

MINUTES OF THE EXTRAORDINARY GENERAL ASSEMBLY OF THE URBAN CONSERVATION ENTITY OF CONDADO DE ALHAMA
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VOTING ATTENDEES:

NEIL SIMPSON	PRESIDENT URBAN ENTITY, PRESIDENT LEVEL 2 JARDINES 1, REPRESENTATIVE OF THE CONDADO CLUB
ALAN BURGE	PRESIDENT LEVEL 2 NARANJOS 2
SVEIN GULBRANDSEN	VICE PRESIDENT LEVEL 2 NARANJOS 1
MICHAEL WEBB	VICE PRESIDENT LEVEL 2 LA ISLA

REPRESENTED WITH VOTE (VIA TEAMS):

JORGE PEÑA	PRESIDENT LEVEL 2 JARDINES 2
ANDY WATKISS	PRESIDENT LEVEL 2 LA ISLA
JAN BOSCH	PRESIDENT LEVEL 2 MIRADOR DEL CONDADO

REPRESENTED WITH VOTE (VIA PROXY):

ELLEN MELAND	PRESIDENT LEVEL 2 NARANJOS 1
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NON-VOTING ATTENDEES:

SHIRLEY RIDLEY	VICE PRESIDENT LEVEL 2 JARDINES 1
BEVERLEY MORRIS	VICE PRESIDENT LEVEL 2 NARANJOS 2
ANTONIO JOSE CAJA	URBAN PLANNING COUNCILLOR FROM THE TOWN HALL
FERNANDO BARRIOS	INMHO ADMIBURGOS
JUAN FRANCISCO LOPEZ	INMHO ADMIBURGOS
ALBA CANO	INMHO ADMIBURGOS
FELIX IRAZUSTA	INMHO ADMIBURGOS
JOSE MONTOYA DEL MORAL	URBAN ENTITY LAWYER

The abovementioned gathered in second summons in the meeting room next to the inmho office in Condado de Alhama de Murcia at 11:00 hours on 10th November 2022, under the following

AGENDA

The meeting began with the associated members of the Urban Entity present and represented as shown above.

- 1. Voting item. – Settlement of debtor balances on 30th September 2022 and approval, if appropriate, of the settlements made. Approval, if appropriate, of claims for the resulting debtor balances via the administrative route, enforced payment proceedings or, where appropriate, directly via the judicial route, in accordance with what is expressly provided for in the Statutes.**

The list of debtor balances on 30th September 2022 was presented for approval and settlement:

Parcela Plot	Propietario Owner	Deuda Debt
R-2.1	AGROFRUITS LEVANTE SL	297.233,24 €
R-2.2	ALHAMA PROPERTY INVESTMENT S.L	183.320,80 €
C-3	AGROFRUITS LEVANTE SL	14.516,22 €
R-4	SAREB (BANKIA)	55.752,16 €
R-5	POLARIS WORLD REAL ESTATE, SL	174.077,63 €
R-6	AGROFRUITS LEVANTE SL	252.995,49 €
R-7	ALHAMA PROPERTY INVESTMENT S.L	133.167,27 €
R-8	ALISEDA, SA	19.729,59 €
R-9 BIS	GNK DESARROLLOS S.L.	830,66 €
C-11.2	GNK DESARROLLOS S.L.	338,38 €
C-13	AGROFRUITS LEVANTE SL	31.086,60 €
R-14.1	SAREB (BMN)	2.623,06 €
R-15	ALISEDA, SA	25.103,93 €
R-16	AGROFRUITS LEVANTE SL	37.142,83 €
R-18	ALISEDA, SA	530,54 €
EP-28	GNK DESARROLLOS S.L.	1.259,78 €
C-29	SHOW ROOM SAREB, S.A.	1.402,97 €
ST-59	POLARIS WORLD REAL ESTATE, SL	9.134,55 €
ST-60	POLARIS WORLD REAL ESTATE, SL	9.134,55 €
ST-61	POLARIS WORLD REAL ESTATE, SL	9.134,55 €
ST-62	POLARIS WORLD REAL ESTATE, SL	9.134,55 €
ST-66	POLARIS WORLD REAL ESTATE, SL	3.163,19 €
R-12.1	SOLARES EDANTRI XXI, S.L.U.	32.864,80 €
R-9.1	SOLARES GNK DESARROLLOS S.L.	9.318,21 €
R-14.2	ALISEDA, SA	8.879,27 €

Submitted to the consideration of those present and represented with the right to vote, the settlement of debtor balances on 30th September 2022 was UNANIMOUSLY approved. Also claims for the resulting debtor balances via the administrative route, enforced payment proceedings or, where appropriate, directly via the judicial route, in accordance with what is expressly provided for in the Statutes.

2. Voting item. – Problem with mosquitoes on the ornamental lake. Cost of lake treatments in summer 2022. Possible solutions for the future.

Andy Watkiss explained the problems with chironomids suffered by La Isla, and the expenses required in order to resolve this. A series of treatments and fumigations have been carried out on La Isla. Two treatments have been carried out on the ornamental lake. Specifically, silicone larvicidal layers have been installed in order to prevent the spread of this insect, with a cost of 3,025€ for each one. This cost has been borne by La Isla.

Neil Simpson stated that although the maintenance of the ornamental lake corresponds to the Urban Entity, this expense had not been previously approved because he wanted it to be voted on by all the members of the Urban Entity.

Submitted to the consideration of those present and represented with the right to vote, the cost of the treatments on the ornamental lake was UNANIMOUSLY approved.

3. Information item. – Annual budget 2023.

Juan Francisco López indicated that this item had been included in the agenda in order to start to deal with the Urban Entity budget for 2023. Due to the increase in inflation, the cost of contracts will increase. We also need to look at what will happen with the item for waste collection. Some owners understood and expected that the Urban Entity fee would be reduced by the amount that they have begun to pay directly to the Council.

Neil Simpson stated that he did not think it was going to be possible to reduce the final fees for owners; all costs are increasing. With regard to waste collection, he explained that there is a contract in force with STV, and although they are not invoicing since the service ended, negotiations are pending. Quotes have been requested from STV in order to be able to negotiate the termination of the contract.

Jorge Peña indicated that the idea should be not to reduce fees, but it would be necessary to review how to reduce the increase.

4. Voting item. – Possibility of including, in the annual budget, early payment discounts of 5% off the fee for each member to whom this corresponds, if it is paid correctly and on time.

Jorge Peña explained that the proposal is to be able to reduce the Urban Entity fee by 5% for members who pay on time, and to be able to pass this discount on to the final fee paid by owners.

Neil Simpson indicated that he agreed with the proposal, but there are big debtors in the Urban Entity, and it was voted in item 2 of the Agenda to start judicial claims, therefore no changes should be made to the fees until a resolution is obtained.

José Montoya, the Urban Entity lawyer, stated that the application of these discounts is legal, and in fact, he consulted this with the Council, which has not opposed the measure. However, in his opinion, it would not be a good idea to create an excuse for debtors to use in any potential judicial proceedings.

Submitted to the consideration of those present and represented with the right to vote, the proposal was not approved, with votes against from the representatives of the Communities of

Naranjos 1, Naranjos 2, Jardines 1, La Isla, Mirador del Condado, and the abstention of the representative of the Condado Club.

5. Information item. – Collaboration agreement between the Urban Entity and Alhama de Murcia council.

Neil Simpson indicated that a collaboration agreement was agreed with the Council, in which the Urban Entity would receive 50,000€ in 2021, 2022 and 2023. The amount for 2021 has been received, but the amount for 2022 has not. Regarding the obligations of the Urban Entity, the replanting of some trees in the park and repairing the cracks in the outer road is pending, although these are not dangerous. The other obligations have been fulfilled, but the amount for 2022 has not been received. The Council has not fulfilled all its obligations as they appear in the collaboration agreement.

Antonio Caja, the Urban Planning councillor, stated that the justification for the 2021 agreement had been received recently. He added that the amount for 2022 will not be transferred to the Entity until the cracks on the outer road are repaired. He also explained the reasons why the Council has not fulfilled all its obligations.

A meeting will be held with the technician from the Council who drew up the report on the cracks, in order to specify which ones need to be repaired.

6. Information item.- Advisability of bringing a court action against Alhama de Murcia council for their unjustified failure to act in the fulfilment of their legal and statutory obligation to start, at the request of the repated wish of the Urban Entity, claims via enforcement proceedings for the approved debtor balances, as well as a claim for compensation for the serious economic damage that such a failure to act by the council has been inflicting on the Entity.

Juan Francisco López explained that this item, like the following one, was approved in the previous General Meeting. Some owners and presidents have questioned why judicial proceedings have not begun against the Council. Once the debtor balances have again been approved in this meeting, enforcement proceedings will start through the Council and if this is not implemented, the agreement adopted in the last Extraordinary General Meeting will be carried out.

7. Information item. – Bringing a court action against Alhama de Murcia council, in the event that they dismiss the appeal brought by the Urban Entity regarding the criteria for calculating participation quotas, set by the final court ruling handed down with regard to this matter.

Juan Francisco López indicated that a positive response had been received from the Council regarding the appeal brought by the Urban Entity regarding the criteria for calculating participation quotas, therefore it will not be necessary to carry out the agreement adopted in the last General Meeting.

8. Information item. – Update on court cases affecting the Urban Entity.

José Montoya briefly explained the judicial proceedings currently under way, concerning the Urban Entity:

- Proceedings via which the AVPCA requested the Council to rectify the report on the legality of the Urban Entity contracts. The AVPCA appealed and it was dismissed by the Higher Court of Justice of the Region of Murcia. Afterwards, the AVPCA appealed again but it was not declared admissible. The AVPCA has recently presented a complaint against the non-admission of such appeal.
- Cleaning contract with STV: the Administrative Court No. 5 of Murcia did not admit the legal challenge brought by the AVPCA because they considered, according to what was stated by the Urban Entity and by STV, that the AVPCA does not have an active legal right to claim nor to intervene in the Urban Entity's affairs. The AVPCA appealed to the Higher Court of Justice of Murcia, to which the Urban Entity, STV and Alhama Council have disagreed with. We are waiting for the decision of the Higher Court of Justice of the Region of Murcia.
- Action brought by the AVPCA requesting that all the STV contracts should be declared null and void: the Council, STV and the Urban Entity have presented their opposition against this new legal challenge. We are waiting for the proceedings to continue.
- Some days ago, the AVPCA published a court order on its website which was issued by the Provincial Court of Murcia. It is a criminal complaint in which the AVPCA states that a presumed administrative perversion of justice has taken place between the Urban Entity and the Alhama Council with regard to the contracts agreed with STV. The Urban Entity never received any notification because this was not admitted for proceeding and was directly filed by the Court without requesting any other process. The AVPCA appealed to the Provincial Court of Murcia because of this filing, and this Provincial Court, in the resolution published on the website, has asked the Court to explain more detailed the reasons of its decision for filing the legal challenge of the AVPCA. The Urban Entity has not received a notification whatsoever about this specific issue.

9. AOB.

- Neil Simpson stated that with respect to the removal of the harmful trees, a meeting will be held with the technicians from the Council in order to be able to get to know all the documentation and procedures required before granting permission.
- Alan Burge indicated that there are areas belonging to the Urban Entity with dead grass. This is a priority, and should be dealt with in the next meeting of the Urban Entity.
- Jorge Peña asked the Councillor to send a report or document explaining the reasons why the Council has not fulfilled its obligations according to the collaboration agreement, in order to be able to include this in the minutes and inform owners. He also indicated that they had the idea of organising a debate with the different political parties before the elections, and he invited the Councillor and his party to attend.

- Antonio Caja indicated that he had spoken to the technician from the company that will carry out the repair of the streetlighting on the outer ring, and that they will start the works next week.
- Jan Bosch again requested that a container should be installed on Mirador, and he asked whether there was any update with regard to this. Neil Simpson indicated that he was looking at this with STV, and that he hoped to be able to provide a solution shortly.

There being no further business, the meeting was adjourned at 13:55 hours, in the place and on the date indicated at the beginning of this document, whose content I bear witness to and sign as Secretary/Administrator, with the approval of the President.



SIGNED: SECRETARY-ADMINISTRATOR



APPROVAL OF THE PRESIDENT