

Bylaws of Albatros Residencia

THE STATUTES OF ALBATROS RESIDENCIA, LOS ALCAZARES, APPROVED BY THE OWNERS MEETING June 25th 2010.

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STATUTES ALBATROS COMMUNITY

The following are the Community Statutes as referred to in the Minutes of the Statutory General Meeting of Albatros Community dated June 2009.

These Statutes are registered and referred to in the title deeds of each dwelling. Every owner therefore, on signing of their title agrees to abide by them.

CHAPTER I

ARTICLE 1

Name

When approved, these statutes will regulate the horizontal property pertaining to the "Albatros" located between.....of..... in the municipality of Los Alcazares (Murcia), comprising 193 homes, in addition to corresponding garages and storage space, and named URBANIZATION ALBATROS IN THIS CITY. The Urbanization will be known as such in all its operations and relations in accordance with the Law dated July 21st 1960 and the Amendment 9/99 dated April 6th.

ARTICLE 2

Application Sources.

These Statutes will be regulated by the Law of Horizontal Property, and failing this, by that laid down, in the Civil Code. Given that they affect the authority of present and future owners, these statutes are of an essential nature, and will be registered in the property register.

ARTICLE 3

Address

For the purposes of all legal or non-legal requirements and notifications, each owner must appoint an address in Spain, informing the President and/or the Administrator of the Community thereof. Failing this, it is understood that the house owned by the individual has been appointed, and should they own more than one property, then any one of them. The President is considered to have an address in the Community Administration office for all matters affecting co-ownership.

ARTICLE 4

Duration.

These statutes are hereby constituted for an indefinite period, unless the owners are subjected to the contents of another official deed.

COMMUNAL AND PRIVATE PROPERTY

CHAPTER II

ARTICLE 5

Description of Common Share

All that which is not exclusively and privately attributed to individual owners, and which serves the common interests of all residents, is considered to be a common element or share, and in particular the following ;

- A. The ground, subsoil and overhangs or projections, where the buildings are located in so far as ownership rights allow, and as permitted by the law or other regulations.
- B. The foundations, passages, walls, ditches, facades, main walls and adjoining dividing walls.
- C. Drains and conduits and electricity, drinking, rain and drainage water services. (From the connection point of each building).
- D. Ordinary and collective satellite antenna, television and FM network.
- E. Interior and exterior passageways between buildings of the same Community.
- F. Roofing, chimney heads and rights of way.
- G. Stairways, lifts, hallways, passageways, corridors and landings and transit areas in the basement or on the roof of the building such as rubbish areas, air-conditioning, storage rooms, entrance gates etc.
- H. Pools, gardens, fountains, and other water contained features.

The following is a non-exhaustive list of what are considered to be common services :

Cleaning, Porters, Security, Lighting, Conservation and Maintenance of Entrances, Patios, Stairways, Trees, Common Green Zones, and the private Gardens on the ground floor, Swimming Pools, Fountain and in general all common elements of the property. Those services which are peculiar to the Apartments, will be maintained from the Apartment Budget.

Common Elements of the Apartments

All stairways, lifts, passageways, corridors etc. which are enclosed within the apartment building including the garages are common to the owners of apartments only, and will be maintained from the apartment budget. Water and electricity within the apartment building for use by all owners, including the cleaning and lighting of corridors in the apartment block will be funded from the apartment budget.

ARTICLE 6

Use and Service.

Any owner may demand that the common elements and services be in perfect condition for use and service and may make use of same within the limitations established by the law and by these Statutes, provided that other owners are not adversely affected or prevented from using them. The Committee is entitled to establish interior rules, in accordance with Article 6 of the Law of Horizontal Property, with regard to the aforementioned use or service, subject to a majority vote as outlined in regulation 3 of article 17 of the said Law

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ARTICLE 7

Expenses and Improvements.

Expenses may be incurred and improvements made, for practical reasons, at the discretion of the Committee and within the agreed annual budget. No single item should be more than 2% of the total budget or 70% more than the improvement budget, whichever is the lowest, unless prior approval has been obtained at an owners meeting. These may include improvements designed to enable a more convenient use of the common elements or services, or to improve their cost-effectiveness, without adversely affecting security, decoration or the stability of the building or infringing on any of the owners' rights. It is the responsibility of all owners to maintain all the external elements of their property in good order including metal gates and window bars.

ARTICLE 8

Civil Liability.

The civil liability arising from the properties will be distributed amongst the owners on a pro-rata basis, according to their share quota in the co-ownership. Liability arising from a fault or negligence committed by one of the co-owners or occupants of a housing, will be the responsibility of the owner of that housing.

ARTICLE 9

Insurance.

The building and all common areas must be insured with a large insurance, notwithstanding the fact that all owners must insure his/her dwelling in the form and under the conditions he/she sees fit. No action which invalidates the common building insurance is allowed. This includes storage of items in the garages other than vehicles, as this has been deemed to invalidate the building insurance of the apartments. Vehicles include cycles and any other accepted mode of transport.

PRIVATE PROPERTY

CHAPTER III

ARTICLE 10

Concerning the Private Property of Each Owner.

Each proprietor is the unique and exclusive owner of his/her house, along with all the features or installations contained within its boundaries; consequently he/she may dispose of the latter for whatever reason or purpose he/she sees fit, without any limitation whatsoever.

The quantity of the participation share (quota) will be fixed according to the description of each unit. The said quota may not be altered and may only be modified by unanimous decision, according to that outlined in article 17 of the Law; it will serve as a basis to determine participation in the expenses and earnings of the Community.

ARTICLE 11

Use and Enjoyment.

Each owner of a housing is free to use his property as he/she sees fit, without any more limitations than those outlined in the Law, in these Statutes and in decisions taken by the Committee.

The following actions are hereby prohibited :

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ARTICLE 11

continued

Any form of activity which is not regulated by the pertinent municipal permit or which is in opposition to the Municipal Regulations applicable in the area.

- a. To alter the distribution of exterior openings in the facades, or terraces, or to create new openings.
- b. To post publicity or posters on the exterior walls.
- c. To hang towels, items of clothing or any other household item(s) over any balconies, dividing walls, or exterior boundary walls including gates which lead to pavements or communal areas or gardens.
- d. To decorate or adorn the exterior boundary walls including gates which lead to pavements, communal areas, gardens, and walls surrounding rooftop solarium. Adorn includes the fixing of any mesh / fencing, even though a temporary fixture, and if used should be in the colours of the community i.e. white or beige / cream, in order to conserve the uniformity of style.
- e. To exhibit objects on the exterior walls (not including confines of balconies and patios), which affect the appearance of the buildings.
- f. To install awnings, sunshades, curtains and or blinds fitted to the interior of the external walls of a conservatory or glass extension. Which are different to those established in the Interior Regulations, which were approved at the Owners Annual Meeting in June 2009
- g. To install machines or engines on the property which do not correspond to the usual domestic appliances.
- h. To have dangerous or foul smelling products on the property
- i. To install on communal property, radio antennas, or ordinary or satellite television antennas, except those belonging to the Community, and unless permission at an owners meeting, has been obtained to do so.
- J. No structure either permanent or temporary can be erected on or within communal areas without a majority vote of owners taken at an Owners Meeting unless it is to provide emergency power or water supply or emergency repairs.**

The infraction of any one of these prohibitions in ARTICLE 11 will result in the corresponding action being taken, and in particular, the actions outlined in article 19 of the Law of Horizontal Property, in order to re-establish or impose that which as been agreed upon.

Only plants planted by the contracted gardener are allowed in communal areas/gardens.

All owners must abide by the Community rules and statutes and are responsible for making sure all occupants of their property are made aware and agree to abide by the Community rules and statutes. Renters of a property could face eviction if they or any of their party fails to abide by the rules.

If as a result of any action by a person renting or any of his/her party which breaches the Community rules financial loss is caused to any owner then the owner of the property being rented will also be responsible for recompensing the owner at loss.

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ARTICLE 11 continued

ALBATROS COMMUNITY - CODE OF CONDUCT POLICY

A Code of Conduct policy will operate within the Community. It is required to prevent behaviour that would generally be considered to cause a nuisance, annoyance or disturbance to anyone else in the vicinity. It would therefore affect other people's quality of life in an adverse way. In essence, it is behaviour that shows lack of respect for other residents of the Community and prevents them from having full enjoyment of their residence.

The Code of Conduct and the procedure for dealing with behaviour, which contravenes the policy, will be agreed and voted annually at the AGM. A copy of the agreed policy and procedure will be displayed on the Community Notice Boards as soon as possible after the AGM and a copy will be sent out with the minutes of the meeting. It is the responsibility of all owners to ensure those persons staying or visiting their property and therefore in the Community understand and agree to their obligation to adhere to the agreed Code of Conduct.

PARKING

Any car parked within the Community whilst the owner is not resident is obliged to give registration details of the car, a contact telephone number, and the details of the key holder to a member of the Committee in writing (including e-mail) for use in the case of an emergency.

No vehicles other than those belonging to an owner or a renter are allowed to be parked in the communal area. The Committee have authority to have unauthorised vehicles clamped or towed away. The charge for the return of the vehicle will be set by the company empowered by the Committee to remove the vehicle.

SIGNS

Only "**For Sale**" notices may be displayed outside of properties forming part of the Residencia Albatros complex.

Compressors for the apartments air conditioning must be installed on the roof unless installed before the Annual Owners meeting of June 2009.

ARTICLE 12

TITLE

A house may have one or more owners. If it belongs to more than one person, one individual must be appointed to exercise all rights and discharge the corresponding obligations jointly and severally. The nominated person is duty bound to notify the Administrator of all changes of contact details, including home address, telephone number and bank account, within seven days.

ARTICLE 13

Construction and Repair Work.

Each co-owner may carry out the construction work or modifications he sees fit within his own housing and exclusive service and installations, provided that these do not affect the common areas, nor modify the external configuration of the building, under the conditions outlined in Article 7 of the Law, in which case prior authorisation from the Committee will be required. All applications must be set out in the manner agreed at the Annual Owners Meeting in June 2009. See Appendix A. Planning permission expires after 6 months.

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ARTICLE 14

Damage.

Any damage caused to a dwelling, due to either malice or negligence, which entails imperfections in common or private areas, the person (s) will be obliged to make good the damage at his/her/their own expense. Failing to do so the Administrator or President of the Community will do so, at the expense of the owner(s) obliged to carry out the work.

Should the housing belong to several persons, they shall be jointly and severally responsible for any common or private expenses due for payment, as well as for the damage described above.

Damage includes discoloration by any means by human or animal.
Cont.

In cases of emergency the Owners Committee, having served due notice on the owner at the Spanish address, and where practicable at any other known address in their country of residence, may then authorize the Administrator to have the repairs carried out and charge it to the owner(s) within whose property the person(s) responsible for the damage were residing. Should the repair not be carried out within forty eight hours of having been required to do so, and to the satisfaction of the aggrieved or the committee a levy equal to the sum paid out will be added to the property owners community fee for that year. Refusing to pay will be equal to defaulting on community fees.

ARTICLE 15

Common Expenses and Taxation.

Each owner is obliged to pay the share assigned to him/her/they in the budget of estimated expenses for the following financial year, in accordance with his participation quota, into the common fund, which is the percentage quoted in the Escritura of the property within the time limit, and in the form established by the Community Administrator.

In the same way he/she/they are obliged to pay the quantity of the share which corresponds to him/her/they in the common expenses incurred. This payment is due on the 1st July each year and must be made on or before the 31st of August, ensuring it is cleared into the Albatros account by that date, allowing a minimum of 21 days for banking procedures to clear any payments made other than by direct debit.

- 1 Payments made by direct debit and any other means that are cleared by 31st August will receive a discount.
- 2 Owners paying by extended terms agreed with the Administrator, may incur a charge.

Those owners who fail to meet their obligation, by the 31st of August, taking into account 21 days for banking clearance, will be liable for the full fee and any bank charges levied against the Community due to funds not being sufficient in their account, or incorrect completion of any documents given to their bank. Funds achieved in this manner will go to the Community Fees to compensate for the costs of legal action and any other means used to recover the due Community Fee .

Owners who fail to pay 31st of August will be known as defaulters and liable to have legal action taken against them to recover both the fees and all legal and non legal expenses incurred in recovering the fees. The Horizontal Property Act applies. There is a reminder and appeals procedure. See Appendix B.

The Community may periodically publish by post, internet, and or notice boards, details of accounts and the names of owners who are in debt to the Community having failed to pay their Community Fees.

The Administrator will budget a minimum 5% sink fund each year as laid down in the Horizontal Property Act.

ARTICLE 16

Community Body.

The common interest will be regulated by the Property Owners Committee and including the President, and Vice President each with the functions stipulated by law and in these statutes.

ARTICLE 17

The Property Owners Committee. Competence and Faculties

The Property Owners Committee, as the maximum authority of Community interests, has competence to carry out all that stipulated in the Law of Horizontal Property or other special laws, in these statutes or other valid agreements established in subsequent meetings.

The Elected Committee will be empowered to authorize all work necessary to keep all common areas, including gardens, and apartments in good order, and to ensure uniformity of the residencia is maintained.

It is at the discretion of the elected Committee which items are authorised to be carried out and which items go before the Owners Meetings, which are held twice each year.

The members of the Committee will be elected by a vote at the Annual Owners Meeting held on the last Friday in June each year.

The elected Committee will then have discretion to co-opt two further members within that current year if it is felt by the Committee that specific skills are required to tackle a particular problem facing the residencia.

The Owners Committee has the following faculties, but may assign one, any number of, or all to the Administrator.

- A. To carry out all administrative actions and sign contracts concerning the Community property, according to the terms and conditions they see fit.
- B. To use the signature and act on behalf of the Community in all forms of banking operations except mortgages, guarantees, credits with Community guarantees and similar operations which should be agreed upon previously by the co-owners Committee.
- C. To order the performance of work included in the budget and all other urgent and necessary work, even if not foreseen in the budget.
- D. To see that all decisions taken by the Committee are executed, to keep an account of expenditure of the Community and the earnings corresponding to each member, creating a common fund for the quantity deemed necessary.

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Bylaws of Albatros Residencia

ARTICLE 17 continued

- E. To appoint and dismiss all personnel required, fixing salaries according to budget.
- F. To be responsible for the accounts and to prepare the annual expenditure accounts and proposed budget for the forthcoming year for approval of the Owners meeting.
- G. To regulate its own operation in all that is not outlined in these statutes.
- H. The faculties given above only serve as an indication and are by no means exhaustive.

ARTICLE 18

Meetings. Notifications and Resolutions.

The Property Owners must meet at least, once each year (AGM), the last Friday in June, to approve the budget and accounts for the coming year, and those of the previous year, or to examine any other matter of common interest.

An extraordinary meeting will be held the last Friday in January each year to discuss extraordinary items.

Notice should be delivered in writing, including e-mail, and must contain the following information

The place, date and time of the Meeting

The agenda of business

The convocation will also contain a list of the owners who are not up to date with their payments to the Community, and these will be notified of their incapacity to vote.

Notice of meetings shall be served by means of a written document, including e-mail, containing the information described above, at least 15 days in advance for Ordinary Meetings and two weeks before an Extraordinary meeting.

Attendance at the General Meeting of owners shall be in person or by representation, providing sufficient authorization has been given to do so. If the representative carrying out proxy votes is himself or herself not eligible to vote due to fees not having been paid, the representative and the proxy votes carried will be null and void.

After discussion at a meeting, the matter is then put to a vote by all those in attendance. The valid decision will be that which receives the vote of the majority of owners and who represent the majority of the participation shares.

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Bylaws of Albatros Residencia

Article 18 continued

If a majority vote is not obtained due to a lack of attendance on behalf of the owners at a first convocation, another convocation will take place with the same requirements as the first, unless the latter has already been anticipated. At the latter meeting, decision adopted by the majority of those present, representing more than half of the value of the quotas of the owners present, will be valid. Should it still be impossible to obtain a majority, then article 17 of the Law of Horizontal Property will be applicable. Regardless of that which is outlined in this general rule, other agreements will exist which require a unanimous decision in accordance with Article 17 of the Law of Horizontal Property.

ARTICLE 19

The President.

The owners will elect a president with the powers indicated by law and especially the following :

1. To represent the Community, either legally or otherwise, in all matters of interest and especially in all forms of lawsuits, proceedings or matters of a civil, contentious or voluntary, criminal, administrative or contentious-administrative jurisdiction, or any other ordinary or extraordinary jurisdiction; to bring ordinary or extraordinary lawsuit, including repeals, revisions, or other before any department of the Supreme Court. To execute court orders, suspend, relinquish, settle or entrust the same proceedings to legal or equity arbitrators, to other third parties, or to fate; to quash all types of lawsuits and legal processes, to request the intervention of Notaries or other officials, demanding the formalisation of the required documents and to pay or charge the corresponding sums.
2. To convoke and preside over the General Owners meetings when he/she sees fit.
3. To execute or order the execution of decisions taken by the Owners Committee, or due to a legal ruling according to that outlined in paragraph four of Article 18 of the Law of Horizontal Property.

Vice-President.

The Vice-President will represent the President in absence, with all the authority of the President placed upon him by The Owners Committee and the law of the land, with the obligation to inform the President of his/her actions at the earliest possible opportunity.

The Vice-President will also perform the tasks assigned to him by The Owners Committee or by the president,

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Bylaws of Albatros Residencia

ARTICLE 19 Continued

Secretary-Administrator.

The General meeting of the Community will elect a Secretary-Administrator, with the faculties assigned to him by law, and especially those faculties outlined in these statutes or subsequent agreements. He will have the right to voice his opinion at all meetings.

Committee Member.

The Owners Committee will consist of seven members elected annually at the Owners Meeting held June. If required because of Special Skill two further members may be co-opted on to the committee for a specified period agreed by all members.

All members are expected to contribute their views and that of owners that have contacted them, and attend at least three committee meetings during the year unless exempt by the President.

Posts of President, Vice-President, Committee Member, and Secretary Administrator.

The posts of President, Vice-President, Committee Member, and Secretary-Administrator will be held for a period of one year, although they may be removed from office during their term following a decision of the Owners Committee. Nomination forms will be provided on request to the active Vice President.

They may also be re-elected for equal periods.

All of the above, with the exception of the Secretary Administrator, must be owners of at least one property in the Community, and fully paid up on their Community fees or subject of a current payment plan with the Administrator.

Expenses incurred and claimed for by all of the above, with the exception of the Secretary Administrator, should be submitted with a log or receipt within two months. Claims submitted after two months will not be reimbursed.

ARTICLE 20

Code of Conduct of Officials of The Community

Any commercial agreement regarding buildings, including garages, loft areas or telecommunication areas, equipment, including electricity, gardens or communal areas, must be agreed by the President, or Vice President and a minimum of three members of the Owners Committee.

No President, Vice President or any one member of the Owners Committee, or any one owner of a dwelling within Albatros Residencia, shall on behalf of all owners of dwellings on the Albatros Residencia, enter into any commercial agreement with another person or company on their behalf.

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Bylaws of Albatros Residencia

ARTICLE 20 continued

No person being party to any commercial agreement as described above can receive any remuneration, goods or favour from the person or company with whom any commercial agreements has been reached. Any such offer being made must be drawn to the attention of the other Committee members before any verbal agreement or contract is reached or signed on behalf of all owners.

Any person found to have breached this condition by not declaring such an offer will be asked to resign.

Any contract, signed by any person found to have breached this condition, by not declaring such an offer, the contract will become invalid.

Any person or company signing any agreement affecting an owner or owners must sign to say that they have seen the above clause and agree that any such contract will be invalid.

ARTICLE 21

Books and Documents.

All books and documents will be kept in the custody of the secretary-Administrator and must be at the disposal of the president and Vice-President at all times.

Likewise, they may be examined or consulted, under the correct circumstances, by any owner or authorised individual.

The above person may also obtain notes or certificates of decisions taken, issued by the Secretary-Administrator with the Presidents approval.

The resolution of the Owners Meetings will be recorded, along with the necessary annotations in a Minute Book, paged and stamped by the court pertaining to the location of the property. The information recorded should include the number of sheets contained in the book and any other necessary elements.

ARTICLE 22

Accounts Books.

The Owners Committee will ensure that the necessary accounts Books, or electronic records are kept for an efficient administration wherein all the earnings and expenses will be recorded.

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ARTICLE 23

Common Income and Expenses.

The earnings of the Community corresponds to all that money received from the co-owners, any commercial agreement with any person or company, or as stipulated by law or other Community agreements.

The common expenses include all those which result in benefits for all, and in particular those incurred for the conservation or repair elements; gardens, pools, services, insurance and other similar expenses, including the exterior walls and dividing walls of all dwellings including the exterior of the apartments.

In the cases of doubt the Administrator will determine what is of common interest.

Bank Account.

The Community will hold a current bank account in the town of Los Alcazares, in the name of "Comunidad de Propietarios Albatros"

A record of the deposits and withdrawals will be kept and all proofs of deposits or withdrawals must be preserved.

Jurisdictional subjection.

All present and future owners are hereby subjected to the jurisdiction of the Court of San Javier, the Courts of the United Kingdom any other legal system used in competence in the event of any lawsuits or objections which correspond to them unless otherwise stipulated by law. Any owner condemned will pay all legal or other costs, including lawyers and Barrister's fees, even if their involvement is voluntary.

RIGHT OF APPEAL

Where there is any charge of misconduct or any breach of Community Rules, against an owner or any persons who used an owners property, the owner of that property will always have a right to appeal to all owners at the AGM. The decision of the owners vote will be final and binding.

ARTICLE 24

Communication to the owners, of properties on Residencia Albatros , will be in all available forms either written or electronically. This includes, handwritten, typed using a word processor, e-mail, text messages and any new technology for communicating that becomes available after the year 2009.

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Appendix A
Planning Application and Appeals Procedure

Submission Of An Application

In order to submit an application for approval by the Committee certain rules must be observed.

1. A written application must be made to the Committee detailing the type of construction and reason for it.
2. Either detailed plans and/or photographs of a similar installation must accompany the application on the Albatros Community.
3. Should the proposed construction not be identical to constructions on like properties then copy of the application and the accompanying documents must be exhibited on the two notice boards to give other owners the opportunity to lodge their objections with the Committee. This must be done at least 14 days before the next monthly committee meeting.
4. Should the notice board be examined and found that this has not been complied with the application will not be considered until 14 days following the correct documents being exhibited.

Application For A Conservatory

If an owner is applying for planning permission for a Conservatory then they must ensure that the material used the boundary line is fit for the purpose and is maintained. The Conservatory must also comply with following criteria:

1. It should not project forward of the building line or encroach onto a neighbours side of the boundary.
2. The height of the construction should not be any higher than the lowest edge of the boundary, and should blend into the area to which it is to be fitted.
3. The glass should be plain or double glazed but not frosted or wired and should blend into the construction.
4. The internal curtain colour should either be cream/beige or white in colour and follow the Taray pattern.
5. The internal window boards should be white and plain in appearance.
6. The conservatory should be rectangle in design but not of a bay type design which would project forward over the building line.

Action by the Committee.

The Committee, on behalf of the owners of Albatros, will consider the application, giving consideration to the following points;

1. Is there a similar legal construction installed on Albatros.
2. Even if **1** above applies, the location of the property, where the construction will take place, will be considered.
3. Does the external appearance affect neighbouring properties, i.e. those adjoining, those above and those that have a direct view of the property requesting the permission.
4. The construction of the extension to ensure safety to all owners and visitors to Albatros.
5. The colour scheme to ensure it matches up with cream/beige and white of the complex.

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Appendix A continued

If the application is approved the applicant will be notified within 7 days of the committee meeting either, by letter, or e-mail.

If the Committee have approve the application it does not over ride the fact that planning permission from the local council may still be required.

If the application is rejected or withheld for consideration by an owners meeting i.e. In the case of totally new erections which have not previously received planning permission, the grounds for rejection or postponement will be given to applicant within 7 days of the committee meeting either, by letter, or e-mail.

Appeal.

The applicant may take notice of what the committee have said and re-submit the application with the relevant amendments made to the next committee meeting.

OR

The owner making the application may appear in person, before the next owners meeting to appeal against the Committee's decision. The vote of approval or disapproval taken at that meeting will be final.

If the application receives approval at the Owners Meeting this does not over ride the fact that planning permission from the local council may still be required.

Planning permission expires after six months and if work has not started a new application must be submitted to the committee. if the work is in progress and at an advanced stage then the work will be allowed to carry on even if the six months has expired.

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Appendix B—Reminder and Appeal Procedure.

All persons liable to pay community fees and have been served with due notice by the Administrator, of the monies they are responsible to pay for that coming year, shall pay in a timely manner as outlined in Article 15 of the statutes.

Anyone liable for such payment who has not made payment by the 31st August as outlined in Article 15 of the statutes will be deemed to have defaulted.

Anyone who defaults will be notified in writing by the Administrator of the new sum of money owing, i.e. The allocated fee for the year, not taking into consideration any reductions that are available to persons paying on time, plus if applicable any outstanding balances from previous years, and any penalties applied.

The letter of notification (reminder letter 1) will be sent out by the Administrator not later than 14 days after the 31st August. A second and final reminder letter will be sent out on or soon after the 1st October, if no response is received within 28 days from the date of the letter approval of legal action will be requested at the January Owners Meeting.

The letter will be sent to both his/hers/theirs Spanish address and last given address in their country of residence.

The person(s) to whom the letter is address will be given 28 days from the date of the letter in which to make payment and to have the payment cleared.

OR

The person(s) responsible for the debt should notify the Administrator and Committee of Albatros within 21 days from the date of the letter of their appeal.

The appeal should give good reason and show good cause why the payment was not made on time.

Not allowing 21 days for the banking system to clear payment will not be a valid excuse.

Alleging no knowledge of the amount to be paid will not be a valid excuse. It is the duty of all owners to make sure they are aware of their due Community Fee each year, and to be aware of the procedure laid down in Article 15 of the Albatros Statutes.

The elected Committee will consider the appeal, at the soonest Committee meeting following receipt of the appeal and take into account any reasons given.

If the owner (s) appealing are successful with their application the discounted fee will apply and any extra charge withdrawn from their account, but the amount due, if any, must be paid into the Albatros account and cleared in 22 days allowing for the banking system of 21 days.

Failure to do so will render the person(s) who appealed as defaulters and treated as such with no right of appeal.

continued

Bylaws of Albatros Residencia

Appendix B continued

If the appeal is rejected the person(s) appealing will be notified in writing either by letter or e-mail of their decision within 14 days following the date of the meeting. The person(s) who made the appeal will let the Committee know in writing either by letter or e-mail of their intention to appeal to the next Owners Meeting. They will need to attend the meeting in person or have another owner, whose fees are paid up to date, to state their case for them giving good reason why they should not be declared a defaulter, and only be responsible for their fees minus any reduction they feel they are owed. The person representing the appellant, can not be a member of the committee, either elected or co-opted.

If the appeal is voted in favour of, then any monies owed must be paid into the Albatros account and cleared in 22 days allowing for the banking system to clear within 21 days.

Failure to do so will render the person(s) as defaulter(s) and they will be treated as such with no right of appeal.

All defaulters will be liable to have legal proceedings taken against them to recover all outstanding Community Fees , legal and none legal fees, including banking charges levied against Albatros due to insufficient funds being available or incomplete documentation.

Consideration will also be given on a case by case basis to make use of a debt collection agency based in the UK to recover all outstanding monies and expenses through the UK courts.

Anyone responsible for payment of a community fee who defaults and fails to appeal in the given time, will be sent a reminder letter that they are a defaulter, and do not have right to appeal.