

**Ordinary General Assembly of the  
Owners Association of Club Puerto Calma**

*("Comunidad de Propietarios del Complejo de Apartamentos Club Puerto Calma")*

An Ordinary General Assembly of the Owners Association of Club Puerto Calma ("**Owners Association**") is held on 5 December 2014. First call at 9:00 am, second call at 9:30 am.

Meeting held at Hotel H10, Meloneras, San Bartolomé, Gran Canaria, Spain.

Assistance and representations

- **Holiday Club Canarias Sales & Marketing S.L.U.**, holding 1,838 votes equivalent to that number of weeks ("*co-ownership shares*"), represented during the meeting by Ms. Ilona Kievits.
- **Holiday Club Canarias Resort Management S.L.U.**, acting as administrator of the Owners Association, representing owners holding 357 weeks ("*co-ownership shares*") by way of proxies granted for such purpose, represented during the meeting by Ms. María Martínez.
- **Mr. Anders Wallestedt** representing owners holding 115 weeks ("*co-ownership shares*") by way of proxies granted for such purpose.
- **Mr. Nils Fredrik Braathen** representing owners holding 12 weeks ("*co-ownership shares*") by way of proxies granted for such purpose.
- **Mr. Holger Piepgrass** representing owners holding 130 weeks ("*co-ownership shares*") by way of proxies granted for such purpose.
- **Ms. Lena Pérez** representing owners holding 23 weeks ("*co-ownership shares*") by way of proxies granted for such purpose
- **12 Owners** attend in person to the meeting, representing 18 votes. They are British and Scandinavians.

A list of attendants is prepared.

The Secretary explains to the attendees that in order to secure proper recording of the name of attendees, the number of votes that each owner has and the casting of votes, a prior procedure has been established so that the owners interested in attending the meeting have indicated their wish in advance, and the list of attendants can be prepared on that basis. Nevertheless Ms. María Martínez goes around the attendees in order to check any additional attendee.

Proxy holders have likewise informed the Administrator in advance.

The meeting starts at 9:40 am.

Due to the fact that only one family has registered for attending the meeting at Club Sol Amadores, it has been proposed to that family to join the meeting of Club Puerto Calma, since the Agenda is very similar. The issues related to Club Puerto Calma and to Club Sol Amadores will be voted however separately and independent minutes will be prepared.

Presentation of the Chairman of the Meeting and of the participants

Mr. Calvin Lucock acts as the Chairman of the Owners Association and Mr. José Puente acts as Secretary of the Owners Association, as they were elected in the last meeting of the General Meeting of the Owners Association of Club Puerto Calma held on 5 December 2013.

It is agreed by all attendants that Mr. Calvin Lucock shall act as Chairman of this Meeting, and that Mr. José Puente shall act as Secretary of this Meeting.

Presentation of other participants:

1. María Martínez
2. Roberto Picón
3. Ilona Kievits
4. Tilda Persson (for the translation into Swedish)

#### Language of the meeting

In accordance with past practices, since the majority of the owners attending this meeting speak English, it is agreed that the meeting will be held in English. Short summaries of the issues discussed are offered to be made in Swedish if needed, but all attendees agree to have the meeting in English only.

The General Assembly was called by means of a letter sent by the Administrator of the Owners Association, as established in the by-laws of the Owners Association.

Being present or represented owners holding a total number of 2,493 weeks, the meeting is considered as duly convened and constituted in second call. The Chairman declares that the General Assembly is validly formed, without any attendant making any protest or reservation, in order to discuss the following

#### **AGENDA**

1. Minutes of the previous General Meeting
2. Report from the Administrator Holiday Club Canarias Resorts Management S.L. on the year 2014
3. Report from the Administrator Holiday Club Canarias Resorts Management S.L. on the status of the WIFI
4. Status of the reparation and renovation fund and of the uses given to the fund
5. Report of the Services Company on the Statement of Income and Expenditure of the Owners' Association for 2013
6. Report of the external auditor of the Statement of Income and Expenditure of the Owners' Association for 2013
7. Report on the repossession by developer of weeks of owners in default and income generated as a consequence of the payment of maintenance fees and positive impact of this in the bad debt provision for 2015. Prorogation of the 2011 resolution
8. Report on the collection efforts of the maintenance fees carried out by the Administrator

9. Presentation of the budget submitted by the services company Holiday Club Canarias Resort Management S.L. for rendering services to the resort and the unit owners for year 2015 and its approval, as the case may be
10. Report on the balance of the loan granted by Holiday Club Canarias Sales & Marketing S.L. to the Owners' Association in connection with the deep maintenance works of 2013
11. Presentation of the planning report prepared by the architect Mr. José Luis Rivero Comas for being included in a planning agreement to be signed with the competent public administrations, and approval of the report as the case may be
12. Granting of specific powers of attorney by the Owners Association to the Chairman for the signing and execution of the planning agreement mentioned in the previous item of the Agenda, authorisation also any subsequent amendments that may be required to the agreement within the proceedings
13. Additional points of the Agenda included following a request from Mr. Lennart Karlsson:
  - 1.1 Enclosing Documents in the Calling of the General Assemblies
  - 1.2 Fixed Item on the agenda for Motions/ Questions from the Owners
  - 2.1 Storage and other utilities of the apartments
14. Appointment and/or renewal as appropriate, of the Chairman of the Owners' Association
15. Appointment and/or renewal as appropriate, of the Vice-chairman of the Owners' Association
16. Appointment and/or renewal as appropriate, of the Secretary of the Owners' Association
17. Questions and answers

After having been discussed are then unanimously – except as otherwise stated - passed the following

## **RESOLUTIONS**

### **1. Minutes of the previous General Meeting**

The Chairman explains that the Minutes of the General Meeting held on 5<sup>th</sup> December 2013 were drafted according to the law and the authorization granted by the owners and approved by the Chairman and Secretary. The Chairman informs that the minutes were uploaded into the webpage [www.hccanarias.com](http://www.hccanarias.com)

The Chairman states that the Minutes were prepared duly after the meeting within the deadline of 10 days agreed in the meeting and they were uploaded on to the webpage on due time.

The Chairman indicates that the minutes are valid with the signature of the Chairman and Secretary, but he asks the attendees for comments or remarks on the minutes of the previous meeting. No owner raises any objection or remark.

The minutes are thus acknowledged by all attendees and no additional comments are made.

### **2. Report from the Administrator Holiday Club Canarias Resorts Management S.L.U. on the year 2014**

The Chairman updates on the developments of year 2014.

The Chairman reminds that there is a website [www.hccanarias.com](http://www.hccanarias.com) and that all information for this meeting has been uploaded into that page. The Chairman explains to the attendees that the web page with information and supporting documents for the meeting has been revamped, and it is shown in the screen so that attendees get familiar with it. All the materials for the meeting have been included in the web page, including the calling of the meeting. The Services Company is committed to keep on improving the web page year after year. It is the intention to build a proper communication channel with the owners through that webpage. Suggestions have been received as regards posting news on the resort in internet and it is being considered to use the web page also for these purposes.

The Chairman also informs on developments within European Timeshare sector and provides information that has been agreed within the Resort Development Organisation ("RDO") which he considers relevant to share:

(a) During the course of last year allowing consumers a viable exit from their timeshare has become a hot topic of conversation throughout most major countries. The industry trade body RDO has passed several resolutions whereby its members must allow exit in the following conditions: death of one or both of the owners, bankruptcy of one or both of the owners, and in the event of illness to one or both of the owners whereby they cannot travel to their home resort. In all cases this must be supported by official documentation. Furthermore the RDO has taken this one-step further and it is currently studying a proposal whereby should an owner been a member of the resort for an as yet unspecified period of time, subject to an advanced payment of a maximum of three times the amount of the current years maintenance fee, they are allowed to surrender ownership.

(b) There has been a wave of publicity by a alleged fraudulent companies targeting strongly timeshare owners where false promises are being made, creating a belief that either a successful purchaser is lined up for the timeshare or by commencing legal action against the developer they will receive monies equivalent to or greater to their original purchase.

In both of the above cases the Chairman urges all members to exercise extreme caution when and if they are approached, and under none circumstances pass any information or financial contribution to any companies they are not completely sure of.

The Chairman also informs all members of the following websites to provide reliable sources of independent information: [www.tatoc.co.uk](http://www.tatoc.co.uk); [www.rdo.org](http://www.rdo.org); [www.mindtimeshare.com](http://www.mindtimeshare.com); or any of the respective European Consumer Centres ([http://ec.europa.eu/consumers/ecc/contact\\_en.htm](http://ec.europa.eu/consumers/ecc/contact_en.htm)).

In all cases the customer service department at Holiday Club will assist the owners with any and all questions. Mr. Lucock requests the owners attending with proxies on behalf of other owners, to share this information on fraudulent practices with the owners that granted them the proxies.

(c) Until December 2014 the expenses incurred in by Services Company during 2014 are in line with the budget.

The report by the Chairman is acknowledged by the attendees without any further comments.

The Chairman makes reference to the questions submitted by some owners in writing before the meeting and confirms that they will be answered in the questions and answer section at the end of the meeting and also time will be allocated for further questions. All owners are in agreement with this.

### **3. Report from the Administrator Holiday Club Canarias Resorts Management S.L. on the status of the WIFI**

Following on from the demand and necessity highlighted in last year meeting, the Chairman is pleased to inform all attendees that WIFI installations are almost complete. Since there was an increasing request from owners, and in order to avoid owners waiting for another year, the Services Company decided to go ahead with the investment and bear the related costs. Due to the configuration of the resort and the building, WIFI access required the installation of certain devices in order to be able to send the signal all over the building and the apartments. No internet supplier was ready to cover or finance that investment. In the 2015 budget proposal a provision is already made to cover this investment, and if the budget is approved, the relevant investment amount for that pre-installation will be reimbursed to the Services Company out of the proceeds of the maintenance fees. In this event WIFI will be available in each and every apartment at no extra cost. Ongoing charges for the internet supplier and line rentals will be built automatically into future maintenance fees.

If the budget and/or the extra cost for the investment is not approved, the Services Company will offer WIFI access to clients subject to the payment of the relevant charges to be set by the Services Company. In this case the 2015 budget proposal would be accordingly reduced by the relevant amount.

The Chairman states that he has met many clients during the last months and in most of the cases they demanded that WIFI services are offered throughout the resort. In modern world, many persons consider Internet access as a basic necessity. A debate on the issue starts. Some owners understand that WIFI should be installed but that it should be paid only by those customers using it. Some other owners appreciate the explanation and confirm that they are interested in having WIFI services included in the maintenance fees.

The Chairman appreciates those views and requests that the issue is subject to voting. However since this will impact the decision on the budget and accordingly the fees, it is proposed to take a vote on that together with the budget. All attendees agree to this suggestion.

#### **4. Status of the reparation and renovation fund and of the uses given to the fund**

Mr. Roberto Picón explains the situation of the funds. As of 31 December 2013 the available funds in the bank account for the renovation fund amounted to 42.059,88 Euros. As per 2014 budget, the total contribution for the renovation fund was agreed to be 83.126,76 Euros. In accordance with the authorisation granted in last year meeting, the Services Company has used some of the available proceeds throughout 2014 in order to carry out investments. An amount of 84.972,82 Euros has been invested so far in following concepts: fibre glass and painting of the swimming pool, electrical appliances, automatic parking gate, cliff net protection, wooden carpentry reparation and the purchase of a floor scrubber.

Mr. Picón shows in the screen a report detailing the concepts in which the renovation fund has been invested, and the related invoices and amounts.

The replacement of the wooden carpentry in some apartments was needed because of the water damage caused by the boilers in those apartments. It shall be noted that boilers in each apartment were previously located in the hall's ceiling and were hidden from the view. Boilers were not replaced in the deep maintenance works of 2012, since they had been replaced from time to time and they were still in service. Since they were located next to the wooden carpentry, with the time and due to the use some boilers leaked and caused

damages to the wooden carpentry in few apartments. In order to avoid further damages in the future the Services Company has decided to move progressively the boilers of all apartments to the kitchen above the refrigerator.

A British owner highlights that if the boilers would have been placed in the kitchen area during the deep maintenance works, these costs would not have been necessary; furthermore wooden doors could have been protected with a special wooden plastic coat spray. Mr. Roberto Picón explains that the boilers are not only being moved to avoid problems but also for allowing better accessibility, since it is easier to access and repair them in the kitchen. Regarding costs Mr. Picón highlights that the relocation costs have been minimised through the use of internal staff rather than using an external company. Relocation of all boilers is still in process, and in some apartments it is still pending.

Mr. Braathen requests that the breakdown of the reparation fund is included in the minutes. Mr. Picón confirms that a copy of the report on the uses given to the reparation fund will be available at [www.hccanarias.com](http://www.hccanarias.com).

The Chairman requests that the authorisation in favour of the Administrator to use the funds if necessary for renovation works granted last year, is renewed for 2015 or future years, acknowledging that a full report will always be provided to the Owners Association.

A voting takes place and all owners vote in favour. No owner raises any objection or wants to abstain. Therefore the following resolution is unanimously passed:

⇒ the Administrator is authorised to use the funds available in the reparation and renovation fund during 2015 in order to devote the funds to any reparation or renovation purposes.

## **5. Report of the Services Company on the Statement of Income and Expenditure of the Owners' Association for 2013**

The Chairman explains to the owners that a Statement of Income and Expenditure for the whole year 2013 has been prepared. Mr. Roberto Picón explains the Statement and the total amount of actual expenses incurred in that period. For comparison purposes the 2013 budget, approved in December 2012, has been used. The Statement of Income and Expenditure is shown in the screen. The main conclusions are as follows:

- (a) The 2013 budget forecasted a total amount of expenses of 1,743,694.99 Euros.
- (b) The actual level of expenses in 2013 amounted to 1,471,852.90 Euros.
- (c) The actual level of collected maintenance fees in 2013 amounted to 1,323,585.03 Euros.
- (d) Holiday Club Canarias Sales & Marketing S.L.U. contributed with 142,500 Euros by way of income out of the payment of outstanding maintenance fees linked to repossessed weeks.
- (e) The amount of uncollected maintenance fees in 2013 amounted to 277,609.96 Euros.
- (f) As a result of the unpaid maintenance fees, there has been a deficit of 5,767.87 Euros. This deficit is explained. Mr. Picón explains that Holiday Club Canarias Resort Management S.L.U. has absorbed 100% of this deficit through the decrease of its administration fee.

Upon the question of a British owner why telephone costs have increased, Mr. Picón explains that the costs include the leasing of the new switchboard, which after 4 years will become the property of the owners association. Once that the lease payments conclude we will then see a reduction in telephone costs.

Mr. Braathen asks why there is a significant increase in "Other costs". Mr. Picón explains that this post includes the cost for consultancy contracts, and other external contracts not included under the line "External Maintenance Costs". Mr. Braathen's requests a breakdown of the "Other costs" and Mr. Picón confirms that a further detail will be included in the Statement of Income and Expenditure of 2014.

Upon the query of a British owner on clarification of what is behind "TV tax", Mr. Picón explains that this is a fee that needs to be paid for watching T.V. in public facilities (it is a compensation established in Spain for remunerating copyright owners when a public use is made of their rights). Its payment is compulsory.

A voting takes place and all owners vote in favour. No owner raises any objection or wants to abstain. Therefore the following resolutions are unanimously passed:

- ⇒ The Statement of Income and Expenditure of 2013 is acknowledged and approved.
- ⇒ The management and the services carried out by the Services Company in 2013 are also approved.

## **6. Report of the external auditor of the Statement of Income and Expenditure of the Owners' Association for 2013**

The Chairman introduces this point of the agenda. Mr. Picón shows in the screen the audit report issued by the auditor RSM Gassó, a local auditor from Las Palmas. The audit analysis is referred to year 2013. The report is shown in the screen in Spanish and English. A full copy is available in the web page [www.hccanarias.com](http://www.hccanarias.com).

The Chairman explains that the expenses are booked in the accounts of the Services Company and the auditor has verified that:

- (a) The auditor has seen the real Statement of Income and Expenditure of the year 2013
- (b) Expenses are duly recorded in the accounts and correspond to actual invoices;
- (c) There is an analytical accounting in Holiday Club Canarias Resort Management S.L.U. in order to allocate the expenses to the different resorts;
- (d) The real Statement of Income and Expenditure of Club Puerto Calma is in line with the accounting of Holiday Club Canarias Resort Management S.L.U.;
- (e) The amount of expenses allocated to Club Puerto Calma is reasonable, i.e. respond to a rational parameter of allocation.

The costs of the auditor have been considered as part of the costs of the Owners Association.

## **7. Report on the repossession by developer of weeks of owners in default and income generated as a consequence of the payment of maintenance fees and positive impact of this in the bad debt provision for 2015. Prorogation of the 2011 resolution**

The Chairman asks Ms. María Martínez to explain the measures carried out during 2014 for repossessing the weeks of owners in default in the payment of maintenance fees. Ms. María Martínez shows in the screen a report on the repossessions during 2014.

Ms. María Martínez informs that in the previous meeting in December 2013 it was forecasted that Holiday Club Canarias Sales & Marketing S.L.U. would repossess 300 weeks in 2014. The number of repossessions has been so far 297. The positive impact of this in the Statement of Income and Expenditure of 2014 represents an additional sum of 86,130 Euros that will be accounted as "Extraordinary income", in line with the resolution passed in December 2013.

The Chairman requests that previous resolutions acknowledging repossessions by Holiday Club Canarias Sales & Marketing S.L.U. against the payment of current year maintenance fees are renewed, as readiness by Holiday Club Canarias Sales & Marketing S.L.U. to continue repossessing is strictly subject to this condition. It is then stated that if this is accepted, Holiday Club Canarias Sales & Marketing S.L.U.'s forecast for year 2015 is to repossess up 50 weeks. This will have a positive impact in the accounts for 2015, since this would mean that the related maintenance fees –that otherwise would not be collected- will be paid by Holiday Club Canarias Sales & Marketing S.L.U. The Chairman requests that the 2013 resolution is extended for the future.

A debate is held on this issue. A voting takes place and all owners vote in favour. No owner raises any objection or wants to abstain. Therefore the following resolution is unanimously passed:

- ⇒ Holiday Club Canarias Sales & Marketing S.L. is authorized to continue repossessing in the future weeks of clients in default in the payment of their maintenance fees and in those cases it will pay to Holiday Club Canarias Resorts Management S.L. the outstanding maintenance fee budgeted for the year when the repossession takes place. Upon repossession of weeks Holiday Club Canarias Sales & Marketing S.L. shall not have to pay any outstanding maintenance fees above the budgeted amounts for the relevant year. Any amounts so received will be considered as "Extraordinary income".

## **8. Report on the collection efforts of the maintenance fees carried out by the Administrator**

As part of the management tasks Holiday Club Canarias Resort Management S.L.U. has increased its efforts to collect the maintenance fees. Holiday Club Canarias Resort Management S.L.U. thinks that these efforts are a substantial part of its function as Administrator and this contributes to the benefit of all owners that want the resort to be properly maintained and that all owners pay their relevant share of the costs.

Holiday Club Canarias Resort Management S.L.U. has carried out following steps:

1. The Services Company has continued with the structured program for contacting all defaulting clients and requesting payment from them. This has continued to be successful and many customers have voluntarily agreed to pay their maintenance fees.
2. If telephone conversations and emails contacts have not led to a fruitful outcome, Holiday Club Canarias Resort Management S.L.U. has sent written reminders.
3. Only once the written requests have been unsuccessful, Holiday Club Canarias Resort Management S.L.U. has entrusted the collection efforts to a specialised company.
4. The delinquency rate in 2014 is at 7.05% which is substantially lower than in 2013 (17.34%).

If the above measures have not worked out, then the cases have been forwarded to Holiday Club Canarias Sales & Marketing S.L.U. as a repossession candidate.

**9. Presentation of the budget submitted by the services company Holiday Club Canarias Resort Management S.L.U. for rendering services to the resort and the unit owners for year 2015 and its approval, as the case may be**

Mr. Lucock asks Mr. Picón to present to the owners the budget submitted by the services company Holiday Club Canarias Resort Management S.L.U. to the Owners Association to provide services to the Owners in 2015. The budget includes a grand total of 1,704,473.13 Euros. This budget proposal includes the total amount to be paid by all owners of weeks to Holiday Club Canarias Resort Management S.L.U. as consideration for the services the company will provide during the year 2015 pursuant to the standards based on which have been prepared for the corresponding budgets.

Mr. Picón explains the budget to the members:

- It is underlined that the budget for ordinary expenses contains the costs at the same level than in 2014 budget (1,705,459 Euros in 2014 budget and 1,704,473 Euros in 2015 budget).
- A contribution of 10% of the costs (excluding the loan repayment and the administration fee) is forecasted for the reparation and renovation fund. In 2014 a 7.5% was forecasted.
- Bad debt provision is budgeted at 115,000 Euros.
- The item "Extraordinary income" refers to the proceeds to be paid by Holiday Club Canarias Sales & Marketing S.L. as a consequence of repossessing weeks.

In the event that the budget is approved, the services company Holiday Club Canarias Resort Management S.L. will issue the corresponding maintenance fee to each of the owners including the corresponding IGIC (i.e. VAT).

Certain questions are raised and answered on the specific amounts of certain positions in the budget, questions that are answered during the meeting.

The Chairman asks whether the attendees have any objection to the budget. A British owner expresses his disagreement with the inclusion of the installation costs for the WIFI in the maintenance fee 2015 (including in the amount of the "Renovation fund") and states that if an owner wants access to WIFI, he should pay for it. The Chairman notes that this issue has already been discussed in item 3 of the Agenda, and he encourages that there is a cast of votes to decide on the issue.

First a cast of votes as regards access to WIFI takes place. It is communicated that the owners should take position on this issue and that neither Holiday Club Canarias Sales & Marketing S.L. nor the Services Company intend to influence it. Holiday Club Canarias Sales & Marketing S.L. will not participate in the voting. Since Holiday Club Canarias Resort Management S.L. has received powers to represent owners, it will do so, but voting with the majority. As stated above, the installation cost of WIFI shall be a one-off payment to be included in the maintenance fee of 2015, which amounts to 11.59 Euros per average week. Future years will only include the cost for rental and maintenance of the lines, which will be a much lower cost.

A cast of votes between the attendees takes place and the outcome is as follows: 11 votes are against and 287 votes are in favour. Therefore there is a majority of owners attending the meeting that want that WIFI access is free and its costs are included in the maintenance fee. Taking into consideration the proxies held by the Services Company the total outcome is as follows: 11 votes are against and 644 votes are in favour.

⇒ The motion for including the WIFI access in the budget is therefore accepted.

Once the previous resolution has been passed, the Chairman requests a cast of votes to decide on the budget. The Chairman asks whether there is anyone against the budget or wants to abstain. All owners show their conformity with the budget and therefore

⇒ the budget is unanimously approved and accordingly the maintenance fees are also unanimously approved, with following additional measures:

- The services company will charge the total of the maintenance fees to the owners, splitting the total of the budget among the owners;
- Payment of the maintenance fees shall be made before 31 January 2015;
- Non payment of the maintenance fees on time will trigger a penalty as per the by-laws of the Owners Association.

#### **10. Report on the balance of the loan granted by Holiday Club Canarias Sales & Marketing S.L. to the Owners' Association in connection with the deep maintenance works of 2012**

The Chairman explains that Holiday Club Canarias Sales & Marketing S.L.U. granted a loan of 500.000 Euros to the Owners Association for financing the deep maintenance works of 2012, to be repaid out of the budgets in subsequent years.

As of today the repayment of the loan has been done as follows:

- Repayment in 2013: equivalent to 5% of Total Expenses budgeted for 2013. It amounted to 83,033.09 Euros.
- Repayment in 2014: equivalent to 5% of Total Expenses budgeted for 2014. It amounts to 81.212.33 Euros.

Taking this into consideration those repayments, it is acknowledged that the outstanding amount due to Holiday Club Canarias Sales & Marketing S.L.U. as of 30 November 2014 amounts to 335,754.58 Euros.

The estimated amount to be paid in 2015 will amount to 81,165.39 Euros, and this is the amount foreseen in the budget.

The owners unanimously acknowledge the situation of the loan.

**11. Presentation of the planning report prepared by the architect Mr. José Luis Rivero Comas for being included in a planning agreement to be signed with the competent public administrations, and approval of the report as the case may be**

The Secretary takes the floor and explains that the Canarian Government enacted a law for promoting the updating of tourism resorts. The Act is called “Ley 2/2013 de Renovación y Modernización Turística de Canarias”. This Act requires that the hotel resorts and hotel-apartment resorts are maintained in good status in order to (i) safeguard the quality and the image of the Canary Islands as a tourist destination; and (ii) improve the environmental friendly policies including a higher energetic efficiency.

The Services Company purports to comply with said law and the related requirements. This will materialize through the execution of planning agreements with the Town Council of Mogán, including reports on steps to be taken as regards maintenance policies and actions and the improvement of the energetic efficiency.

As part of the preparation of that planning agreement the Services Company has hired an architect at its own expense in order to draft a technical project that will describe the improvements in the maintenance policies and in energetic efficiencies. This report contemplates specific measures recommend by the architect to be implemented in the resort in order to comply with the law. The intention is to enter into a planning agreement with the Town Council attaching that report that lists the measures that will be implemented. The planning agreement will sanction those measures.

The report is shown in the screen and the Chairman briefly takes the attendees through it. The report is further more available to all owners.

The Chairman asks whether the attendees have any question on the Act, the required measures and the report. No owner raises any objection or concern, and all owners show their conformity with the steps taken so far.

**12. Grating of specific powers of attorney by the Owners Association to the Chairman for the signing and execution of the planning agreement mentioned in the previous item of the Agenda, authorisation also any subsequent amendments that may be required to the agreement within the proceedings**

Following the previous item of the Agenda, the Chairman requests the owners to grant him and the Vice-chairman, powers to sign the planning agreement with the Town Council and/or any other administration or governmental authority in order to implement Act 2/2013. The Chairman confirms that all related costs to these steps (including external consultants) and to the negotiation will be borne by the Services Company at its own cost.

A voting takes place and the motion is unanimously accepted. Therefore the following resolution is unanimously passed:

- ⇒ The Owners Association grants powers of attorney to the Chairman Mr. Calvin Lucock and to the Vice-Chairman Mr. Roberto Picón, so that any other, acting on their own and on behalf of the Owners Association may enter into and execute the relevant planning agreement with the Town Council of

Mogán and/or any other administration or governmental authority, in order to implement Act 2/2013. For such purposes, powers are granted to (i) appear before the relevant Spanish Administrative Authorities and make declarations and sign all necessary documents and to do whatever is necessary or appropriate in connection with the powers granted; (ii) arrange and sign all types of whatever public and private documents are required to exercise the powers conferred, to ratify, amend, extend or renew said documents, to rescind or cancel them; (iii) delegate all or any of the powers contained in this document in favour of any other attorney, and to withdraw any such delegation as he shall deem appropriate, to which effect the attorney may execute any private or public documents required.

**13. Additional points of the Agenda included following a request from Mr. Lennart Karlsson:**

**1.1 Enclosing Documents in the Calling of the General Assemblies**

**1.2 Fixed Item on the agenda for Motions/ Questions from the Owners**

**2.1 Storage and other utilities of the apartments**

The Services Company received a request from Mr. Karlsson to include this item in the agenda of the meeting and it was accordingly included. The Chairman would have liked Mr. Karlsson to explain his proposals to the owners. Unfortunately Mr. Karlsson is not present so that it is not possible. Mr. Karlsson has sent however a written explanation of the proposals and the Chairman addresses them.

Point 1.1

The Chairman understands that Mr. Karlsson would like that the written callings include all relevant documents for the meeting. The Services Company has carried out since 2011 an effort to provide all required documents for the meetings in order to enhance the information delivered to owners. However previous resolutions were passed requesting the information being available by internet. Mr. Karlsson's request goes against said previous resolutions and would imply an increase in costs.

All attendees are in agreement with the Chairman and no one of the attendees endorses the motion.

Point 1.2

Regarding the second item, the Chairman confirms that this is already the case and all callings include a last item in the agenda allowing owners to raise questions, and it has been his firm policy since 2011 to prolong the meeting as long as necessary to answer all questions whether they belong at meeting of the Owners Association or not.

Point 2.1

Regarding the third item Mr. Lennart sent the following explanation:

***“Background***

*The complete renovation of Puerto Calma during the summer 2012 was executed swiftly and efficiently to the joy of all owners and RCI have given the resort their highest mark of quality, Gold Crown. However, the planning of interiors, especially storage space, and some other utilities of the apartment has not been to everyone's contentment. The owners we represent have described the*

*drawbacks and separate owners and different groups of owners as well have particularly voiced their proposals of improvement during the General Assembly of 2013. Although, the chairman of the Owners Committee explained at the meeting “that the deep maintenance was based on the feedback from the majority of owners for more spacious apartments without large furniture”, our response is that regardless of which and how many owners who have been asked, this “majority” of owners have not likely expected that the requested spaciousness would result in that considerable decrease of storage space, which is about halved by reducing the space for coat hangers and the number of drawers and shelves. The storage utilities are completely insufficient when more than two people are to stay in a T1-flat.*

*The requested actions which the Owners Committee has “accepted” at the General Assemblies of 2012 and 2013 are in this context limited and have in this Motion been presented in the Appendix No1. Based on this background we propose as follows:*

- ▶ *The Owners Committee to calculate the cost per apartment to improve the interiors and other utilities according to the suggestions in Appendix No 1, and show the cost estimate to all owners of Puerto Calma as an enclosure in the Calling of the General Assembly in December 2014.*
- ▶ *The Owners Committee to put a question to the General Assembly 2014 whether the owners are willing to pay a non-recurring cost for the year of 2015 regarding to improvements according to Appendix No 1.*

*A survey amongst owners at Puerto Calma which we represent shows that the majority thinks that improvements according to Appendix No 1 are financed through an additional fee for 2015 of about 25 EUR per owned week. This would sum up to an amount of about 1 250 EUR per apartment. Assuming that the outcome of paid maintenance fees reaches 75 % of the total number of weeks the final figure would be about 940 EUR. If the improvement of storage space and other utilities would cost more we propose to use the “Renovation & Reparation fund”.*

The Appendix No. 1 referred to by Mr. Karlsson reads as follows:

*“Proposal on improvements of storage space and other utilities*

- *Ms. Anne Smith had compiled suggestions of improvement on storage and other utilities of the Apartments. No decisions regarding her proposal were made during the meeting. Therefore we bring her proposal up to date, with some additions, for attendance on the General Assembly 2014.*
- *As an answer to owners request and proposals on how the storage spaces can be expanded the owners committee admits however that more hooks will be placed in the rooms.*

*Our detailed proposal is as follows:*

***Bathroom/ shower***

- *Hooks need to be mounted*
- *The Door needs to be lockable*
- *Handle/ handlebar should be mounted in the shower to prevent falling. Action to be taken as soon as possible.*
- *Shower nozzle / shelf difficult or even impossible to reach for people of shorter stature.*

***Kitchen***

- *Owners Meeting 2012: An owner has pointed that the amount of kitchen ware units should be expanded to utilize an efficient use of the dishwasher from an environment- and energy stand-point. The owners committee’s chairman promises to investigate the cost.*

- *Owners Meeting 2013: Upon various requests with regards to the kitchen utensils, it was agreed that the Vice Chairman will revise the current status and evaluate what changes can be made.*
- *People of a shorter stature are having a hard time reaching the top shelf in the cabinets. Acquiring of a footstool is suggested.*

#### **Living room**

- *A cabinet with drawers and shelves, without legs and with roughly the same length as the width of the wooden TV-panel would essentially improve the storage capacity, so such a cabinet is suggested to be mounted on the panel under the television set. This will have no negative impact on the inlet of natural light nor the ability to clean the floor. Existing small shelf would be removed.*
- *Existing mirror behind the door to the bedroom is suggested to be moved to the living room and mounted on available surface on the same wall as the TV-panel.*
- *A forth chair for the dinner table is lacking in the T2-apartments. Request for this was put in the OPCA-Sweden annual general meeting in April of 2014 to Maria Martinez by our member Rolf Hulth.*

#### **Bedroom**

- *New mirror needs to be mounted above the dressing table.*
- *Drawers for storage are needed. Can be solved with a drawer unit or something similar.*
- *The ironing board is suggested to be moved from being stored in the sofa bed to be hanged behind the bedroom door (instead of the mirror which would be moved to the living room).*

#### **Closet**

- *About half of the space dedicated to coat hangers has been lost in the T1-apartments due to the deep renovation which is completely insufficient for more than two people staying in the flat. We have no suggestion how to expand space for coat hangers.*
- *More shelves in the closet to prevent having to stack clothing in large piles.*
- *Safety box is placed too low which leads to difficulties for people with poor eye sight or e.g. back problems. We suggest that the safety box is moved up to a more convenient height."*

The Chairman welcomes the proposal and thanks Mr. Karlsson for it and explains that all proposals have been duly considered in anticipation of this meeting. It is then following stated:

- Regarding the forth chair for the dinner table in the T2-apartments, a new chair for each apartment will be acquired.
- Regarding the hooks, they have already been installed.
- Regarding the rest of the issues, they will be studied and when possible amended.

#### **14. Appointment and/or renewal as appropriate, of the Chairman of the Owners' Association**

Mr. Calvin Lucock is re-elected as Chairman of the Owners Association in the terms foreseen in the by-laws and in the Spanish Act on Condominiums ("*Ley de Propiedad Horizontal*").

Mr. Calvin Lucock thanks all attendees for their support and confidence.

#### **15. Appointment and/or renewal as appropriate, of the Vice-chairman of the Owners' Association**

Mr. Roberto Picón is re-elected as Vice-Chairman of the Owners Association in the terms foreseen in the by-laws and in the Spanish Act on Condominiums ("*Ley de Propiedad Horizontal*").

Mr. Roberto Picón thanks all attendees for their support and confidence.

The Chairman states expressly his thanks for the services rendered by Mr. Roberto Picón as Vice-Chairman during 2014, which is confirmed by all attendees.

#### **16. Appointment and/or renewal as appropriate, of the Secretary of the Owners' Association**

Mr. José Puente is re-elected as Secretary of the Owners Association in the terms foreseen in the Spanish Act on Condominiums ("*Ley de Propiedad Horizontal*").

Mr. José Puente thanks all attendees for their support and confidence.

The Chairman states expressly his thanks for the services rendered by Mr. José Puente as Secretary during 2014, which is confirmed by all attendees.

#### **17. Questions and answers**

The Chairman introduces the questions and motions raised by owners that have been sent in writing to the Administrator before this meeting. Ms. María Martínez explains to the owners the different questions posed and proposals arose:

- (1) One of the attendees wonders about the lack of TV channels. Mr. Picón states that certain TV providers, such as BBC, stopped broadcasting abroad. Mr. Lucock mentioned that with the new WIFI in the rooms, certain channels can be streamed from the available web sites.
- (2) Upon Mr. Karlsson's question for more storage space in the apartments, Mr. Lucock indicated that a prevision for placing extra shelves is included in the renovation fund for 2015. The reason for not having large cupboards was to keep the rooms spacious, but in consideration to the owners' demands, extra shelves will be placed.
- (3) One of the attendees requests that a non-smoking area is established at pool. Some consideration to this issue is given by all attendees. After the debate it was agreed that the Service Company should establish said distinction. It is agreed that, as a trial, the upper part of the pool terrace will be designated for smoking and the lower part will be kept non-smoking, with relevant signs put in both places.
- (4) The issue of luggage storage was raised. Mr. Picón mentioned that approx. 400 suitcases are currently kept in a room that will be used as office space. Mr. Picón shows pictures of the suitcases and explains the huge volume of space that they represent, and states that there is no room at the resort for all the suitcases that are left. There are some suitcases that have been there for years and no owner has claimed them back. Furthermore some luggage has been left with food inside and they have attracted insects. Mr. Picón states that the Services Company cannot control what is left inside the suitcases, and cannot control whether owners pick up their own suitcase or not. Therefore the Services Company rejects any liability for the suitcases.

A motion is raised by several owners to start charging for keeping luggage on site. This would help to control which owners are still interested in their suitcases and which ones have abandoned them. Although monies are collected it shall be clear that neither the Owners Association nor the Services Company can be held liable for the suitcases. The Chairman asks the attendees whether they would be ready to pay for leaving a suitcase; three owners confirm that they have left baggage in the resort.

The motion is unanimously passed by all attendees as follows:

- ⇒ The Services Company will charge €20 for every new suitcase
- ⇒ Every owner leaving the luggage will be responsible for it and neither the Owners Association nor the Services Company shall be liable for it. The Services Company is authorised to request a disclaimer as a precondition for accepting that luggage is left.
- ⇒ Owners with existing suitcases are encouraged to take them home

This issue will be re-addressed in the Owners' Association Meeting of 2015.

(5) Mr. Charles Laurent sent the following questions and remarks:

- Question: Access to the webpage. Mr Laurent had problems in accessing the webpage and could not download the documentation. María Martínez explains that she explained to him how to access to the webpage.
- Question: Mr Laurent expressed some concerns about the budget of 2013 and the actual statement of expenses and the list of owners in default paying their fees.

The Chairman states that the statement of accounts of 2013 has been addressed today and that information has been given as regards status of collections. He further reminds the resolutions passed previously regarding the readiness by the Services Company to absorb the deficits caused out of the fact that certain clients were in default, without prejudice to the fact that those clients would not be able to use the weeks and the repossession program that is in place.

- Question: Mr Laurent considers the apartment renovation of Club Puerto Calma was necessary and he approves, but he feels that there are certain issues regarding reception of the works. He has identified some failures: woodwork (door frames); in block B to stage 6 on all doors a tab was added in the bottom of ¾ inch that is starting to take off; in the showers water spills outside of the shower area.

The Chairman thanks the question and states that some problems have been identified and are in course of being resolved. The reserve fund is being used for fixing certain problems.

- Question: Mr Laurent asks whether the powers granted to the Services Company authorise it to vote in favour of the budgets. The Chairman answers that this is actually the case. However the budget has been approved unanimously by all owners present. However if any owner wishes to grant powers and state specific instructions as regards the vote, this can of course be done, and the Services Company will follow said instructions.

- (6) Mr. and Mrs. Randy and Rose Norman have sent an email with remarks on the drastic increases of some items in the proposal of the budget for 2014 /2015, and they most specifically mention the increases in telephone, cleaning materials, other costs, TV channels, pest control and Legionella (considering that this should be a part of the garden budget, and wondering what Legionella is), electro installation (wondering what the budget for 2014 for this item was and whether there were ever repairs before) and administration costs (they would like to know where this money goes). For those reasons they do not vote for the increases.

The Chairman states that their remarks have been taken into consideration. As a matter of fact in the debate on the budget, explanation has been given as regards certain increases, such as the costs in telephone. Pest control is not an issue that relates only to garden, but to the apartments. Their wish not to vote in favour is also recorded for the purpose of the minutes, but since they did not grant powers of attorney their vote cannot be reflected in the cast of votes.

- (7) Mr. Herbert Mosch has sent a proposal suggesting that if a customer is in default, the customer should be in a position to give the week to the Owners Association for renting it and use the proceeds for paying the maintenance fees. Mr. Mosch also wonders about the status of the resale program.

Answer: The Chairman clarifies that if an owners is in default in paying the maintenance fee of one year, no one can use his/her apartment until he is in arrears in the following year. It shall be noted that if the client arrives to the club on the occupancy date and he/she pays the maintenance fees, he/she is entitled to use the apartment. For this very reason it cannot be rented out in that year. For clients that are in arrears in two or more years, the repossession program is in place and Holiday Club Canarias Sales & Marketing S.L. pays the relevant maintenance fee of the year when repossession takes place.

The Chairman states that there is currently no resale program, but he refers to the RDO considerations explained under item 2 of the Agenda.

- (8) Mr. Peter Claussen has sent a request about the status of the resale program. This issue has already been answered above.

- (9) Ms. May Carlyle has sent a complaint and expressed her wishes that it is discussed in the meeting. She was in the resort in July with her sister. She had had good experiences in the past, but unfortunately she found that there was no entertainment and they had to go out for entertainment. She was disappointed since when she bought her week in the resort, it was in her opinion friendlier.

The Chairman thanks Ms. Carlyle for her comments. He confirms that the Services Company tries to improve the experience of the clients when staying at the resort, and he feels that the renovation of the apartments is a clear sign of that intention. However he is sorry to hear that Ms. Carlyle did not find entertainment in the resort; he hopes that in her next stay her experience will improve.

- (10) Ms. Carol Brough sent an email apologizing for not being able to attend the meeting, and sending a proxy. She requested that following notes would be included in the discussions:

Agenda Item 3 - Status of WiFi. She understands that this is not a product whose cost should be assumed by all members. She thinks that if owners want to have access to Internet they should continue paying for it individually at reception, and not being placed as a cost for all members. Therefore she is against any resolution that would lead to a fix cost for all owners.

Ms. Carol Brough also addresses some issues from the previous 2013 meeting, and most specifically regarding non Smoking Areas. She wonders whether non smoking areas been designated within the pool area and other parts of the complex. She furthermore complains about smoking in terraces ad balconies, since higher based apartments suffer through guests smoking on the lower and adjacent apartments.

The Chairman welcomes the comment from Ms. Brough. This issue will be addressed at the end of this item of the Agenda.

Ms. Carol Brough further refers to RCI and the use of points at Puerto Calma and to the value of the points of the weeks in Puerto Calma now that it has been upgraded to Gold Crown. She wonders where there is any further development for increasing points' value for Puerto Calma.

(11) Mr. Karlsson, acting as a representative of OPCA Sweden, has sent to the Services Company an email with certain questions and comments that have already been answered to his satisfaction. However for the purposes of disclosure to all owners, the answers given are included below.

- *Question: How many weeks did Holiday Club Canarias Sales and Marketing S. L.U. rent or sell in „trial packages“ (three years package) in the year 2013 in the resorts of: a. Puerto Calma b. Vista Amadores c. Jardin Amadores d. Sol Amadores e. Playa Amadores*

Answer: Holiday Club Canarias Sales and Marketing S.L. does not sell trial packages for specific resorts, we sell accommodation to be used across all our resorts and In many cases this includes Finland Sweden and other RCI, resorts, This is the business of the sales and marketing company and has no relevance whatsoever to the owners associations, Trial packages are accommodated In weeks owned by the sales and marketing companies.

- *Question: For how many weeks did Holiday Club Canarias Sales and Marketing pay maintenance fee, for the weeks they used for rent or used for other purposes in the year 2013 for all the respective resorts?*

Answer: Holiday Club Canarias Sales and Marketing S.L. is the owner of weeks in the same way as all members, It pays the same fees as each and every member for every week it owns whether it uses them rents them or sells them is of no relevance.

- *Question: How much did the company pay in maintenance fee for each resort in the year 2013?*

Answer: The maintenance fees paid were exactly in line with the numbers of weeks the company owned, I don't have the individual number but the total across all resorts was over 1.5M€

- *Question: Is it not right, considering good accounting principles, to state how much maintenance fee the Holiday Club Canarias Sales and Marketing S.L.U. pays for use of weeks in each resort in the year Statement of Income and Expenditure and especially in the Budget which is the basis of the decision of the amount of maintenance fee each year? This seems right as the fact is that the company owns approximately 1/3 of total weeks in these resorts and can use them for their clients accordingly.*

Answer: The income of each resort is already clearly shown in the profit and loss accounts as total Income. The only difference is that Holiday Club Sales and Marketing S.L.U. pays for more weeks, The amounts shown include all these amounts once again it pays the same as all owners do, and must pay regardless of whether it uses the week or not.

- *Question: How many weeks did the Holiday Club Canarias Sales and Marketing S.L.U sell in the form of "free hold" contacts in the year 2013 in all the respective resorts?*

Answer: This has no relevance as Holiday Club Sales and Marketing is a commercial business, Holiday Club Sales and Marketing's accounts are a matter of public record and access is available from the Companies Registry,

- *Question: How does Holiday Club Canarias Sales and Marketing S.L.U advice the defaulting owners if they want to sell their weeks before the company „repossesses“ their weeks?*

Answer: If somebody has not paid the maintenance fee we will not transfer the week to a new owner until the contract is up to date, It is your responsibility to pay your maintenance fees as an owner. If you wish to sell it, it is also up to you and we do not influence this.

- **Question:**

*RDO, Resort Development Organization, a trade association for companies that market and sell timeshare apartments in holiday resorts, and TATOC, The Association of Timeshare Owners Committees, a not-profit association for timeshare owners, has worked together over the past two years in order to find solutions for owners who have a pressing need to end the ownership of its shares. In RDO News April 29, 2014 RDO announces that from the end of 2012 its member companies are required to have some kind of procedure or exit programme, for timeshare owners to end their ownership. Especially when the need to end the ownership has arisen because of illness or high age the exit procedure should be carried through quickly and sympathetically. The entire text can be found in RDO News April 29th, 2014 on the RDOs website [www.rdo.org](http://www.rdo.org) .*

*Holiday Club Resorts Oy is a member of RDO and Calvin Lucock, Director of Holiday Club Canarias and Chairman of the Owners Committees of Owners Associations in Holiday Club Canarias Resorts, is also Chairman of the RDO Board of Directors. We owners have not yet received any information from Holiday Club Canarias whether work on an "exit programme" to terminate the ownership of shares has begun.*

*Has Holiday Club Canarias drafted any procedures / exit programme for owners to terminate its ownership in accordance with the RDO's message in RDO News 29 April 2014. If so, what means are included in the programme?*

Answer: The Chairman confirms that HCC S&M complies in full with RDO Code of Conduct, and naturally in line with all resolutions passed. The Chairman has previously addressed this issue and as a matter of fact, HCC S&M has assisted owners with exit over and above any guidelines set by RDO.

(12) Mr. Karlsson and Mr. Piepgrass, as representatives of OPCA Sweden and Denmark respectively, have submitted certain requests to the Services Company, detailed below:

- Submit at least an approximate statement of the extra costs Holiday Club Canarias Resort Management has had as a result of the clean-up, over the years 2011, 2012 and 2013 in addition to costs for ordinary activities.
- Present the amounts of collected maintenance fees that the company itself can keep as a result of the decisions a) and b) at the General Assemblies in 2013.

The Chairman takes the floor and states that the extra costs are difficult to measure since it is related to labour costs. In addition future liabilities that are incurred as a result of the work could be calculated over one year or five year as giving very different figures. As an example the Chairman explains that across all five resorts, the maintenance fee liability of Holiday Club Canarias Sales and Marketing S.L.U. has increased in the last 3 years by one million Euros.

Regarding amounts of collections referred to in point 2 the Chairman informs that as a result of the repossession process the amounts of monies collected in outstanding maintenance fees is considered to be irrelevant compared to the costs incurred.

(13) Mr. Hans Olav Knagenhjelm, as representative of OPCA Norway, has sent the following proposals to be discussed in the meeting:

- *Proposal: to install Internet in all flats.*  
Answer: it is already done and addressed before in this meeting.
- *Proposal: To include contact info for the owner associations in the Minutes for information to all owners.*  
Answer: this is a meeting of the Owners Association where all members are welcomed. OPCA is a private association of certain members and not recognised as a legal body of the Owners Association. The Services Company acknowledges the existence of OPCA and welcomes any proposals from OPCA's representatives, but this does not mean that OPCA can have a legal standing nor that the Services Company has to favour OPCA or its members above any other members.
- *Proposal: HCC should put out weeks for sale to owners before they are sold through HCC sales Company*  
Answer: this is a pure HCC S&M commercial decision, as it is considered that they have a competing activity.
- *Proposal: As a result of stable Internet lines it is proposed to change TV provider to IP-TV with the main channels for all owner nationalities.*

Answer: Other options will be studied.

- *Proposal: Eurosport should be in English not German.*

Answer: Proposal is noted and it will be checked whether it can also be offered Eurosport in English.

- *Proposal: Install Video and HDMI cables on new TV's for connection of PC etc.*

Answer: This is already solved. HDMI cables are available.

- (14) Mr. Hans Olav Knagenhjelm, as representative of OPCA Norway, has furthermore sent the following questions/remarks in connection with the 2013 Owner meeting requesting to be answered by the Services Company:

- *Records for 2013 not presented as part of call for meeting.*
- *Some questions in 2013 meeting not answered in the minutes.*
- *Proposals for the agenda should be called for before call for meeting.*
- *HCC to inform on RDO agreement of "Graceful Exit".*
- *HCC to include a FAQ on the homepage.*
- *HCC to include an information "window" on the homepage for owners to follow what is going on.*

The Chairman answers all the above questions from Mr. Knagenhjelm as follows:

- 1) The relevant information of meetings is uploaded in the webpage before the meeting, so that they are available to all owners. Including them in the envelopes with the callings for the next year would only duplicate the work and increase costs, and it would be again against previous decisions as regards internet communications.
  - 2) All owners associations related questions sent in writing in due time were answered and recognised in the minutes.
  - 3) All proposals that are received in writing on time are included in the agenda. Owners know from one year to the other when the meeting is going to take place. Owners need to understand that they are over 3700 people.
  - 4) Regarding the question on RDO, it has already been addressed before in this meeting.
  - 5) Regarding the suggestion on FAQ, it is acknowledged as a positive suggestion.
  - 6) Regarding the suggestion on the information window, it is also acknowledged as a positive suggestion; it is something being considered in the Holiday Club Canarias webpage for the owners associations, but it is already implemented in the Holiday Club corporate webpage.
- (10) Both Ms. Carol Brough in her written requests and one of the owners present in the meeting raise a concern regarding the lack of non smoking areas at the swimming pool. The owner participating in the meeting declares that when lying in the sun beds he is sometimes disturb by other clients smoking next to him. He reminds –as well as Ms. Brough- that this issue was already addressed in last year meeting.

The Chairman thanks the owner for the suggestion and acknowledges that this might be an issue but it is necessary to find a balance. It is proposed to create a smoking and a non smoking area in the swimming pool. A certain debate starts as regards what areas should be for each of them. The Chairman requests that there is a cast of votes as regards this issue and all owners unanimously agree that said split of areas is created. Consequently following motion is passed:

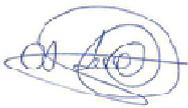
- ⇒ To create a separation of areas in the swimming pool between a smoking and a non-smoking area.
- ⇒ Powers are granted to the Service Company to decide on the specific location of each area.

## 17. Approval of the Minutes

According to the terms of the law, the minutes will be prepared by the Secretary within the next ten days and once they are ready, the Minutes will be signed by the Chairman and the Secretary of this Meeting.

Powers are granted to the Chairman, Vice-chairman as well as to the Secretary so that, should it be necessary, any of them may, indistinctly, in the name and on behalf of the Owners Association, execute the aforementioned resolutions and particularly in order to issue a certificate of the resolutions adopted, and if appropriate to appear before a Public Notary with the most ample faculties, in order to grant and sign the necessary Public Deeds, so that the aforementioned resolutions and the legal transactions arising from them may be formalised, and to raise them to the status of a Public Deed, for all the pertinent legal effects, even for the inscription of the same at the Land Property Registry.

The meeting was closed on Friday, 5<sup>th</sup> December 2014 at 11:30 hrs.



**THE CHAIRMAN OF THE MEETING**

Mr. Calvin Lucock



**THE SECRETARY OF THE MEETING**

Mr. José Puente