



# BELLALUZ

## COMUNIDAD DE PROPIETARIOS

---

### **TRANSLATION OF THE COURT SENTENCE ISSUED BY CARTAGENA COURT N°3, PROCEEDING 800/2015, BELLALUZ COMMUNITY (BC) VERSUS INMOGOLF S.A. (ISA) on the 20<sup>th</sup> of December, 2.017, REF. PAYMENTS OF COMMUNITY FEES ON LOCAL 289, GHOST RESTAURANT (GR).**

A.- Three Court Proceedings:

1.- Formal request of payments of the debt approved by the AGM from 31/03/2014.

I.S.A. refused payment based on the fact that THE LOCAL 289 DID NOT EXIST, as, they believed, it was established in the Sentence 08-01-2.002 (you may remember, that I, personally fought, and succeeded, obtaining a Court declaration against a long term rental contract between ISA-BC, by which, BC compromised to pay the community fees for 99 years, agreement offered by the then Administrator, MSB).

2.- 3.- Ordinary proceedings, (BC requesting payments from ISA, and ISA asking to be joined by BC to establish the GR boundaries). The boundaries were already agreed in 2.002 AGM, but a bad translation of the minutes by the former administrator MSB, led to the misunderstanding of the situation, corrected ISA itself in 2.006.

Some witnesses were asked to declare before the Judge:

- a) Ian Glover, maintained that, even though the Restaurant was not built, its boundaries were delimited by blue posts and, since he became President, he tried his best to resolve the conflict.
- b) Angel Morenilla (from MSB) stated that there were no boundaries, contradicting Ian statement.
- c) I, being questioned by the Judge, declared that ISA stopped paying in 2.014, not because of the boundaries question, but because they did not wish to pay anymore, as I was told by the then ISA manager.

4.- The Judge condemned ISA to pay the fees, the interest outstanding and both sides court fees, refusing ISA arguments to avoid payments: "... not one of the reasons used by ISA, excuse them from paying according to the coefficient established, because as an owner, regardless of whether the Plot 289 has been built or not, since ISA has been paying the fees since 2.002, without any of the arguments now wielded had been a barrier in the past to refuse payments."

---

ADMINISTRATOR: Juan Carlos Cabeza Martínez of J.C. INDEPENDENT CONSULTANTS

C.D.197 · La Manga Club · 30389 · Cartagena · Murcia · España  
Tel: (0034) 968 33 83 42 · Fax: (0034) 868 864 289 · LMC Tel Ext: 4442 ·  
E-mail: [bellaluz@jccabeza.es](mailto:bellaluz@jccabeza.es) · website: [www.bellaluzlamangaclub.co.uk](http://www.bellaluzlamangaclub.co.uk)



## BELLALUZ

### COMUNIDAD DE PROPIETARIOS

---

---

5.- The Judge also asks BC and ISA to gather together to find a definitive solution for the boundaries. For this part of the proceeding, each party pay their own Court fees.

The sentence has not been appealed.

B.-) 1.- We wrote, Ian and myself, to ISA on Jan 22<sup>nd</sup>, to meet in order of finding the final location/boundaries of the GR even though we believed that it was finally settled in 2.002 EGM.

2.- We met, Ian, myself and the Court lawyers, with ISA board, at the beginning of February, to listen while ISA made a payment plan offer.

3.- We wrote to ISA, Ian and myself, on February, 19<sup>th</sup>, to sign an agreement before the notary public, with a payment plan (30 monthly payments, providing ISA paid current year fees on time), and a boundary final settlement. We are still waiting for an answer.

We are ready, together with the court lawyers, to request the Execution of the sentence after having gathered enough ISA assets to cover the total debt outstanding.

Juan Carlos Cabeza Martínez

Ian Glover

Administrator

Vº Bº President

---

ADMINISTRATOR: Juan Carlos Cabeza Martinez of J.C. INDEPENDENT CONSULTANTS

#### Our Privacy Policy

According to LOPD 15/1999 of 13th December the data you provide us with will be included in our database. You can use your right to access your personal information held on our database, cancel or modify by writing to us at Independent Consultants, CIF Number B.30775431. Urb. Bellaluz Local 38, Apartado 197, 30389, La Manga Club, Cartagena. Email: [info@ccabeza.es](mailto:info@ccabeza.es).

Our Privacy Policy governs the manner in which Independent Consultants collects, uses, maintains and discloses information collected from owners. This privacy policy applies to the Bellaluz Community and all products and services offered by Independent Consultants as your Administrators.

We do not share your personal information with any other companies, organizations and individuals.



# BELLALUZ

## COMUNIDAD DE PROPIETARIOS

---

---

**ADMINISTRATOR: Juan Carlos Cabeza Martinez of J.C. INDEPENDENT CONSULTANTS**

---

### Our Privacy Policy

According to LOPD 15/1999 of 13th December the data you provide us with will be included in our database. You can use your right to access your personal information held on our database, cancel or modify by writing to us at Independent Consultants, CIF Number B.30775431. Urb. Bellaluz Local 38, Apartado 197, 30389, La Manga Club, Cartagena. Email: [info@iccabeza.es](mailto:info@iccabeza.es). Our Privacy Policy governs the manner in which Independent Consultants collects, uses, maintains and discloses information collected from owners. This privacy policy applies to the Bellaluz Community and all products and services offered by Independent Consultants as your Administrators.

We do not share your personal information with any other companies, organizations and individuals.