

Junta de Compensación de Cortijo Cabrera

Apartado 2, Cortijo Cabrera, E-04639 Turre, Almería, España

Minutes of the Annual General Meeting held Friday 26th November 2021

In Turre on Friday 26th November 2021, the Annual General Assembly of the Junta de Compensación of “Cortijo Cabrera Polygon 1” commenced at **11.30am** in the Centro Social of Turre, with a sufficient quorum of **77.46%** of the owners present and represented. Sr. Segundo Ramirez Perez, President, declared the meeting valid and legal as mandatory by our Constitution, and in accordance with the agenda.

Present:

Mr. Segundo Ramírez Pérez, Presidente

Mr. José Luis Jerez Requena, Tesorero

Mr. John Bailey, Secretario

Mrs. Noeline Ramsay, Delegado

Mr. Bob Hall, Delegado

Mr. Martin Morales, Alcalde de Turre

Mr. Carlos Escobar, Abogado de la Junta de Compensacion

Mr. Jesus Varela Torrecilla, ex Secretario Ayuntamiento Turre

Mr. Mark Byrne, Traductor

With 69.83% present and 7.63% of votes in representation: 77.46% total of votes, the assembly began at 11:30 a.m.

The President intervened to inform that, in accordance with the Statutes, only the votes of duly accredited represented parties are accepted according to article 12 by which, “*the representatives with sufficient power will be appointed, and communicated to the Junta Compensation in writing, together with a copy of the power of attorney stating the limits of the authorization granted*”. However, for this year the representations would be accepted, since there has not been time to notify it well in advance

Eduardo Gonzalez, representative of several owners through proxy representation (without providing a copy of the passport or document that identifies the signature of the represented), took the floor, confirming his attendance based on the representation that they have conferred, to state that the Favorable judgment of the Court on the Lawsuit against the Town Hall and the Junta Compensation. In his opinion, he made it known that the meeting was void because it was not known who represents the Junta Compensation, based on the foregoing. He insisted that the execution of the sentence has immediate effects, this being the reason why this assembly was null and void. Despite the foregoing, he considered the celebration valid, although not duly constituted, and therefore requested the TownHall, represented here by the Mayor, to take control of the Junta Compensation

Carlos Escobar, lawyer for the Junta Compensation, intervened to clarify that the claim of the Junta Compensation was to try to comply with what the Court has determined, without prejudice to whether or not some agree with what is established. He confirmed that the TownHall has delegated to the Junta Compensation, the execution of the sentence and for this he has expressly

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stated so. He also confirmed that the assembly was well convened, because if it were not held, the agreements that the judgment itself pronounces could not be approved.

Eduardo Gonzalez questioned about the form of calling the Junta Compensation without indicating who were the debtors and therefore without knowing who had the right to vote, Carlos confirmed that those who did not pay the fees were not up to date in the payments , as well as that the judgment did not establish that the previously invoiced fees were not valid, so in case someone wanted to interpret it this way, it would imply that all should be debtors in the Junta Compensation

Jeremy Oliver, owner of La Fuente number 6, asked to speak before voting began, however Segundo Ramirez did not give him a voice. Eduardo Gonzalez requested that he be granted the floor.

Segundo Ramirez did not give him the floor, claiming that he would have the opportunity to do so during the A.O B: point, and at each point on the agenda.

Jeremy Oliver requested the identification of Jesus Valera and Carlos Escobar, as well as the reason for their attendance. Jesus Valera replied that the Junta of Delegates entrusted him with his contribution towards the process of execution of the sentence based on his experience in the position of Secretary of the TownHall for 36 years, and in particular in the Turre's TownHall from 2006 to 2012. He justified the reason for his presence in the assembly in order to collaborate in the solution of the problems raised. Jeremy Oliver recalled that the judgment issued on June 17, 2021 and in which, in his opinion, the invoices were declared void, and that the Court's decision had not been respected, so in his opinion it was not known who had to pay and the amount, adding that the promoters had not contributed anything, so the invoices issued during 2021 were incorrect as they were not included in the billing, which is why, in his opinion, they had no right to represent the Junta. He also added, they also did not have the right to vote in this assembly.

Carlos Escobar intervened to say that this conversation was taking place in the Courts, and that this was not the place or the time, so the Assembly and the order of the day should continue.

Eduardo Gonzalez said to Martin Morales confirming that he intended to appeal the Assembly to the TownHall, and requested the annulment as he considered it invalid. He added that he did not intend to talk about the lawsuit and about the celebration of the present (which lacked legality etc.) he wanted to state that the Townhall should declare it invalid, so he requested that the votes be invalidated

The President took the floor and confirmed the quorum with 69.83% present and 7.47% of the votes represented, resulting in a total quorum of 77.30% representation of the votes, which led to the first item on the agenda.

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Owners present and represented:

Control	Name	present	PROXY VOTE	Control	Name	Present	PROXY VOTE
4	Knight Peter	0,17		95	Honningstad Tor		0,01
5	Aspin Arnold		0,05	97	Pinto y Paillete		0,10
6	Ayuntamiento de Turre.	10,00		102	Jefferson Clive		0,22
7	Bailey John y Nita	0,13		105	Jones Adrian y Jennie		0,36
8	Baird David y Federique		0,19	114	Linda Cronshaw		0,13
9	Baddeley Keith	0,02		116	Lloyd Graham	0,01	
10	Cronshaw Bernard		0,03	119	Los Pastores (Bean-Cigolini S.L.)	0,09	
13	Barden Brian y Maria	0,37		122	Mant Chas and Lindy (Brattle)		0,17
14	Bakish Michael -		0,01	125	Marquenie Lucas	0,53	
15	Barr Christopher y Suzie		0,01	131	Metcalfe Colin y Susan	0,13	
16	Barton Hill Robert & Judith		0,38	132	Middleton David y Linda	0,03	
17	Barton Elizabeth		0,02	135	Bonner Connall & Pamela	0,01	
18	Pallet Jeremy		0,13	136	Hutchinson Shirley	0,37	
20	Bird Dick y Margaret	0,13		141	Müller Ingeborg		0,50
21	Birks Eric y Pauline		0,02	146	Ming Andrew y Judith-	0,03	
31	Butt Anthony	0,16		151	Pryce Keith y Veronica		0,30
33	Cabrera Desarrollo y Gestiones.(Segundo Ramirez)	18,54		103	Harman Graham	0,04	
39	Laporte Valentina		0,15	154	Ramsay Ronald y Noeline	0,21	
41	Coates Murray Clive y Ann		0,43	155	Redding Debbie		0,02
42	Construcciones Cueva Sucia, S.L	0,93		156	Gurney Len	0,02	
43	Simmonds Lesley	0,11		157	Richter Jochen Christine		0,02
45	Corner Alfred		0,16	158	Robinson David e Isla		0,27
46	Cortijo Cabrera S.A.	0,03		161	Salisbury Peter y Jennifer		0,04
50	Anne Viccars	0,11		166	Beknik Christie	0,07	
53	Darling Geff		0,02	172	Gallego Ana	0,03	
54	Davies Geoff y Sally	0,03		173	Connolly Leo y Margaret		0,03
55	Debaff Holding Ltd (D.Farrar)		0,33	175	Sierra Leisure S.L.	24,39	
58	Donacourt Ltd (Gardner-Hussi)	0,01		178	Small Mervin y Brenda		0,05
60	Dukelow Edward		0,02	191	Turner Peter y Suzanne	0,02	
64	Bishop Alan & Lynn	0,32		194	Uzzell Chrissie	0,03	
66	Vaitier ex Espancom S.A.	0,20		195	Vaitier S.L.	11,59	
67	Eve Phillip	0,02		198	Longden Richard y Liz	0,19	
70	F.C. Invest A/C.(Frieman-Clasen).		0,16	199	Walsh John y Gail		0,02
73	Baigent Graham	0,04		201	Ward Eileen		0,22
74	Nicholls Andrew & Glllian		0,22	203	Watkins David y Hilditch Sheila	0,18	
75	Scarfe Jennifer Alice		0,04	207	Oliver Jeremy y Lisandra	0,02	
77	Siquet Paule		0,15	208	Heritage David y Sally		0,02
79	Craig Robert y Penelope	0,02		210	Wilson Francis Alfred y Angela		0,02
83	Hall Bob y Lynne	0,16		211	Wood Keith -	0,02	
84	Loenberg Pernilla		0,13	213	Wood John y Linda -		0,26

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86	Hedley David	0,13	215	Wynn Linda	0,16
87	Heymann Russell	0,32	217	Zwerger Herman	0,13
88	Gapin Michel Casa Luna	0,13	218	Lecomte Pascal	0,13
98	Humlén Arild Nina	130	0,02	99 Husbands Gordon y Natalia	1.116 0,14
165	Cuvelier Dominique	0,65	219	Horn Gerald y Janice	0,03
91	Bonner Connall & Pamela	0,00	222	Andoline Properties Limited	0,19
92	Bennett Robin y Burdett Alison-	0,02	223	Rory Mearthur	0,01
93	Holland John	0,20	224	Birch Christopher John	0,21
94	Hodgson Jill	0,02	226	Guido Benoy	0,12

Owners private debtors of vote, debtors, the owners deprived of the right to vote are reflected, whose person and participation quota in the Junta Compensation will not be computed in order to reach the required majorities, resulting in the following

Control	Name	Total votes %
42	Construcciones Cueva Sucia, S.L	0,93
58	Donacourt Ltd (Gardner-Hussi)	0,01
60	Dukelow Edward	0,02
93	Holland John	0,20
199	Walsh John y Gail-	0,02
201	Ward Eileen	0,22
219	Horn Gerald y Janice	0,03

Items of the Agenda:-

1. Approval of minutes of Annual General Assembly 29th November 2019

An owner took the floor and asked if the assembly was going to continue, Carlos Escobar replied that it would continue, adding that each one had the freedom to leave or stay, or the content of their agreements, but not for that reason they could suspend the Assembly. In addition, he confirmed that the assembly was going to decide how to execute the sentence, so the meeting should not be a debate between lawyers. In this meeting everyone had to focus to the order of the day.

Liz Longden, owner, intervened to confirm that she had asked to the Junta for information on the agenda items, so that they could vote on something they know, and that she has politely received no response, or details about the expenses or the implications towards the owners, therefore she took the opportunity to request it now. Carlos Escobar replied that the reason for this assembly was to answer the questions

Mrs. Bernadette, owner, asked about the suspension of this meeting, as well as the deadline to present the declaration of nullity. Carlos Escobar replied that he would review the statutes and answer her, during the meeting

Jeremy Oliver noted that the Statutes date back to 1991 and asked why the Junta of Delegates was proposing debate at this time about how to implement them, and for the past 5 months nothing had been done.

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Segundo Ramirez warned Jeremy that he should focus to the agenda, however, he insisted that he rejected the assembly because it was illegal, and if the items on the agenda were approved, they would be giving credit to an illegal operation orchestrated by the promoters.

Jesus Valera intervened to say that he had written many minutes throughout his life and although he respected his opinion, this time it was not valid because the minutes are approved or not based on what was said at the 2019 assembly. This point of the agenda had nothing to do with opinions because in this case it was put to a vote if the minutes reflected what was said at the time.

Eduardo Gonzalez asked Segundo Ramirez who were the debtors, and based on what criteria the condition of debtor was determined due to the fact that the promoters had not paid the installments. He said that the ruling established that the calculation of the invoices was illegal, and that the criterion of the Junta of Delegates was based on who had not paid. He reiterated that the Court established the execution of the sentence.

Jesús Valera took the floor at the request of Carlos Escobar, in order for him to state who could vote and the answer was simple, because everyone could vote (present and represented) except those who appeared as debtors at the time of the 2019 assembly. He asked those present and represented to vote because the minutes included what was said at the time. He went on to affirm that legal debates do not fit at this point, nor at that time and place.

Segundo Ramirez warned that there were more points on the agenda to vote, and that in requests and questions (AOB) there would be time for dialogue

Eduardo Gonzalez asked how the counting of the votes would be carried out, and he was answered that it would be carried out through the vote papers delivered, at the beginning of the assembly, to those present and represented, which would be delivered once completed, At the end of the session, He expressed his agreement

Len Gurney, owner of Alcazaba No. 2, said that he understood that those who owed fees did not have the right to vote, however, since the sentence was issued, no invoices have been issued, and for that reason, in his opinion, no one would have the right to vote. However, it was answered that for the Junta of Delegates this was not the case.

Jeremy Oliver, said that most of the residents had paid the bills, but the promoters had not paid anything, so, in his opinion, they did not have the right to vote.

Jose Luis Jerez said that he had contributed more than two million euros, and Jeremy replied that he had not paid anything, like Segundo Ramirez. Jose Luis replied that he was present at the Assembly in representation of his votes and percentage, as was Jeremy.

Segundo Ramirez said that with the study and new calculation that was going to be carried out as established in the sentence, whoever had paid more will have the right to be reimbursed, and whoever has not paid enough, would have to pay what they owed. He added that this assembly was organized to inform that the technicians were assessing the cost of the infrastructure, and when they had the data, an extraordinary meeting would be held to find out which people would have been harmed or benefited.

Eduardo Gonzalez reiterated his question about who could vote or challenge the act, and that the Town Hall represented here by the mayor would have to make the decision

Conall Bonner, owner in Begonia, intervened to say that he has lived in Cabrera for 3 years, and in his opinion and that of his friends who visited Cabrera, everything was very well managed, and in the last two years since Open Cabrera together Jeremy's comments were circulating, there was an atmosphere of tension in the community, and until today it was not known exactly who he was and who Open Cabrera represented, as well as who was the lawyer who represented them.

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Put to a vote on this point, with the votes present and represented:

Votes in favor: 59.46%,

Votes against 6.18%,

Abstention 10.27%,

Therefore, this point was approved with 59.46% in favor of the total of 76.04% present and represented with the right to vote.

2. Ratification of Annual Accounts for year ending 2019-2020

Richard Longden and Eduardo Gonzalez intervened to say that they wanted to vote on this point, however, they were told that the accounts were already approved at the Delegates' Junta, and this point on the agenda was for their ratification, which all received previously

Jesus Valera asked to continue with the order of the day

Malcolm Davies Linfield, representative of Pernille Loenberg, intervened and confirmed that Ms. Loenberg was behind Open Cabrera website, and the reason she delegated her vote to him was about of his experience in accounting and community management not only in Spain but in the United Kingdom, and therefore asked to the Delegates to forward her questions regarding the 2020 accounts to this assembly today:

* Open Cabrera website ask questions to the Delegates' Junta that as of today had not yet been answered

* The Delegates' Junta asked to Open Cabrera website to formulate the questions in Spanish, and they did so in February 2020, with the consequent expense of translation fees. Since they did not get an answer, they asked again, and today 23 months after they asked the question for the first time, they still had not received an answer, therefore, this was the time to answer questions posed by the owners who, in turn, they made it known to the TownHall.

Jose Luis Jerez answered that the Junta responds to the owners, but that Open Cabrera is not an owner, but a private web page that does not have the right to request explanations or information about the Junta de compensacion or its accounts. He added that he had not received the request from the TownHall. These were absurd, out of date, incorrect questions, as well as that as all owners knew, once the accounts are formulated and submitted, they can stop by the office and review them in person. He said that in particular Mr. Jeremy who has been in Cabrera previously, and did not have the education to go through the office to verify the information that he requested and that he pretends he knows, that is why the information that circulates is erroneous and manipulated to affirm that the Junta is not doing the management correctly

Eduardo Gonzalez asked why they had not received the questions from the Town Hall, if it is part of the Delegates' Junta, and since Jose Luis affirmed that he did not receive the questions from the TownHall, he proposed again the cessation of the assembly, and that the TownHall appoint an independent audit report. Jose Luis explained that although the questions have been referred to the TownHall, he was not aware that the it had referred them to the Junta.

Richard Longden said that Open Cabrera represented residents and was not a simple website

Jeremy Oliver said that although the treasurer was not going to respond to a web page, he was fully aware that Jeremy and Pernilla Loenberg formed this web page. He added that the questions were translated into Spanish at the request of Jose Luis and at this time it was the third time they requested

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the information, the TownHall being also represented, he asked why the treasurer was not going to answer these questions to the owners of Cabrera, and why he did offer to respond to each one individually in person at the office. In his opinion, perhaps he planned to give different answers to each of the owners who agreed to go, and that it would be good if he answered definitively in order to avoid conflicts in Cabrera.

Jose Luis replied that Open Cabrera did not represent the owners but a small percentage of them, adding that the owners who had gone to the office were satisfied with the responses obtained and that Open Cabrera did not represent 100% of the owners, therefore that if Jeremy wanted to verify the accounts, he should at the very least go to the office and study them there, since they have always been available to everyone in the office for review

Segundo Ramirez warned that he could not spend the morning saying about the same thing between two people, so he went to the next order of the day

3. Reading and Approval of the Budget for Maintenance and investment for 2022

Jose Luis intervened to present the budget and confirmed that the investment section was indicative given that the figures would be confirmed later once the advisors assessed, so they would be presented at the next extraordinary meeting scheduled for the month of January or February. He added that, with respect to the collection of water consumption, this management was offered to the TownHall 15 years ago, and at that time it was answered that it did not have enough resources to take charge of this management, and hence the TownHall transferred the management to the Junta of Compensation. He continued that the budget presented was indicative so that the owners had a vision on how the invoices would be presented after the extraordinary meeting

Eduardo Gonzalez asked Jose Luis for the percentage that water management represented in the total budget, and how the owner was asked to vote on an estimate budget. Also, why did he include this administration, when the Junta of Compensation itself has no powers to carry it out.

Jose Luis said that contacts had been maintained with Galasa (a company in the area) in order to transfer the administration of the water service. They were still waiting to receive their conclusions

Segundo Ramirez said that the situation in Cabrera was serious, and if the residents did not pay the fees, even if they were provisional fees, then Junta could not be managed since the TownHall could not take charge either. This is why he asked the neighbors to think ahead and reflect on the fact that stopping paying the bills would imply the cessation of the services provided.

Eduardo Gonzalez asked the TownHall why it did not order an external and independent audit based on its oversight role

Jeremy Oliver said that an investment and maintenance budget was presented in the same and combined format when in his opinion a totally separate budget for developers should be presented, He added that the approval of this point would not be in accordance with the statutes based on the ruling dictated He asked about the 250,000€ cost investment line for the acquisition of transformers, which according to the statutes in his opinion should be paid by the promoters. In the event that it was legal (which he insisted it was not), this cost should be distributed among all the owners, and he would like to know if the developers would contribute at least 150,000 € for the installation of these transformers.

Jose Luis replied that this chapter, included in the budget, was not for the moment intended for each owner, because this distribution will be presented at the next extraordinary assembly once the experts distribute the cost among the owners based on the percentage of participation of each one.

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He confirmed that the promoters, according to the statutes, were all present in the room, and not just Segundo or him, as they had been insisting. He stated that he is responsible for his percentage of the plot, but not 100%, as well as that during the last 15 years he has paid the cost of all the infrastructure developed for 100% of the owners. He suggested that they would study the statutes well to recognize that each one should contribute according to the percentage they own, as well as that in the next extraordinary assembly the percentage that each one owns will be made known and based on this they will contribute to the cost of the infrastructure, as well as the discussion about the distribution between each one was unnecessary at that time because it was later. The contribution that he has made in the last 15-20 years would be considered to determine the final amount to be paid by each of the parties. The problem with the demand from the TownHall is that the infrastructure in Cabrera ends, and that is why they had a plan or program for the completion of works on an annual basis, and each of the properties would have to contribute with the payment proportionally. He reported that there were two Endesa budgets based on the cost of these transformers.

Gerald Horn, owner, intervened stating that Endesa should report on this matter, and not the Junta. He was told that this was not the debate, but that there were 12 properties that needed to be connected with Endesa and this work was scheduled to be carried out over the next two years. Details would be provided at the next extraordinary assembly, this cost being confirmed here today as an approximate cost.

It was reported that the work completion work will be carried out to finalize 7 sectors that are currently completed at approximately 95% of execution, and although the objective was to complete the 19 sectors in total in Cabrera, sectors would be completed individually annually. At this time when budgets are available for the work to be completed, there are other works that will be budgeted before the end of January. The TownHall required the completion of these works to 100%, which began with the first developer, Peter Grosscuth, He added that they were all promoters, and the only difference between himself and the rest, as well as between all the owners, is the participation percentage

Anthony Butt, owner, stated that he had been a Cabrera resident since 2008 that he acquired his home, and that he had doubts about the interpretation of the 1991 statutes. He confirmed that he bought his home to Jose Luis Jerez, and has verified with his lawyer whether his property would have some future obligation to face through a payment, however, he was informed that it would not be the case, and for that reason he stated that he intended to challenge the interpretation of the Junta that they are all owners, based on the revision of the article 14 Statutes. He affirmed that in his opinion of the first owner of the first generation and how the Junta formed by Jose Luis Jerez and Segundo Ramirez could tell him that the house has no charges. In general, he was satisfied with the house and living in Cabrera, but he felt the need to challenge this act, due to the bad and incorrect interpretation

Jose Luis Jerez replied that in 1993 the agreement was unanimously approved by which the owners opposed taking over future responsibilities, In 1993 the constitution of the Junta Compensation was necessarily approved and Peter Grosscuth exonerated all owners from participating in the cost of the infrastructure, so that, in return, they would pay for maintenance and services. Now, with the cancellation of the 1993 agreements, all would be considered promoters

Martin Morales said that the TownHall's secretary had just confirmed by WhatsApp message that the questions asked to the Delegates' Junta had been sent with the records submitted on 06 18 20, 11 11 20 and 22 06 21, and therefore at that time, it required them to answer the questions for the proper functioning and transparency, as their training was representative of the TownHall. He added that previously it had been said that the TownHall had transferred the management to the Junta, however, this was not true, as the TownHall was a public entity. The ruling confirmed that the 1993 agreement was void and that maintenance and conservation expenses, as well as urbanization

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expenses, must be paid according to the statutes, and that there was no inconvenience to start paying the expenses from this moment as planned. in the statutes. The statutes confirm that the general assembly only decides on its own matters within its competence and that the call would express the matters to which the deliberations are circumscribed in art 36 (rules of action) which says that management and administration agreements of the entity terminated within their powers will be executive as long as it is adopted in accordance with the statutes and as a representative of the City Council, He said he was obliged to talk about the possible illegality of the social agreements that could be suspended if they were not in accordance with the statutes

Bernadette, owner, confirmed that the appeals would be communicated to the TownHall based on article 37 of the Statutes

Martin Morales affirmed that as a representative of the TownHall he has no major problem in offering public services in the partial plan because he is part of the Junta of Compensation

David Levin, owner, asked Martin Morales what were the services provided financed with IBI fees, Martin replied that it was not the place to discuss this matter, although he confirmed that numerous investments were made with these funds

Eduardo Gonzalez intervened to say that the issue was that landowners had to contribute to the payment of fees, and that the TowHall did not have the funds to cover their fees

Martin Morales read the article 38 of the statutes, in relation to the suspension of the agreements, and expressed his wish that it be recorded in the Minutes that the representative of the TownHall would warn of the legality of the agreement in this case. With this he said that he did not know the fact that the agreement was legal or not because he was not a jurist, but would nevertheless warn against it.

Carlos Escobar said that the ruling established that they are all owners, and if a company or professional warned the owners that there would be no future charges, they would have to complain to those, because today it was not a question of talking about who pays the fees. or not (in the condition of promoters or land), but all owners had to pay, according to the statutes. Regarding the issue of water management, an aspect not included in the statutes, the ruling established that the Junta could not be in charge of maintenance as it has done so far. He continued to refute that, if the Townhall was not in charge of managing the water either, it cannot refer the management to the Junta of Compensation, because the sentence does not include it that way.

Eduardo Gonzalez stated that, if the Junta of Compensation would have the honor of continuing with this management as it has been doing until now, that it should continue, and that it also collect the fee for such services, but that all owners contribute to the payment of the fees.

Carlos Escobar at this point, asked how to proceed now with respect to this matter, in the sense that if the TownHall was not going to pay for the water and the Junta Compensation was not going to pay either, how was that service going to be sustained? and Eduardo González replied that previously they both discussed it, and not only with each other, but also with the TownHall, and until today there was no received a response, although more than 5 months had elapsed. Again Carlos asked about the solution in the current situation, and Eduardo Gonzales said that the TownHall would have to commission an independent accounting audit. He continued requesting a meeting with the Junta of Compensation and the TownHall to decide who had to pay, and Jose Luis Jerez replied that this would be discussed at the next extraordinary general assembly. Eduardo

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Gonzalez concluded that the professional audit should be nominated by the TownHall, but never by the Junta of Compensation.

Martin Morales said that, since he did not see an agreement, he wanted to state that, in the general provisions of the statutes, in the ninth base, second paragraph in relation to the execution of the urbanization works and form of contracting, those owners or the representation of at least 10% of the participation quotas, they can request that the contracting of said works be carried out through public tender

José Luis Jerez was not opposed to the appointment of an independent audit, so David Levin asked Martin Morales to take charge of the appointment, with the latter being in agreement as a representative of the TownHall However, Segundo Ramirez intervened to say that the task of this nomination corresponds to the Junta of Delegates. David Levin, in order to resolve the current conflict and in the case that the audit was the solution, requested the collaboration of all parties to reach an agreement on this point, to designate and conclude the audit.

Eduardo González required the preparation of an Audit independent report, and not only the verification of the accounts, so taking advantage of the fact that everyone (including José Luis Jerez and Segundo Ramirez) had no problem in preparing this, which was carried out. Carlos Escobar suggested the task of the audit between the two parties (representatives of Open Cabrera and the Board of Delegates), although in the spirit of saving money, he saw as a solution, provide the accounts and have Open Cabrera audit or verify them. Eduardo Gonzalez insisted on his disagreement with doing it in this way, and that the auditor's assignment went through a bid by the TownHall

Carlos Escobar replied that the Townhall was not the most adequate or impartial party because it has its own interests and land, but Eduardo Gonzalez contradicted him given, in his opinion, the impartiality of the TownHall because it does not contribute to the expenses and because it represents the inspection agent

Jesús Valera said that the competence to contract the audit was of the Junta of Delegates according to the Statutes, and therefore it will be this that will decide when and how to hire the staff, remembering that the TownHall was also represented in this Junta of Delegates, and it is competent as a supervisory body, to control once the agreement of the Junta of Delegates is produced, and to modify or ratify the agreement, after adopting the agreement. He added that everyone has the right to challenge the agreements that are adopted in this assembly. David Levin said that despite this they agree that if the delegates are willing to give in and allow the TownHall to appoint the audit in order to find a practical solution.

Segundo Ramirez warned of the time it would take to organize the appointment of the audit by the TownHall, given his experience as mayor for 25 years, he knows the procedure and time it will take to seek the agreement of all the parties to approve and designate the audit, this term being in his opinion up to 2 years only the appointment of the auditor. Eduardo Gonzalez said that it was possible to do it in less time, and Martin Morales said that within a period of 1 month and a half, Segundo Ramirez disagreed, and Carlos Escobar proposed to request said tender from the Court, since, in his opinion, within the term of One month, with the agreement of all the parties, the tender would be made.

Martin Morales made a list of the steps that this bidding process would take:

1. Approval of the File
2. Drafting of specifications and rules
3. Public exhibition
4. Submission of offers

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5. Recruitment table

6 Deadline for Challenges

Jesus Valera said that neither the assembly nor the Townhall were competent to appoint an audit, because in Spain each body has its powers and the one that is carried out without having attributed competence, would cause the nullity of the agreement. He added that the sentence establishes that all expenses and investments must be reviewed and distributed among all

Carlos Escobar proposed that, given that enough had been said on this matter, that the vote be proceeded with and continue with the rest of the points of the day. Suspending the assembly was not the best solution.

Anthony Butt asked how to vote if he was not satisfied or in favor and Jose Luis Jerez suggested that he simply abstain

Elizabeth Longden asked if you continue with the vote, when will you receive the answer to the questions posed earlier.

Segundo Ramirez gave way to the vote

Lesley Simmonds stated that she could not vote as it was a provisional budget

Put to a vote on this point, with the votes present and represented:

Votes in favor: 59.60%, -

Votes against 15.94%,

Abstention 0.27%,

Therefore, this point was approved with 59.60% in favor of the total of 76.04% present and represented with the right to vote.

4. Approval of the completion works in the Action Units

Richard Longden asked where the projects were, and how valid the votes of the residents would have when their percentage of participation was a minority with respect to that of the promoters, so he took it for granted that this point of the agenda would be approved. Martin Morales answered that the municipal technician made a report on the duty to finalize the urbanization (action units 2 and 10), the townhall would monitor the status of the works, and that action unit 4 was undeveloped, as well as that the parcels of municipal ownership had not been provided with public services

Action units 3-7-8 were completed

Actuation units 2-4-10 were not 100% complete after 35 years since development began

Required that the municipal parcel be 100% completed and included in the budget

Carlos Escobar said that the item on the agenda be put to a vote, and then decide which plots would be developed

This point submitted and to a vote, with the votes present and represented:

Votes in favor: 69.45%,

Votes against 6.08%,

Abstention 0.27%,

Therefore, this point was approved with 69.45% in favor of the total of 76.04% present and represented with the right to vote.

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5. Approval of the proposal to initiate the file for the modification of the Statutes in compliance with the order of provisional execution of the sentence

Jose Luis Jerez informed that the current statutes formulated more than 30 years ago, at this point of the agenda, would be submitted to a vote on the evaluation of the modification of these.

Jesus Valera stated that, according to the recent ruling, the valid statutes date back to 1991, and from then until today there have been numerous state and regional legislative modifications, so he assumes that the statutes are affected and it is convenient to adapt them to the current legislation in force. This recommendation would be an opportunity so that, within the legality, aspects that give rise to those that currently concern us could be regulated, thus achieving two objectives, such as adapting these, and creating the conditions to avoid the conflicts that are taking place. giving in order to initiate the necessary file for the participation of all in the decisions and with the supervision of the city council and the Junta de Andalucía.

Jeremy Oliver replied that the "promoters have taken more than two years to adapt" and the consequence of this was the current situation, which was none other than the division in Cabrera. He added that, with the ruling and annulment of the 1993 agreement, and the promoters' "invention" of creating a "new invention" at this time, equally invalid as the 1993 agreement. He continued by stating that this Junta of Delegates was not able to decide and agree on the appointment of an external audit, how was it possible that they were able to modify the statutes ... He asked how much participation they would give to the owners, and when with respect to the residents, and for that reason they would not give them their vote, to avoid wasting money.

José Luis asked when Jeremy Oliver read the Statutes. These favor the promoter more than the residents

Put to a vote on this point, with the votes present and represented:

Votes in favor: 61.00%,

Votes against 14.67%,

Abstention 0.27%,

Therefore, this point was approved with 61.00% in favor of the total of 76.04% present and represented with the right to vote.

6. To inform of the nomination and hiring of the technicians who will be in charge of the assessment of infrastructure costs, in compliance with the order of provisional execution of the sentence

As this matter was discussed previously, it was decided to move on to the next item on the agenda

7. In compliance with the Statutes, the following Delegates resign and offer to be re-elected:

Since no candidatures were received prior to the Assembly, the Delegates offered themselves for reelection.

- Mr. Segundo Ramirez Perez, President, who offers to be re-elected
- Mr. Jose Luis Jerez Requena, Treasurer, who offers to be re-elected

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- Mr. John Bailey, Secretary, who is offering to be re-elected
- Ms. Noeline Ramsay, Delegate Estate Manager, who is offering to be re-elected
- Mr. Bob Hall, Delegate representing minorities, who offers to be re-elected

Put to a vote on this point, with the votes present and represented:

Upvotes: 61.32%

Votes against 4.19%,

Abstention 10.27%,

Therefore, this point was approved with 61.32% in favor of the total of 76.04% present and represented with the right to vote.

5. AOB

Given what had been discussed above outside of the agenda, AOB was considered as having being addressed.

Due to lack of time, any items not discussed in AOB could be addressed at the forthcoming EGM

And not having other matters to discuss, the assembly ended at 4:00 p.m.

John Bailey

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Secretario de la Junta de Compensación de Cortijo Cabrera Pol 1