

MINUTES Nº 24

Community of Proprietors Edificio Cruz del Sur

In Benalmádena Costa, on 17th March 2018, at 10 a.m. the Ordinary General Meeting for the **Community of Proprietors Edificio Cruz del Sur**, meets in the Community salon, located at Avda Terramar Alto 3, Benalmádena Costa (Málaga).

The Meeting has been legally convened in accordance with Article 16 of the current Law of Horizontal Property and is constituted on the second call at 10.30 a.m. there being insufficient quorum to legally hold it on the first.

The presidential table is composed of D^a. Jette Faarup as President and committee members, D.Manuel Jiménez Calisalvo & D.Rufino Fernández, D.Antonio García Arenas, the Technical Architect, D. Javier Jiménez Mayorga, the legal adviser for the Community, as translator, Dña. Lindsay Bielschowsky & D. Mario Cordero Codes as Secretary Administrator,

The following owners attend in their own right:

Property	Proprietors Attending	Coefficients
1102	D ^a LOLA MÁRQUEZ (Representa a :Isabel Marquez Perez	0,52300
1107	D ^a JETTE FAARUP	0,52300
2110	D ^a MARGARETHA INGEBORG BUIS	0,46300
1112	D. JIMENEZ CALISALVO, MANUEL	0,66400
2115	D. ANDRES GARCIA RUG	0,46300
2201	D. BENITO ROMERO LARA	0,46300
2215	D. MANUEL GARCIA GUERRA	0,46300
2217	D.MOHAMMED NAJIB BENTALHA	0,46300
2304	D ^a .MARIA RUIZ JAIME	0,46300
1306	D. ARIAS FONTELA, EVARISTO	0,52300
1308-309-310	D ^a CAROL EILEEN REID	0,46300
2311	D.BERNARD WILDMAN	0,46300
2315	D ^a PILAR LAEZ	0,46300
2314	D. HERNANDEZ CANTERO ALBINO	0,65700
2405	D ^a .BERNARDA MORILLA GONZALEZ	0,46300
2414	D ^a GIAN CARLA GARGIULO MAZZONI	0,65700
2514	D. PASCUAL GOMEZ FAARUP	0,65700
2605	D. ILDEFONSO NOTARIO ORTIZ	0,46300
2614	D.RUFINO FERNANDEZ GRACIA	0,65700
2716	D ^a .RAFAELA CASTRO GARCIA	0,46300
2807	D ^a .MARIA DEL CARMEN OLMO BONILLA	0,46300
2910	D.FRANCISCO CABRONERO PINILLO	0,46300
2905	D.TUULA IRMELI POUTANEN	0,46300
2916	RAÚL SERRANO LÓPEZ	0,46300
Suma coeficientes de propietarios asistentes.....		<u>13,7050</u>

Also attending by handing in the following proxy to exercise their right to speech and vote, are the following:

Property	Proxies	Coefficients
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1107	REPRESENTED BY JETTE FAARUP	
BAJO G	Dª MERCEDES SOLER LÓPEZ	0,53300
1101	D.HOLSTE ANJA	0,66400
1105	D.FRANCISCO JIMENEZ JIMENEZ	0,52300
1106	D.JOSE NAVARRO MUÑOZ	0,52300
2108	Dª.EDNA JONES	0,46300
1109	D.ADAMS JOELLE	0,52300
1110	Dª BARBARA MARY NOAKLEY	0,52300
2114	D.PETER JOHN COOPER	0,65700
1202	D.STEN BERLIN	0,52300
1203	D.HOLSTE ANJA	0,52300
1204	D. ANJA HOLSTE	0,52300
1205	D. CLAUDS SORESENSEN	0,52300
1206/1108	BJORN JORGENSEN	1,04600
1207	D. DURGE, LEIF ROLAND	0,68400
2210	D.ERIK JOHANESEN	0,46300
2211	D. FEEGAN JOHN	0,46300
2212	D.JOE & MAUREEN GALLAGHER	0,46300
1302	Dª LISBET ANDERSEN	0,52300
1303	D.KEVIN BEW	0,52300
1305	D. KEITH ANTHONY HYATT	0,52300
2307	Dª GLADYS GEORGINA MCLAUGHLAN	0,46300
2309	D.HENRIK BERGSTROM	0,46300
1311	Dª MARGARITA EDSEM	0,52300
1312	D.OLE WERNBERG&RANDI MERETE	0,66400
2312	D.JUAN MESTANZA MARTIN	0,46300
2403	D.PEDRO ALVES MADEIRA DO SANTOS	0,46300
2406	SRES.BULLOUGH	0,46300
2407	D. CHRISTENSEN, THORKILD MUNKHOLM	0,46300
2408	D. DAVID F.H. DRIING	0,46300
2512	D. STEEL OLE SORESENSEN	0,46300
2606	D.JOHN BERTRAM THACKREY	0,46300
2607	DªMARIA JOSE VAZQUEZ DE TORO	0,46300
2609	DªANNA KARIN SAEDEN	0,46300
2613	D.LEONARD EDWARD EISNOR	0,46300
2702	D.HARRY PEDERSEN SKJOTT	0,46300
2713	Dª YOLANDA LEE MACIEL MARTIN	0,65700
2714	D.OVE BORGESSEN ERLING	0,65700
2803	Dª SANNE KNUDSEN	0,46300
2810	D.ERIK BEKAERT	0,46300
2811	D.KENNETH FROST ANDERSEN	0,46300
2813	D.STIG UFFE SKOV CHRISTIANSEN	0,65700
2815	D.NIELSEN TONNI-ANDERSEN LENE	0,46300
2817	D.GWILLIAM DONALD	0,46300
2909	D.FLEMMING LIND	0,46300
2911	D.MARK JOHN CAMPBELL	0,46300
2914	D. LINDSTRON OLESEN, LEIF	0,65700
2917	D.HANSEN MOGEN	0,46300
BAJO C	REPRESENTADOS POR Dª. GRACIA MARIA CABELLO PEREZ	
BAJO D	D.JOSE M.ALGUACIL GARCIA	0.70600
BAJO E	D.LUIS ALBERTO SANCHEZ	0.71500
1104/2104/2202/2517 /2601	D.GONZALO MARTIN ALVARO-GRACIA	2,3750
2107	DªROSA MARIA REYES TRUJILLO	0,46300

2206	D.FRANCISCO J.CABALLERO GARCIA	0,46300
2301	D.ANTONIO RAMIREZ BELLIDO	0,46300
2303	D.ANTONIO ELIAS RODRIGUEZ VELASCO	0,46300
2306	DªCARMEN DOBLAS GONZALEZ	0,46300
2502	D.VICTOR MANUEL OLMO BOSQUE	0,46300
2507	D.CELESTINO GARCIA PEREZ	0,46300
2908	D.DOMINGO ARROYO PACHECO	0,46300
2915	D.RAFAEL MATEOS MORENO	0,46300
2413	REPRESENTADOS POR Dª GIAN CARLA GARGIULO MAZZONI	
2203/2204	D.GIUSEPPE GARGIULO	0,92600
2413	D.DINO BIRRI	0,65700
2503	Dª TOZZI ANGELA	0,46300
2314	REPRESENTADOS POR D. HERNÁNDEZ CANTERO ALBINO	
2317	D. ANTONIO MENDEZ SOLIS	0,46300
2504	D.PABLO GARCIA RICO	0,46300
1306	REPRESENTADOS POR D. EVARISTO ARIAS FONTELA	
2214	D.JUAN MANUEL LUCENA LLAMAS	0,65700
1301	D.ANDRES LUQUE CAMONS	0,66400
1112	REPRESENTADO POR D. MANUEL CALISALVO	
2411	D. RODRÍGUEZ SANTAMARTA, MIGUEL	0,46300
1201	D.ELOY MENDEZ MARTINEZ	0,66400
2304	REPRESENTADO Dª MARIA RUIZ JAIME	
2404	D.FRANCISCO GUTIERREZ GINER	0,46300
2905	REPRESENTADO D.TUULA IRMELI POUTANEN	
2902	D.PETER LENNARD DOVE	0,46300
	REPRESENTADO POR Dª.ANTONIA CORTES PADILLA	
2616	D.JOSE GARCIA GOMEZ	0,46300
2201	REPRESENTADO POR D.BENITO ROMERO LARA	
2101	D.RUBEN LUQUE FUENTES	0,46300
	REPRESENTADO POR D.JUAN JOSE OLIVA CORTES	
BAJO DCHA H	Dª FRANCISCA MALDONADO MOLINA	0,29900
	Suma total coeficientes propietarios representados.....	23,4130

Therefore, the total attendance percentage between those present and represented amounts to **37,1180 %**.

In accordance with article 15.2 of the Law of Horizontal Property 49/1960, 21st Julio ("Those owners who at the meeting starts are not up to date in the payment of all outstanding debts to the community and have neither officially objected to the same or consigned the amount due with a Court or Notary, shall be able to participate in debates but will not have the right to vote."). On checking the balances of those attending and represented nobody is deprived of the right to vote as everybody is up to date in the payment of outstanding debts to the Community.

Sra. Jette Faarup & the Secretary-Administrator declare the meeting open welcoming the assembly and introducing the presidential table, thanking everybody for attending this Ordinary General Meeting for C.P. CRUZ DEL SUR, indicating the citation was sent out by post and also by email.

Sr. Jiménez, legal advisor for the Community, explains that as per the Community Statutes attendance at the General Meeting can be either in person or by legal or voluntary proxy. In the latter case the owner gives a signed proxy to another owner or tenant or to a private assessor, such as the administrator, a jurist, to the exclusion of anybody else.

The Administrator then proceeds to read out the following **Agenda**:

A G E N D A

- 1.- General information on actions during the year.**
- 2.-Presentation and approval, if reached, of the Statement of Accounts for the economic period between 1st January – 31st December 2017. Settlement of unpaid community charges recognizing existing debts at 31st December 2017. Resolution to authorize the President to legally claim against owners in debt and settlement of same. Also to issue powers of attorney to Lawyers and Procurators to initiate any legal matter of general interest.**
- 3.-Ratification of the protocol to be followed in case of damages, water leaks or others in the properties.**
- 4.-Legal Report.**
- 5.-Report relating to the works on the roof and façade of Block A. Cost and financing.**
- 6.- Information on the medium term work projects:**
 - Restoration of façades and painting of both blocks.**
 - Installation of new communal vertical pipes.**
 - Installation of electric cabling.**
 - Installation of new railings in Block A.**
- 7.- At the request of several owners: Clarification on budget and bills on works undertaken for the repair of roofs; steps to be taken. Presentation of payment receipts from 2014 to date.**
- 8.-At the request of several owners: Presentation of bank statements from all the Community accounts since 2014.**
- 9.- Election of Committee members: President, Vice-president, Committee, Secretary-Administrator.**
- 10.-Presentation and approval, if reached, of the estimated budget for 2018.**
- 11.- Any Other Business.**

1.- General information on events and works undertaken during the year.

The Administrator reads out the works that have been completed and those that are being undertaken plus the projects pending:

- Reinforcement of the structure in the Purifying room of the swimming pool.
- Change of pumps and pressure group.
- Replacement of plumbing installation.

- Thermal insulation works on the roof of Block B.
- Damp proofing of the roof in Blocks A & B.
- Replacement of sanitation water tanks.
- Installation of LED lighting in all the hallways of both blocks.
- Installation of masonry covering in hallways in Block A.
- Roof overhanging between both blocks.
- Safety inspection and Certificate for Swimming pool.
- Repair of new numerous damp problems, leaks, blockages of drains, etc...

Project to re-organise air conditioning units.

- Repair of a leak in drinking water network in bajo D, Block B.
- Repair to roof in Block A.
- Repair to drainage system in ground floor of Block B.
- Repair to façade in Block A.
- Repair of water works in storerooms in Block B.

The attached report provides further information on all these works.

*Other improvement works in the Community, as follows:

- Repair of electric cables, removal and installation of new electric circuits, repair and installation of electric cables in the swimming pool machinery room, replacement of watering system device, supply and installation of pumps and electric pump for the swimming pool, removal and installation of new pressure group, etc... The President continues indicating that she, the Committee and the Administration are making a big effort to maintain the buildings and the communal areas in the best possible condition; obviously within the limits of the existing budget. However, we must all be aware of the age of the buildings, which is 50 years old, and some of the construction materials such as drains, pipes, electric cabling etc.. are very deteriorated due to age. Hence the priority of the Committee and Administration, together with the cooperation of all the owners, is to ensure that the Community of Cruz del Sur improves in conservation year by year, as well as creating agreeable surroundings for the owners to live in.

The Technical Architect, Don Antonio García, then indicates that numerous incidents have occurred in the apartments due to leaks and water damage.

He reports that the whole of the roof of Block A is being made damp proof due to having suffered impairment because of seagulls pecking the surface.

Sr. Oliva comments that in 2015 the roof was already treated and asks if the company that carried out that work, Anjasur SL, cover this problem under their guarantee, to which Sr. Garcia replies that no company covers damage caused by motives not pertaining to the work and that in this case the damage has been a result of the seagulls pecking the material used in the damp proofing.

Sra. Cabello comments that the Community spent 10.000€ in 2015 for the damp proofing of the roofs of Blocks A & B and the problem of the seagulls should have been foreseen and come under the guarantee.

Another owner, Sr. Romero, states he has been up to the roof and seen how blisters have formed. Sr. García replies indicating it is not advisable to go up to the roof, which is only accessible to authorised workmen, in case of accidents.

Sr. Cabronero states that when it rains puddles form around the sinkholes and in his opinion instead of tiling they should have used shingle, and that the work could have been much better, insisting that in Block B blisters have formed in several areas.

Finally, Sr. García states that following the study made, the viable solution considered has been a treatment using a thermal layer and, on top of this, an inclined layer of Arlita, which is lightweight, followed by a traditional form of damp proofing using a double layer of asphalt, a protective layer of mortar with a thin flooring on top

which will protect the roof and will be resistant to the seagulls, but will also not be too heavy for the building.

It is established by the constructor, who is present, that the guarantee on the work is for ten years.

In regard to the water leaks in the drainage coming through in Block B, specifically by the storerooms, they reached the conclusion it was due to three problems:

1. Sinking of drains in the drainage network causing subsequent leaks; there are also unused pipes that have not been taken out as has been observed by the cameras. The total repair of all of this would entail lifting up the flooring in the apartments on the ground floor, rehousing the owners for a while, so it was agreed to patch up. Another simultaneous problem was the deterioration in the iron pipes which have been cut off and replaced from the first floor to the ground.

2. Another important reason for the blockages is due mainly by the accumulation of textiles thrown down the toilets. The solution, the same as for above, would be to lift up the three apartments on that floor but, as this would be a very costly manouevre, they have opted for a regular clean out of the drains, albeit at some stage the former repair will have to be carried out.

3. The drain hole and the shower in Bajo D are broken and have been losing water.

To date the problem has been repaired and paid for by the owner. This has also added to the problem in the storerooms and, as commented, as this was a private incident it has been repaired by the owner.

It is explained that to provide further information about the water problem some video cameras have been introduced into the network and they have been able to observe broken drains and pipes plus a large number of sanitary towels.

“Owners are reminded to please not throw down the toilets sanitary towels, nappies etc. to prevent future blockages. An owner asks if it would be possible to isolate the ground floor apartments to continue using the existing network, so that from the first floor upwards the piping would go outside the building directly to some manholes. Sr. Garcia replies it could be a good option, and has been contemplated but, due to the high cost, has not been carried out.

Sra. Cabello comments that the water leaks in the ground floor create serious repercussion to the electricity meters that are located precisely in the area where the water leaks have been found. She continues indicating that in her case the problem has persisted for years and that there is always damp in the apartment. Recently she had a problem that came from the flat above, which was resolved but, once again, she has damp. She has informed her insurance company who have told her the problem lies with the community.

Sra. Cortés states that the issue of the drains and vertical pipes has to be given priority. Sr. Cabronero comments that in the basement there is a sinkhole, with a drain that has no exit which should be looked into. To which Sr. García replies there is a possibility that there is more than one in that condition and the situation is going to be studied via the video cameras. He continues explaining that the façade of Block B is showing numerous cracks, some needing urgent repair, on floors eight and nine.

The repair should be planned now we are entering a season of stable weather with no rain.

Finally, Sr. García comments that a few days ago an important problem arose in the swimming pool hut where the water motors, pumps and purifier are housed. He explains that the purifier is very rusty, due to age, and if one of the joints should break, it would cause huge damage as the whole installation room could be flooded, thereby causing all the electric motors and installations to break down. He also states the roof should be made damp proof or re-inforce the swimming pool installation room.

2. 2.-Presentation and approval, if reached, of the Statement of Accounts for the economic period between 1st January – 31st December 2017. Settlement of unpaid community charges recognizing existing debts at 31st December 2017. Resolution to authorize the President to legally claim against owners in debt and settlement of same. Also to issue powers of attorney to Lawyers and Procurators to initiate any legal matter of general interest.

INGRESOS Y GASTOS DE C.P. CRUZ DEL SUR		Importe
Periodo: Desde el 01/01/2017 Hasta el 31/12/2017		
Saldo inicial al	1 de enero de 2017	-57.645,92
<u>INGRESOS</u>		
7050005	INGRESO LLAVES Y MANDOS	725,00
7050009	INGRESO SEGURO COMUNIDAD	810,00
7050013	RECARGO IMPAGO	825,71
7050014	EXTRA MEJORAS RED DE AGUA	10.885,24
7050038	CUOTA COMUNIDAD	199.666,14
7050039	ALQUILER TRASERO	5.618,85
Total ingresos		218.330,94
<u>GASTOS</u>		
6020001	COMPRAS MATERIALES COMUNIDAD	2.411,70
6020002	COMPRA MATERIAL PINTURA	2.387,31
6020003	GASTOS OFICINA UBICADA EN COMUNIDAD	325,93
6020804	PRODUCTOS Y TRABAJOS DE JARDINERIA	1.353,12
6070001	DES RATIZACION - DESINSECTACION	550,55
6070005	EXTINTORES - MANTENIMIENTO	108,90
6220001	GRATIFICACIÓN PRESIDENTE	1.000,00
6220014	COMPRA LLAVES Y MANDOS	1.145,49
6220061	REPARACIONES ELECTRICA	683,41
6220093	TRABAJOS DE ALBAÑILERIA: SANEAMIENTO FORJADO FACHADA Y OTROS	4.055,68
6220096	SANEADO LINEAS-DESMONTAJE CUADRO ELECT:OBRA EXTRAORD.	3.096,20
6220097	TRABAJOS ALBAÑIL-FONTANER-ELECTRIC:OBRA EXTRAORD	3.674,55
6220098	PAGO A CUENTA REHABILITACION CUBIERTA BLOQUE A:OBRA EXTR.	12.000,00
6220101	MANTENIMIENTO ASCENSORES	6.853,54
6220105	MANTENIMIENTO CAMARAS SEGURIDAD	284,35
6220201	MANTENIMIENTO ANTENA Y PORTEROS	1.385,12
6220400	MANTENIMIENTO LIMPIEZA Y JARDINES	52.978,40
6220401	MANTENIMIENTO PUERTA DE APARCAMIENTO	385,00
6220500	MANTENIMIENTO MOTORES - GRUPOS BOMBA	830,75
6220800	MANTENIMIENTO ARQUETAS Y TUBERIAS	946,22
6220801	LABORATORIO Y ANALISIS PISCINA	151,25
6220802	EMPRESA DE SOCORRISMO	4.368,33
6230001	HONORARIOS ADMINISTRADOR	12.059,52
6230002	IVA HONORARIOS	2.532,48
6230003	GEST. TELEF., COPIAS, CORREO-CONVOCATORIA Y CORREO- JUNTA	1.157,58
6230005	ASESORIA LABORAL	654,02
6230006	PROTECCION DATOS CAMARAS CCTV	84,70
6230008	PREVENCIÓN DE RIESGOS LABORALES	420,00
6230080	HONORARIOS ARQUITECTO TECNICO	6.908,00
6230202	ASISTENCIA A JUNTA GENERAL Y TRADUCCIONES	350,00
6240000	ASESORIA JURIDICA	1.150,00
6250003	SEGURO MULTIRRIESGO EDIFICIO	8.348,00
6280001	COMISIONES BANCARIAS	83,03
6280001	ELECTRICIDAD - SUMINISTRO	8.544,92
6280002	AGUA - SUMINISTRO	29.500,11

(*) Los importes del presente informes estan en Euros

Ref. fnc6-16

INGRESOS Y GASTOS DE C.P. CRUZ DEL SUR

Periodo: Desde el 01/01/2017 Hasta el 31/12/2017

	<i>Importe</i>
6280003 TELEFONO MOVIL COMUNIDAD	679,45
6280004 INTERNET PARA OFICINA COMUNIDAD	50,15
6400006 EMPLEADO ABRAHAM JAEN(SUSTITUTO)	3.096,10
6400007 EMPLEADO MANTENIMIENTO:MIKOLA(BAJA)	3.733,24
6400009 APERTURA-CIERRE PISCINA	1.155,00
6420001 SEG.SOC. A CARGO DE LA CDAD.	2.469,52
6450001 RETENCION IR.P.F.	163,82
Total gastos	184.055,44
SALDO (Saldo Inicial + Ingresos - Gastos)	-23.370,42

JUSTIFICACION DEL SALDO:

ECOSOL 2009, (BATERIA DE CONTADORES DE AGUA)	-55.533,84	PAGOS MENSUALES
BAJO 12Q.-I- D ^a SALGUERO BLASQUEZ, PILAR.	206,08	
BAJO DERECHA-H D ^a MALDONADO MOLINA, FRANC	188,85	
BAJO A D ^a GEMA AMPARO BENETO LARA	85,82	
2102 D. SALVADOR BUENO IGLESIAS	1.019,44	ACUERDO DE PAGO
1103 D. LAWLEY, DAVID	690,74	
2109 D. STEVEN JOHN ARMSTRONG	1.051,66	INICIO DE DEMANDA
2110 D ^a MARGARETHA INGEBORG BUIS	18,50	PAGADO POST.CIERRE
2117 D. JOE MATHEW BERGIN	1.183,55	PAGADO A CTA POST.CIERRE:956,78€
1208 HENRIETTE CROUSSE	80,48	
2212 D. GALLAGHER, JOE & MAUREEN	225,58	
1303 D. KEVIN BEW	326,21	
1305 D. KEITH ANTHONY HYATT	254,47	
2305 D ^a VICTORIA STEVENSON	1.324,24	INICIO DE DEMANDA
2307 DOÑA GLADYS GEORGINA MCLAUGHLAN &	272,36	
2315 D ^a LAEZ, MARIA DEL PILAR	446,13	
2402 NATANAEL VERGARA PAVON	225,60	PAGADO POST.CIERRE
2403 D. PEDRO M.ALVES MADEIRA DO SANTOS	1.082,61	ACUERDO DE PAGO
2405 D ^a BERNARDA MORILLA GONZALEZ	243,16	
2412 D. HARTLEY, ERIC	227,21	
2602 D. PEREA PEÑA, MANUEL	1.971,90	DEMANDADO:ACUERDO DE PAGO
2604 Dña. FATIMA MOUZOURHE	23,54	PAGADO POST.CIERRE
2605 ILDEFONSO NOTARIO ORTIZ	243,65	PAGADO POST.CIERRE
2610 ANTONIO ESPEJO RODRIGUEZ	1.990,22	INICIO DEMANDA
2615 FERNANDEZ RODRIGUEZ, M ^a ESTRELLA	243,15	
2704 D ^a SALGUERO BLASQUEZ, PILAR	477,98	
2705 D.JESUS SUAREZ SANCHEZ	1.065,95	PAGADO POST.CIERRE:TOTALIDAD
2706 D ^a TRACEY ELIZABETH HARE	246,37	
2711 JORGENSEN, BORNE ELMER	499,64	
2810 BEKAERT, ERIK	226,77	
2813 D. STIG UFFE SKOV CHRISTIANSEN	639,89	
2904 JANE LINDSAY NOLAN	3.795,27	DEMANDADO
2913 D.AHMED CHOUQI	324,18	
TRASTERO 13 D. LUIS ALBERTO SANCHEZ	94,22	
TRASTERO 27 D. SALVADOR BUENO IGLESIAS	90,15	
PROPIETARIOS PAGADOS POS.CIERRE	713,62	PAGADO POST.CIERRE
PROPIETARIOS CON SALDO A SU FAVOR	-1.123,12	
RECARGO POR CUOTAS IMPAGADAS	1.115,76	
CAJA MANDOS Y LLAVES	206,00	
BANCO SABADELL-ATLANTICO:CTA.3846	777,39	
BANCO SABADELL-ATLANTICO:CTA.8758	9.388,20	
Total	-23.370,42	

(*) Los importes del presente informes estan en Euros

Ref. fnc6-16

The Administrator comments on the various items that make up the statement of accounts, stating that during the period between 01/01/2017 to 31/12/2017 Ordinary Income has amounted to 199.666,14€, with Expenses of 184.055,44€.

He also reports that the highest cost corresponds to the installation of the meters, the payment of which has been met this year, at a cost of 95.922,16€, with 55.533,84€ remaining pending and being paid monthly as per the contractual agreement. Another issue to be highlighted is the clean-up of the electric circuit at a cost of 3.096,20 €, the damp proofing of the roof on Block A, whose total cost amounted to 71.000 € (VAT included), of which 12.000€ has been paid this year.

He then comments on the debtors to whom letters, emails, Burofax etc. have been sent out. The list of debtors has been exhibited on the Community noticeboard and he reports on the owners who are in Court:

- **D. Manuel Perea Peña, Apt.2602**, A lawsuit has been presented. Currently the owner is making partial payments against the debt being reclaimed as per an agreement. In Point N° 4 "Legal Report" further information will be given.
- **D^a. Jane Lindsay Nolan Apt. 904** A lawsuit was heard and the owner did not attend. Currently waiting to apply for an embargo on the property to then go up for auction. Further information in Point N° 4.

The Community had a positive balance in the banks at 31st December of 10.165,59€. Sr. Oliva then states he does not agree with the following items: Administration fees, Salary for the employee, Abraham, Community mobile telephone and labour assessment.

Another owner, Sra. Cortés, comments she does not agree with the dismissal sum for the employee, Mikola. The Administrator replies that he was dismissed because he did not comply with his tasks nor his timetable. Following instructions from the Committee he was given a warning which he did not comply with so he was dismissed in order not to continue causing problems for the Community and to prevent a possible sick leave and the subsequent problems that situation can bring.

Sra. Cortés continues stating he should have had his 15 days vacation and then the Community would have saved on the dismissal package.

Sra. Gracia explains that the holidays for a worker are 30 days, of which 15 are established by the company and 15 chosen by the worker. She insists he should have taken those 15 days holiday and the community could have saved that cost.

The Administrator reiterates the employee had in his possession all the access keys to the Community as well as several keys for owners and, following instructions from the Committee, it was considered more opportune for the safety of the Community to pay him his corresponding holidays in order to prevent any incident.

Sra. Castro believes, in her opinion, that the Community has acted correctly on this issue because if the worker had taken his holidays he could have gone on sick leave during that time (which could have lasted up to 18 months) and this situation would have caused greater economic harm to the Community.

It is asked what are the obligations of the current employee to which Sra. Jette replies that he does all maintenance works such as painting, small repairs, oiling chains and locks, locking up the swimming pool when he leaves, etc. His timetable is 3 pm to 7 p.m. in winter and from 4 p.m. to 8 p.m. in summer.

Sra. Cabello asks the Administrator asks if he charges for the certificate showing any debts to which he replies affirmatively that he charges the fees stipulated on the scale by the College of Administrators.

She also asks about the translation charge which, last year was budgeted at 500€ and 350€ were spent. It is replied that the charge is for attendance and translation at the General Meeting plus the translation of the Minutes.

Following this presentation the Statement of Accounts at 31st December 2017 is submitted to a vote:

- Votes in favour of approving the Statement of Accounts: 79 votes
- Votes against: 1 vote
- Abstentions: 26 Votes

The Statement of Accounts for 2017 is approved by a majority. The settlement of unpaid community charges with recognition of existing debts at 31st December 2017 is also approved by a majority.

And finally it is approved by a majority to authorize the President to legally reclaim against owners in debt and to issue powers of attorney to lawyers and procurators to initiate any legal action of general interest.

These Minutes serve as a summons for payment of the amounts owed by each owner or that they are obliged to pay as per the resolutions adopted, and the Community is not obliged to make any further summons for payment.

3.- Ratification of the protocol to follow in case of damages, water leaks or other in the properties.

The Administrator reads out the previously approved protocol asking for this to be ratified. The protocol is unanimously approved.

PROTOCOL TO FOLLOW IN CASES OF LEAKS AND DAMP

1º. THE AFFECTED OWNER SHOULD INFORM HIS/HER OWN PRIVATE INSURANCE COMPANY. THE ASSESSOR WILL INDICATE THE ORIGIN OF THE PROBLEM AND DECLARE WHO IS RESPONSIBLE FOR REPAIR.

2º. IF THE ASSESSOR CONFIRMS THE PROBLEM IS FROM THE COMMUNITY THE ADMINISTRATION WILL REPORT IT TO THE COMMUNITY INSURANCE COMPANY.

3º. FINALLY, THE REPAIR WILL ENSUE AND CORRESPONDING ESTIMATES WILL BE OBTAINED IN ORDER TO CHOOSE THE MOST OPPORTUNE.

“ONLY IN CASES OF REAL EMERGENCY WILL URGENT MEASURES BE TAKEN”

4.-Legal Report.

The Community Lawyer, Javier Jiménez Mayorga, reports on the lawsuits indicating the ongoing lawsuits :

1.- First of all following presentation of lawsuit P.O. 936/2017, which is being heard in the Court of 1st Instance number 5 in Torremolinos, brought by the owner of apartment 304, Don José Rodrigo Fernández Ferreiro, as a result of the damp he has incurred in his apartment, it has been verified that the policy current at the time was with Liberty and they, under the coverage offered, are dealing with the legal defence so the documentation has been sent to them and they have made the corresponding reply to the lawsuit.

This case is currently awaiting Sentence.

2.- Secondly, the lawsuit to reclaim an amount against Don Manuel Perea Peña, apartment 123 Block B, was given Verbal Hearing number 158/2017, before the Court of 1st Instance number 4 in Torremolinos and, once admitted to Court and the owner was notified, a payment agreement was reached, together with 50% of the fees incurred, to be paid overtime at a rate of 350€ per month, together with the quarterly payment, until the debt is paid off. A written request to file the case has been presented due to reaching this agreement.

3.- Third, the lawsuit to reclaim an amount against Jane Lindsay Nolan, apartment 904 , Block B, was given Verbal Hearing number 273/2017, before the Court of 1st Instance number 1 in Torremolinos, currently awaiting publication of the sentence in the BOP as it has not been possible to notify her in person. Following which the Sentence will be declared binding and then a request can be made for an embargo on the property or other assets if found to meet the payment of the amounts reclaimed plus costs.

5.-Report relating to the works on the roof and façade of Block A. Cost & financing.

The Administrator reads out the Technical Report presented: *“Project for the repair to the roof consisting in damp proofing the roof with thermal insulation and protective surface flooring. At the beginning of September 2017 the works start. Once begun the engineers observe that the front of the top floor of Block A, that overlooks*

the swimming pool, is in poor condition and it cannot be guaranteed that the damp proofing material being used will adhere to the façade. It may come loose again."

In relation to the cost of the repair and refurbishment of the roof, amounting to 64.732,50 €+10% =71.205,75 €, payment has been negotiated in the following manner:

-1st payment ---12.000 €(payment date 01-12-2017) and the remainder to be paid over thirty months without interest, with the final payment in May 2020.

For the payment of the above work it is proposed that 50% of the cost, i.e. 35.602,87 €, should be included in the estimated budget for 2018 .

In regard to the work carried out on the façade of Block A the following Technical Report is quoted: "**Repair of façade in Block A**, during the repair to the roof of Block A, currently being undertaken, in which the damp proof material overlaps the roof onto the façade of the building and given the poor condition of the façade which will likely not maintain the material adhered, it is decided to repair the upper part of the façade of Block A. However, as we proceed to repair we become aware that the rest of the façade is also in poor condition and so it is decided that as the structure is in place, such as scaffolding, to repair the whole of the façade."

In view of the Technical Report the work that had to be carried out came to a total of 11.340€ +10% =12.474€. A payment plan has been agreed over twelve months without interest at a rate of 1.039,50€, which will start in April of this year.

6.- Information on the medium term works pending:

- **Restoration of façades and painting of both blocks.**
- **Installation of new community vertical pipes.**
- **Installation of electric cabling.**
- **Installation of new railings in Block A.**

It is reported that medium term further maintenance and improvements will have to be carried out in the Urbanization. Priority will have to be given to the most important and budget for them.

In relation to the painting, due to the amount of time since the last time it was painted, everybody is aware that it needs doing. Estimates can be obtained to find out how much it is likely to cost.

Other issues are the community vertical pipes and the installation of new electric cabling throughout the Urbanization. We must all be aware of the need to carry out these works but we have to create priorities and establish a calendar of works, as we know the cost is high. We also already have some payment commitments in place, and all the owners are currently making a huge economic effort to meet the charges being issued to carry out the extraordinary works being undertaken by the Community that will result in better facilities and optimum conservation of the Urbanization.

Sra. Jette and her Committee appreciate the economic effort made by all the owners to meet the aforementioned charges to defray the cost of these important works that are being undertaken.

Following a lengthy debate it is agreed to obtain estimates for the aforementioned works and, if it is decided to undertake any of them, to call an Extraordinary General Meeting.

7.- At the request of several owners: Clarification of the estimate and invoices for the repair works to the roof, measures to be taken. Presentation of payment receipts from 2014 to date.

8.-At the request of several owners: Presentation of bank extracts on all the Community accounts since 2014.

The Administrator reports that in relation to these two points on the Agenda, included at the request of several owners, in the first place the Statement of Accounts for the years 2014 to 2017 were duly approved by the owners at the corresponding Ordinary General Meeting.

However, in view of the short period of time in which to provide detailed information on these issues, at this General Meeting matters of interest are being discussed to which replies must be given because the issues relate to this year. There is no objection to any owner wishing to do so, to go to the Administration offices for any consultation or clarification in this respect.

9.-Election of Committee members: President, Vice-president, Committee, Secretary-Administrator.

Sra Cortés comments that at the last General Meeting she stood as candidate for Committee member but because she is not an owner she could not take part.

The lawyer explains that as per the Law of Horizontal Property each and every member of a Committee must be an owner of a property.

The President places her post at the disposal of the assembly inviting candidates:

Several owners comment they are very happy and satisfied with the work being carried out by Sra. Jette.

Sra. Jette states she is prepared to continue for a further year but asks for cooperation from the Committee and the owners.

The owners once again thank her for her commitment to the Community.

The vote to appoint the President ensues:

-Votes in favour of Sra. Jette: 98 votes

-Abstentions: Antonia Cortés

There follows the members who make up the Committee:

- **President:** Jette Faarup Apt. 1107
- **Vicepresident:** Gracia Cabello Bajo C, approved by a majority.
- **Committee:**

- D. Manuel Jiménez Calisalvo-- Apt. 1112
- D. Rufino Fernández Gracia-- Apt. 2614
- D. Benito Romero-- Apt.2201
- D. Andrés García-- Apt.2115
- D. Dolores Blázquez—Apt.2302

Ratified as **Secretary Administrator:** D.Mario Cordero Codes.

Sra.Cortés & Sr.Oliva ask if they can become members of the Committee with a Notarial power of attorney. It is replied they can only become members of the Committee if they are owners as stipulated in the L.H.P., Community Statutes and jurisprudence on the issue.

10.-Presentation and approval, if reached, of the estimated budget for 2018.

CRUZ DEL SUR. BUDGET PROPOSAL FOR 2018

1.- ,Maintenance: cleaning-gardens-swimming pool.....	50.000
2.- Lift maintenance	6.720
3.- Aerial & Intercom maintenance	1.500
4.-Pest control	1.000

5.-Cleaning pipes and drains	1.000	
6.-Parking gate maintenance	500	
7.- Extinguisher maintenance.....	250	60.970 €
1.-Salary Community employee.....	10.013	
2.-Lifeguard service July & August	4.500	
3.-Gratification President.....	1.000	15.513 €
1.-Administration Fees	12.000	
2.-VAT Administrator.....	2.600	
3.-Office Material & communications	1.500	
4.-Labour assessment	650	
5.-Legal assessment.....	1.000	
6.-Translations	300	18.050 €
1.-Electricity	8.500	
2.-Drinking water	30.000	38.500 €
1.-Comprehensive insurance	8.350	
2.-Financial costs	63	8.413 €
1.-Various materials (ironmonger, electricity, painting etc).....	3.000	
2.-Protection of data charge	84,70	3.084,70 €
1.- Reserve fund established by Law	000	6.000 €
<u>TOTAL ORDINARY BUDGET</u>		<u>150.530 €</u>

EXTRAORDINARY BUDGET:

1.-Provision to replace drinking water pipes etc	41.650,44 €
2.-Damp proofing roof Block A	35.602,87 €
3.-Refurbishment & painting façade Block A.....	12.474,00 €
<u>TOTAL EXTRAORDINARY BUDGET</u>	<u>89.727,31 €</u>

TOTAL BUDGETS ORDINARY + EXTRAORDINARY.....240.257,31 €

It is reported that this budget has been drawn up based on the real expenditure for 2017.

In regard to the swimming pool problem, which has been explained in Point Nº 1, the Administrator indicates that this extraordinary cost has not been budgeted as the amount is unknown. Owners will be informed in a circular of the extra community charge to be paid on 15th May next.

Following a debate it is unanimously agreed to approve the Ordinary & Extraordinary Estimated budget plus an extra community charge for the repair of the swimming pool area, cracks in the façade and railings in Block A, in the sum of 10.000€. (**Attached list of charges to be paid**)

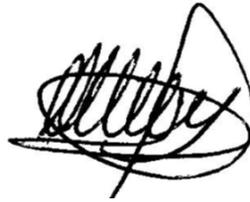
11.-Any Other Business.

Sr. Cabronero comments he disagrees with the storeroom in the Block A area of the garden. It is explained that the construction of the storeroom was financed by the renter who pays an annual canon of 120€ for this concept.

And, with no further matters of general interest, the President agrees to close the meeting at 4.30 p.m. from which these Minutes are drawn and, in agreement, she signs with me and to the content of which I, the Secretary, certify.

A handwritten signature in cursive script, appearing to read "J. Jefferson".

President

A handwritten signature in cursive script, appearing to read "M. M. M.". The signature is somewhat stylized and includes a large loop at the end.

Secretary-Administrator