

RFI 008

QUERY ON FUNDING OF CABRERA URBANISATION

2 July 2021

Dear Noeline Ramsay

JC_0044_210702_RFI 008

We are writing to you in your capacity as one of our representatives or “Homeowner Delegados” on the Junta Board. We hope that you may be able to clarify a few matters to the Homeowners.

We understand that you have been spreading the word that the Developers are allegedly delighted by the Court Judgement as they believe that all the Homeowners will now “become Developers” and will need to pay for the Urbanisation costs.

As you should know, this scaremongering tactic dates back to the very creation of the 1993 Agreement which is well documented in CASE STUDY 014: HOW THE JUNTA WAS CAPTURED (pages 1 and 2):

http://www.opencabrera.com/uploads/4/8/0/4/48042949/case_study_014_how_the_junta_was_captured_210211.pdf

Common sense should tell people that the Developers on the Junta Board would not have fought so hard to overturn the Judgement if this was the case but we just wondered if you, as our Delegado, could re-assure the Homeowners owners of their position.

So, would you mind getting together with the President and the Treasurer to provide us all with a copy of the legal documentation specifically detailing that Homeowners would ‘become developers’ and would be responsible for bearing the cost of Urbanisation?

Our understanding is that The Compensation Project confirmed the Urbanisation Firms who are obliged to pay for the works of urbanization and official documentation indicates the following:

“The investment that remains to be made for the urbanization of Poligono1 is 674.194.262- 441.600.000 = 232.594.262 pts, being distributed among the different owners as follows:”

COSTES DE URBANIZACION DEL POLIGONO 1

La inversión que resta realizar para la urbanización del Poligono1 es de 674.194.262 - 441.600.000 = 232.594.262 Pts, quedando repartida entre los diferentes propietarios de la siguiente manera:

PROPIETARIOS PROMOTORES	%	COSTE
SIERRA LEISURE S.L.	44,87	54.584.482 Pts
ACTIVE RETIREMENT VILLAGES LTD.	35,05	42.629.178 Pts
FORTVIEW PROPERTIES LTD.	1,17	7.358.973 Pts
PROMOCIONES MOJACAR, VERA Y GARRUCHA S.A.	2,52	18.991.193 Pts
PROMOCIONES MATAIX S.A.	4,30	28.958.378 Pts
PROMOCIONES MATAIX S.A. (Banco Andalucía)	3,55	23.945.114 Pts
SEGUNDO RAMIREZ PEREZ	3,55	57.626.944 Pts
TOTALES		232.594.262 Pts

We look forward to the prompt receipt of the legal documentation demonstrating the interesting idea that "Homeowners will all now become Developers" because of the Court Judgement.

Please do not pay the Junta Lawyer to write a letter to this effect using our funds! The Almeria Court has not agreed with his advice regarding the validity of the 1993 Agreement.

We would be grateful for a prompt response. If there is no satisfactory response, could we ask the Junta Board not to perpetuate the myth as it is obviously unsettling for some of the more apprehensive homeowners.

Many Thanks

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