the Meeting, is excused, so Mr. Paul Dragonetti, Vice-President of the Community, has been appointed as Acting President.

## **1. Reading and approval of the accounts for 2021.**

The first item on the agenda begins by explaining that a complete report has been sent previously to all the owners with a list of the most important items in the budget.

It is explained that this year we have been very careful with the Community expenditure as the forecasts for water expenditure was not good. A few weeks ago there was a warning of restrictions due to drought, but in the last two weeks, the water of the reservoirs has risen from 27% to 86%, so, predictably our water expenditure will be less than we thought for this 2022. Regardless of this, some of the projects are going to be postponed until later on in the year, to make sure we have money for this year's ordinary expenses, including water consumption.

It is explained that each owner pays 3 – 4 fees rolled in to each payment:

1. Community fee: the one that is decided today with the budget of 2022.
2. Lagoon Fee: for the maintenance of the Lagoon, it is decided according to the budget of the Lagoon.
3. EUC fee: for the maintenance of the exterior road, concierge service, security, lights and garbage collection. It is decided according to the EUC budget.
4. Internet: fee for those property owners who have internet through the community.

It is also clarified that the inflation from 2021 of these factors was absorbed by the Community with the surplus we had, but that it is not possible for us to continue to absorb this inflation.

- **CLEANING SERVICE:** This item is higher than budgeted because in previous years the budget was not adjusted to the actual expenses we paid. This is because attempts were being made to reduce service during the winter months to reduce the annual cost, but this has not turned out to be a feasible saving.

- **FIRE EXTINGUISHING SYSTEM:** This item is higher than budgeted because it has been necessary to repair the fire pumps in several areas, we also discovered that there were some areas that were not complying with current regulations and that it was necessary to adapt them, in addition to the revision and repair of the sensors of the storage rooms.
- **MAINTENANCE OF ELEVATORS:** This item is higher than budgeted due to the accumulated increase in the CPI that has been included in the fee we currently pay. Our Administrator has met with the delegate of ThyssenKrupp to renegotiate the price, therefore, a bonus has been achieved in the price of maintenance that will be reflected in next year's expenses and budget.
- **WATERFALLS:** This maintenance item has been higher due to the repairs carried out so that the waterfalls work and are within the current legislation. This item will not be needed for year as repairs are now completed.
- **PEST CONTROL:** This item is higher than normal because last summer we had a significant plague of rodents, and we had to increase the service to cover this aspect.
- **GARDENING MAINTENANCE:** This item is higher than budgeted due to the result of the negotiation and increase in services of the Gardening contract.
- **GARDEN REPAIRS:** This item is higher because we have had to replant several areas so that in the future we can save on maintenance and these areas will be more effective. It includes the pruning of palm trees, that in future year's budgets has been broken down into a separate item.
- **INVESTMENTS AND IMPROVEMENTS:** In these items, the painting and rehabilitation of the facades of block 10 have been included, as well as the improvements made in the community gardens.
- **EXTRAORDINARY INCOME:** This item includes income received from the lagoon and some compensation for community insurance claims.
- **REHABILITATION FUND:** The € 25,000 of the rehabilitation fund corresponding to 2021 has been transferred from the ordinary account to the fund account in 2022. So in the ordinary account we would have **€ 111,684.30** and in the fund **€ 124,926.24** at the end of the year.

**Evolución del Presupuesto con Justificante de Saldo**  
**28 - CP ALCAZABA LAGOON SECTOR I**  
 Desde: 01/01/2021 hasta 31/12/2021

**INGRESOS**

7050001	CUOTA Trimestral	332.379,92
7050008	EUC / ENTITY	40.000,00
7050009	LAGUNA / LAGOON	70.000,20
7050010	DESCUENTO / DISCOUNT (+)	110.844,96
7050012	Mandos y llaves / Fobs & Keys	30,00
7050015	CUOTA INTERNET COMU.-INTERNET	5.747,67
7780001	Ingresos extraordinarios / Extraordinary income	26.533,68
<b>Total Ingresos</b>		<b>585.536,43</b>

GRUPO 1 Gastos Generales / General Expenses		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
6220100	Reparación y conservación / Repair & maintenance	10.000,00	8.923,45	1.076,55	89,23
6230001	Administración / Administration	9.504,00	9.985,80	-481,80	105,07
6230002	Papelería / Paperwork	600,00	600,00	0,00	100,00
6230004	Traducciones / Translations	1.000,00	2.348,62	-1.348,62	234,86
6230007	Web	300,00	0,00	300,00	0,00
6230012	I.V.A. / V.A.T	2.200,00	2.286,00	-86,00	103,91
62320001	Abogados / Lawyers	2.000,00	0,00	2.000,00	0,00
62320004	Auditoría / Audit	1.800,00	0,00	1.800,00	0,00
6250003	Seguro multirriesgo / Insurance	5.000,00	5.597,81	-597,81	111,96
6260001	Comisiones bancarias / Bank expenses	350,00	371,21	-21,21	106,06
6270001	Varios / Various	1.500,00	1.467,26	32,74	97,82
<b>Total Grupo</b>		<b>34.254,00</b>	<b>31.580,15</b>	<b>2.673,85</b>	<b>92,19</b>

GRUPO 2 Bloques / Blocks		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
6220108	Reparaciones Bloques / Block Repairs	20.000,00	12.947,13	7.052,87	64,74
6220203	Servicio de Limpieza / Cleaning Services	32.000,00	37.374,48	-5.374,48	116,80
6220305	Sistemas anti-incendios / Fire extinguisher	2.300,00	5.732,81	-3.432,81	249,25
6220401	Conservación ascensores / Lift conservation	16.600,00	17.613,72	-1.013,72	106,11
6220605	Mant. Placas Solares / Solar Panel Maint.	3.170,00	3.350,61	-180,61	105,70
<b>Total Grupo</b>		<b>74.070,00</b>	<b>77.018,75</b>	<b>-2.948,75</b>	<b>103,98</b>

GRUPO 3 Piscina / Pool		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
6220501	Documentación piscina / Pool documentation	2.000,00	2.003,76	-3,76	100,19
6220502	Productos piscina / Pool products	5.000,00	5.836,74	-836,74	116,73
6220504	Reparación piscina / Pool repairs	4.000,00	5.684,65	-1.684,65	142,12
6220505	Cataratas / Waterfalls	3.000,00	5.104,99	-2.104,99	170,17
<b>Total Grupo</b>		<b>14.000,00</b>	<b>18.630,14</b>	<b>-4.630,14</b>	<b>133,07</b>

GRUPO 4 Jardines / Gardens		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
6220106	Control de Plagas/ Pest Control	1.000,00	3.493,89	-2.493,89	349,39
6220701	Artículos jardinería / Gardening articles	3.000,00	5.398,50	-2.398,50	179,95
6220702	Mantenimiento Jardines / Garden Maintenance	86.000,00	90.764,76	-4.764,76	105,54
6220703	Reparaciones Jardines / Garden Repairs	12.000,00	16.658,00	-4.658,00	138,82
<b>Total Grupo</b>		<b>102.000,00</b>	<b>116.315,15</b>	<b>-14.315,15</b>	<b>114,03</b>

GRUPO 5 Sunimistros / Utilities		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
622080104	Electricidad zonas comunes / Electricity general Services	24.000,00	22.929,70	1.070,30	95,54
622080201	Agua Servicios Comunes / Water General Services	35.000,00	26.763,37	8.236,63	76,47
<b>Total Grupo</b>		<b>59.000,00</b>	<b>49.693,07</b>	<b>9.306,93</b>	<b>84,23</b>

GRUPO 6 Other / Otros		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
6230015	Fondo Legal 5% / Legal Reserve 5%	16.000,00	0,00	16.000,00	0,00
6290001	Inversiones y Mejoras / Investments and improvements	0,00	45.497,19	-45.497,19	0,00
6930001	Fondo rehabilitación / Refurbishment fund	32.314,51	25.000,00	7.314,51	77,36
Total Grupo		48.314,51	70.497,19	-22.182,68	145,91
GRUPO 8 EUC / Entity		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
6510001	EUC / ENTITY	47.000,00	47.623,03	-623,03	101,33
Total Grupo		47.000,00	47.623,03	-623,03	101,33
GRUPO 9 Lagoon / Laguna		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
6510002	CUOTA LAGUNA / LAGOON FEE	74.000,00	69.942,68	4.057,32	94,52
Total Grupo		74.000,00	69.942,68	4.057,32	94,52
GRUPO 10 DESCUENTO - DISCOUNT		PRESUPUESTO	GASTOS	REMANENTE	% GASTADO
7050007	Descuento cuota / Fee discount	110.844,82	111.860,62	-1.015,80	100,92
Total Grupo		110.844,82	111.860,62	-1.015,80	100,92
Total Gastos		563.483,33	593.160,78	-29.677,45	105,27
JUSTIFICACIÓN DE SALDO:					
BURNETT ENTERPRISE S.L.....			-12.384,04		
INSTALACIONES Y MANTENIMIENTOS ROMAN S,L.....			-1.917,27		
ACOSOL S.A.....			-10.136,74		
ACHEDOSOL SOTOGRADE S.L.....			-810,02		
LAGOON FEES-SAGAMORE.....			-48.726,51		
EUC ALCAZABA LAGOON UR-13.....			-456,30		
SAN PEDRO AQS SALUD SL - (AQUASUR).....			-116,16		
WATUM S.L.....			-1.698,56		
OCA ICP.....			-605,00		
EUC Alcasaba Lagoon Sector UR-13.....			-16.711,55		
Propietar., obligac./recibos.....			17.137,16		
Caja / Cash.....			-600,00		
CAJA RURAL DE GRANADA.....			136.684,30		
Depósito / Bank deposit.....			99.926,24		
Total.....			159.585,55		

\*\* Voting result: Votes in favour: 21 , representing 21.32750% of the quotas; Votes against: 0 , representing 0 % of the quotas; Abstaining: 0 , representing 0 % of the quotas; the subject of this point is therefore approved.

## 2. Approval of the budget for 2022.

For this financial year it was the intention of the committee to maintain the community fees, however, due to the increase in the CPI of 6.5% in January, having no budgetary margin, we find no other option than to propose an increase in the ordinary fees to cover this increase, and the other increases that we have had during 2021, as explained in the previous item.

This increase would apply from July, and the increase corresponding to the first two quarters of the year would have to be paid, in order to cover the real expenses at the end of this year.

We also foresee an increase in the fees for the Lagoon and the EUC, but they have not yet provided us with the information we need to implement these increases.

The total estimated expenses of the community for 2022 is € 344,693.52, in 2021 we had a budget of 331.638,51€ and real expenses of € 363,734.45 (including the pool projects and the rehabilitation of block 10). The additional amounts are the discount for prompt payment, the lagoon and the EUC.

- The fee increase is approved and owners will receive a direct email from COMUNIMAS, indicating the amounts payable from July 2022.

\*\* Voting result: Votes in favour: 21 , representing 21.32750% of the quotas; Votes against: 0 , representing 0 % of the quotas; Abstaining: 0 , representing 0 % of the quotas; the subject of this point is therefore approved.

#### PRESUPUESTO DEL EJERCICIO 01/01/2022 al 31/12/2022

Grupo : 1 Gastos Generales / General Expenses		
6220100	Reparación y conservación / Repair & maintenance	10.000,00
6230001	Administración / Administration	10.635,00
6230002	Papelería / Paperwork	600,00
6230004	Traducciones / Translations	1.000,00
6230007	Web	300,00
6230012	I.V.A. / V.A.T	2.300,00
62320001	Abogados / Lawyers	500,00
6250003	Seguro multirriesgo / Insurance	5.800,00
6260001	Comisiones bancarias / Bank expenses	400,00
6270001	Varios / Various	1.500,00
Total Grupo .....		33.035,00
Grupo : 2 Bloques / Blocks		
6220108	Reparaciones Bloques / Block Repairs	12.000,00
6220203	Servicio de Limpieza / Cleaning Services	38.000,00
6220305	Sistemas anti-incendios / Fire extinguisher	3.200,00
6220401	Conservacion ascensores / Lift conservation	18.000,00
6220605	Mant. Placas Solares / Solar Panel Maint.	3.400,00
Total Grupo .....		74.600,00
Grupo : 3 Piscina / Pool		
6220501	Documentación piscina / Pool documentation	2.100,00
6220502	Productos piscina / Pool products	6.000,00
6220504	Reparación piscina / Pool repairs	1.000,00
Total Grupo .....		9.100,00
Grupo : 4 Jardines / Gardens		
6220106	Control de Plagas/ Pest Control	4.658,52
6220701	Artículos jardinería / Gardening articles	5.000,00
6220702	Mantenimiento Jardines / Garden Maintenance	95.300,00
6220703	Reparaciones Jardines / Garden Repairs	8.000,00
6220706	Poda Palmeras /Palm tree pruning	11.000,00
Total Grupo .....		123.958,52
Grupo : 5 Sunimistros / Utilities		
622080104	Electricidad zonas comunes / Electricity general Services	28.000,00
622080201	Agua Servicios Comunes / Water General Services	35.000,00
Total Grupo .....		63.000,00
Grupo : 6 Other / Otros		
6230015	Fondo Legal 5% / Legal Reserve 5%	16.000,00
6930001	Fondo rehabilitacion / Refurbishment fund	25.000,00

		Total Grupo .....	41.000,00
<b>Grupo : 8 EUC / Entity</b>			
6510001	EUC / ENTITY		47.000,00
		Total Grupo .....	47.000,00
<b>Grupo : 9 Lagoon / Laguna</b>			
6510002	CUOTA LAGUNA / LAGOON FEE		74.000,00
		Total Grupo .....	74.000,00
<b>Grupo : 10 DESCUENTO - DISCOUNT</b>			
7050007	Descuento cuota / Fee discount		116.173,63
		Total Grupo .....	116.173,63
		<b>Total Presupuesto .....</b>	<b>581.867,15</b>

**3. Approval, if it proceeds, to authorize the current President / Administrator to, without the need of a General Meeting, appoint a Lawyer / Barrister or any other means to pursue, in or out of Court, those owners who are not up to date with their Community fees, both in Spain and the rest of the EU and other non EU countries when applicable.**

It is explained that the Community and the Administration always try to solve the outstanding debts amicably to avoid generating extra expenses unnecessarily. Every year we have to approve this item to make sure we can take the necessary legal action against delinquent owners.

Legal action is taken both in Spain and in the rest of the EU and UK, each owner is responsible for the expenses generated, including collection expenses, letters, mails, certificates, legal expenses, etc. that are generated during the process of claiming their debt.

It was recalled that the owners who are in arrears will not be able to use the pools or the lagoon and that the community internet will be disconnected. The reconnection of these services will be carried out as soon as their debt is paid off and will have an administrative cost.

The documentation for the current list of defaulters will be sent to the designated law firm for the immediate initiation of lawsuits.

The list of debtors to date is provided:

4300011	JAMIE EDGERTON APTO. 202-G1-T1	3,253.35
4300020	CHRISTOPHER JOHN DUNN & FIONA MARGARET D APTO.301-G8-B8	6,874.44
4300028	INGO ZURBRIGGEN APTO.321-G5-T5	5,772.20
4300085	STEPHANE HERZET y CECILE LEMMENS APTO.802-G8-T6	1,216.95

**\*\* Voting result:** Votes in favour: 21 , representing 21.32750% of the quotas; Votes against: 0 , representing 0 % of the quotas; Abstaining: 0 , representing 0 % of the quotas; the subject of this point is therefore approved.

#### 4. Election or reelection of Community representatives

The owners are reminded that the position of President and Vice-President are voluntary positions, they must be chosen at the Ordinary General Meeting every year among the volunteer owners who want to fill such positions, in the event that there are no volunteers, a draw will be made among all the owners for the appointment of positions.

The following offices are elected to represent the Community:

- **President:** Chris Armitage.
- **Vice-president:** Paul Dragonetti.
- Secretary – Administrator:** COMUNIMAS, represented by Joni Burnett, Chartered Community Administrator 2447 of the Il. Colegio de Administradores de Fincas de Málaga y Melilla and Víctor Manuel Gavira Contreras, Chartered Community Administrator 2928 or by Mrs. Ana Maria Ruiz Becerra, Authorized Officer.

The bank signature shall be joint between the President or Vice-President and a representative of COMUNIMAS.

The members of the committee are volunteers and any owner who wants to belong to the committee can get in touch with Mr. President or the Administration.

Likewise, given that the Community is obliged to make tax returns, especially it is empowered by the Board to appear and act before any service or department of the Tax Agency, the Tax Inspectorate, the Treasury of the Social Security and the Delegation of Economy of the Junta de Andalucía, in order to represent the Community, carry out any procedure, such as the presentation of documents, appeals, withdrawals, writings or claims of all kinds, make payments, settlements or declarations, request returns and certificates. These procedures may be carried out by any means or support, including by telematic means, also empowering you to obtain the digital signature that is necessary.

It is also broadly empowered to act on behalf of the Community vis-à-vis electricity and water suppliers and service providers.

**\*\* Voting result:** Votes in favour: 21 , representing 21.32750% of the quotas; Votes against: 0 , representing 0 % of the quotas; Abstaining: 0 , representing 0 % of the quotas; the subject of this point is therefore approved.

#### 5º EUC general information and budget update.

As you know, apart from our community fee we must contribute to the maintenance of the Entity. The Entity consists of the streets that are around our community, that is, the road that surrounds us, and that goes down to the tunnel. This entity has Gardening and is responsible for garbage collection, street lamps, etc.

The Entity also takes care of our surveillance and concierge services. Last year, after incidents with Sabico, the company that carried out these tasks, Sagamore, who are also presidents of the EUC, decided to change companies.



Currently this service has been increased to a 24-hour service. We have a concierge service during the day, which takes care of the ordinary tasks of concierge, mail delivery, etc., and a night surveillance service, with rounds, etc. Additional video surveillance cameras were also installed last year in all areas of the Entity.

Due to these increases in the security of the complex, we will see an increase in the cost of the EUC fee, we need to recall that we only pay 19.2% of the EUC budget, Sector 2 pays 16% and the rest corresponds to Sagamore for the plots that are still unbuilt, including Sector 3.

As soon as we have the budget for 2022 of the EUC we will inform you about the increase that this will entail, since the increase of the year 2021 was absorbed, only for 2021, by the Community, from our surplus, but we can not continue to burden the Community with the increases of the EUC since this would not be a financially viable practice.

## **6º Information about the Lagoon.**

As for the Lagoon, it is recalled that it has a Committee that is independent of our Community and that it is directed by the Promoter. During the summer months there are frequent meetings between the representatives of the lagoon and the representatives of the communities, where the best way to proceed for the lagoon is decided, including exterior visits, prices, and any questions that may concern the neighbors of the community.

It is anticipated that the beach bar will be open from April 25, after the cleaning tasks carried out, caused by the 'calima' (muddy rain) that we have had with the last storms.

It is also explained that the gym will have no cost for the owners during 2022.

As soon as the meeting for the Lagoon is held, we will know if the fees for this financial year, if these are modified and we will keep you informed of any further information that we receive.

## **7º Any other business.**

- Owners ask that the committee send information more regularly.
- There needs to be more garbage collection, especially in the summer months.
- That all the documentation is available on the website.
- That a 'tree audit' be done, to see the situation of the trees in the complex, the need for pruning, if there are areas that need more or must be removed, etc.

As for Sector 3, it is explained that there will be a lot of noise and foreseeable dust during this summer due to the work, it is expected that the work will last about 18 months approximately.

And with no further business to deal with, Mr. President adjourned the meeting when it was 2:00 p.m. at the beginning indicated, of all of which, I as Secretary-Administrator attest.

THE SECRETARY-ADMINISTRATOR  
COMUNIMAS

Vº Bº  
PRESIDENT,