

Junta de Compensación de Cortijo Cabrera

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The following information is sent for the benefit of all Cabrera owners in response to an unsolicited email received from the website of one owner containing their views on the content of the recent informative letter distributed by the Junta Treasurer explaining Cabrera history and the 1993 agreement.

The opinion of this owner in his email is shown in italics with the Delegados reply following.

It is unfortunate that the Treasurer does not wish to take the advice of OPEN CABRERA and resign permanently together with the entire Junta Board for the sake of the future of Cabrera.

The elected delegados do not take demands from one private person's website. However, if it transpires that a majority of owners so wish, the current delegados would welcome the opportunity to relinquish their time-consuming voluntary contribution to the residents and give the task to others. But as property owners in Cabrera ourselves we would be very concerned for our neighbours and friend's investment and standards of ongoing services and maintenance. Whoever volunteers to take on this mantle should remember that, although they have been fortunate to conduct their remote anti Junta campaign from the UK in English, to run an urbanisation in Spain you need to be on site and fluent in Spanish to deal with ongoing technical and bureaucratic problems.

We note the special treatment of residential property owners that has been suggested. We enclose a photo of the drive leading up to the restaurant which the Treasurer is trying to sell. It was resurfaced recently, looks great and was fully paid for by residential property owners!

The owners voted to continue an ongoing road improvement scheme for 35 years of worn-out roads and to keep Cabrera as the envy of other developments in the region. The section from the village to the restaurant and tennis courts is the first impression that visitors get of Cabrera and with these resurfaced roads it greatly improves not only access to the village area properties but also enhances the value of all of our property investments. The section in front of Los Pastores and the tennis court entrance was paid for by Los Pastores. Note that other roads have equally been resurfaced in the past as part of the agreed ongoing road improvements. For those that are familiar with Cabrera these are in Calle Olivar Alto, a Section in Avenida Abenjoar, Calle del Fondo as well as Avenida de Sopalmo to name but a few.

Could the Treasurer advise the Homeowners who is on the Junta Board? The Junta Board has not advised the Residents that Liz Longden resigned almost a year ago. Our current understanding is that the Junta Board consists of the Treasurer, the Treasurer's brother in law, the Treasurer's long-standing business partner, another delegado and the President. Have there been any more resignations recently?

If the person requesting this information viewed the AGM minutes for each year they would see who the delegados were and currently are. They obviously have full access to past AGM minutes as they often quote from previous AGM details as far back as 1993. The website owner has demanded to be told why one delegado had resigned. The Junta regarded this as personal information for the person involved and left it to their decision as to what and if they wanted to publicise. The way that one long serving homeowner delegado is pointed out as being related to the treasurer is a very unpleasant inuendo in line with most of the tone of this private website against the Junta but directed 99% at the treasurer. It is remarkable that the website owner who

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has spent so little time actually living in Cabrera has acquired such detailed information and spun it to fit the agenda of the CRA formed with the help of the mayor of Turre. It leads one to wonder what is the hidden agenda and who is behind this? We understand that despite being recently in Cabrera, no attempt was made to contact any delegados or any residents to clarify the various points or accusations raised in the website emails or to detail their plans. Could this web site owner advise Homeowners of his identity by signing his name instead of hiding behind an anonymous web site name. Also, advise who is funding and providing information that is being spun in his campaign and what their qualifications and experience are to manage an urbanisation in Spain on a daily and future long-term basis. Especially as in the past, many fervent anti Junta agitators, after stirring up discontent mainly aimed at the treasurer, have either left Cabrera or succumbed to the passage of time

Did the Treasurer personally decide to launch this court appeal using Homeowner money or is this a documented Junta Board decision? Where are the minutes and who signed up to this?

The Junta board never had recourse to spend precious resources on legal matters until the CRA was formed. Since then, complying with our legal responsibilities, we have employed legal experts to maintain what we consider the best tried and tested way to provide services at the most economical urbanisation cost in the region.

It was the Junta legal team that fought against the failed Town Hall one man attempt, to dissolve the Junta in 2016 and to develop the 30% of Cabrera land held by the Town Hall for affordable housing plots. This threatened all villa owners with the prospect of upwards of 30,000euros per property and smaller properties pro rata. Of the 11 councillors in Turre Town Hall only one forced through the abortive attempt to implement this. Our legal team successfully prevented it in the interests of ALL owners, and they continue to advise us. The Junta has presented full details of this incident but there has never been any recognition of these facts from the website owner. Presumably, he has not been fed this information by his informants or has chosen to ignore this threat as it does not fit in with his scheme.

: It seems that even the Treasurer admits that the Junta Board is operating illegally. We believe that we may be at the start of a bright new future for Cabrera.

Again, we would appreciate being informed of the identity of the “we” mentioned in this comment. The treasurer has always pointed out that Cabrera does not fit into all Junta legal framework conditions, but without the present 1993 formula for services and infrastructure cost allocation Cabrera would never have proceeded beyond 1993. The owners have NEVER been charged for new infrastructure and the present electrical connections problem is due to a complicated sequence of political and business circumstances. Without the 1993 agreement ALL owners in Cabrera will have to pay towards ALL new infrastructure costs as was threatened in 2016.

In our estimation, these unfortunate incidents are unlikely to have anything to do with Cabrera people. However, the sheer volume of the malicious incidents described may give the Junta Treasurer some cause for concern. This does not happen to many people in life.

Not many people in life are entrepreneurs taking a gamble on trying to create a unique jewel of an upmarket development in an idyllic setting in a region with major terrain challenges on every

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property. In doing so they are bound to come into conflict with the occasional Cabrera owner, associate and contact over a 35-year period. People can hold grudges for many years and react in nasty ways. In the estimation of this website the unpleasant incidents have nothing to do with the people of Cabrera but is obviously unaware they only occurred after the creation of the CRA campaign. It is always easier to sit back and criticise and say what should be done without having to put your shoulder to the wheel and make things work. Especially when sitting remotely in front of a laptop, hiding behind a website in the UK, rather than volunteering to partake in the day-to-day problems onsite

You cannot delete one agreement without deleting the other. Unfortunately, this is utter nonsense. The 1993 Agreement is void. The CABRERA STATUTES are valid and have always been valid.

NO, without the 1993 agreement the Junta would not have been formed and there would be no statutes and no further Cabrera just the few initial villas and the village area with the services falling into disrepair. One Delegado is a previous owner of a property in a nearby development that suffered the same fate. They describe the years of continual blocked drains, a sporadic water supply full of obvious wildlife and an intermittent electrical supply. That is without mentioning the access roads and is the reason they sold and came up to the well serviced magical Cabrera and why they became a Delegado to preserve it that way.

This tells us that Vaitier S.L. and the Junta Board are not sufficiently at "arms length". The Endesa quotations for new transformer infrastructure are being hidden from the Homeowners. We do not know how much Endesa wants to charge the Homeowners and we do not know how much of our money will land up in the pockets of 'associated Contractors'. We do not even know the full scope of work. This is because the Junta Board is secretive and does not behave in an open and transparent manner.

The bureaucratic systems in Spain which are now compounded by the pandemic, has made obtaining detailed estimates an extended exercise, but work is progressing, and full details will be provided as soon as available.

The Treasurer states that he is standing again for the role of Treasurer. OPEN CABRERA feels that this is extremely bad for the future of Cabrera. Why would we want a Treasurer that is unwilling to answer numerous questions on the FY18 and FY19 accounts? Why would the Treasurer subsequently refuse to answer the questions on the FY18 accounts when he was requested by the Town Hall to do so? What sort of Treasurer would refuse to answer these questions? Why would we want to have a Treasurer that has far too close an association with Vaitier S.L.? Why would we want a Treasurer who presents his own Company, Vaitier, S.L, to Endesa as the "blurry" front for the Junta de Compensacion.

Again questions are asked by a website and an anonymous "we". The Junta cannot supply information to an unidentified source that will publish confidential information, private to owners, on a website open to the world wide web.

We have previously highlighted the fact that it appears that townhouses were connected to an Endesa supply at home owner expense (arch transformer upgrade). We asked for an explanation but, of course, no response was received.

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The history and complex reasons for the Endesa connection problems have been explained to owners on many occasions. Your source of information must have omitted to give you these details.

So much seems to be false in the eyes of the Treasurer! Actually, the additional deposit was outside the scope of the Urbanisation Plan. As such, a Special Quorum vote should have been held to decide whether it should be built or not.

Again, your CRA source of information must have omitted to inform you of the many years of discussion and debate at AGMs on the need to try and remove the heavy calcium deposits from the water supply in summer when the well is in use. It was AGM voted on to build a second deposit to form stage one of a scheme, detailed free of charge by an ex-owner who was an expert in water treatments, to filter from the higher to the lower reservoir and remove deposits.

The Cabrera project should have been finished after 4 years and our IBI Contributions should be paying for everything except electricity, water and waste collection. By now, we should not be paying Junta fees at all and all our infrastructure should be in place.

In an ideal world that is what should have happened, in theory. We should have had 850 houses built and a large hotel in the middle. In practice due to the particularly challenging building conditions, various economic catastrophes, political and business problems it was not possible. This was recognised in 1993 and despite the sad death of the founder, Peter Grosscurth, in that year, people were prepared to work around the system to enable Cabrera to continue and not just end up as a backwater neglected group of properties.

Those of us who were fortunate to have discovered Cabrera after that time applaud those persons who made it possible for us to join them in such a unique haven. It is doubtful if any residents of Cabrera who has purchased in the past 30 years regrets being able to be part of this special location and community. We feel sorry for those that spend their time and effort complaining about what are in fact trivial amounts of expenditure in the long run, rather than just enjoying the convivial company of our neighbours whilst sitting back and watching the inspiring landscapes, sunsets, and clear blue skies.

Is the Treasurer sure that the benefits from Cabrera have not been invested in Development Huerta Nueva rather than the other way round? After all, Cabrera only has €1.4 million of recognised infrastructure and, of this, more than €500k is in Zone 1 where the treasurer has the infrastructure in place (aside from transformers?) and some of his vacant plots for sale.

Again, false information from your CRA informants as Cabrera has had approximately 17millions euros value invested in new infrastructure by several developers over 35 years.

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It will not be a disaster for Cabrera now that the 1993 Agreement has been declared void. The reason that the Developers are so firmly against it is that it puts them into the position where they will theoretically have to pay their way in future. This is very uncomfortable, and it will have to be seen whether they ever make any contribution. If the Developers default and do not make payments, this leaves us exactly where we are now as Homeowners. We will have to fund the €200k annual budget but have to supplement the non-paying Developers who become Debtors. Homeowners have been doing this for 27 years. However, Debtors are not able to vote or, we would suggest, hold a role on the Junta Board.

The developers have created an existing infrastructure estimated at a value of 17 million euros at today's prices. Hardly not paying their way. Without the 1993 agreement ALL owners would have had to contribute a fair proportion of that and would be liable for any future new infrastructure.

As you are aware there has been no development in Cabrera for 12 years so you correctly presume that it is unlikely that the theoretical 65% will be forthcoming. How do you propose to legally invoice us owners for the shortfall? Taking people to court is a long-term exercise and only worthwhile if you are certain that the money from any judgement will be forthcoming. As you say, we still need 200k euros pa. and therefore, we will probably end up paying the same as now. So, one asks what has been the point of all of this apart from losing the 30+ years expert knowledge that we currently enjoy in our organisation. Rather than enabling us to live here practically free of charge, I suspect that to buy in this knowledge will cost us all more in the long run and be far less efficient.

The bottom line in all of this unpleasantness is that if the CRA had not proceeded with the court case against the 1993 agreement and not set Cabrera in the sights of local politicians, we all could have carried on with enjoying the peaceful atmosphere of this magical place at a cost which we all accepted as being perfectly fair for the services and maintenance that we enjoy.

The forlorn assumption that the Town Hall will protect our services in Cabrera shows a complete lack of comprehension of what Spanish local administrations are capable of, or indeed interested in, especially in today's economic and pandemic climate.

Regards

Owner Delegados independent of Treasurer and President

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