

**MINUTES OF THE ANNUAL ORDINARY GENERAL ASSEMBLY OF
“ASOCIACION DE PROPIETARIOS DE LA MISION VIEJA DE SAN MIGUEL, A.C.”**

CELEBRATED ON September 3, 2016

On Saturday, September 3, 2016 at 10:00 hours, the Annual Ordinary General Assembly of the “ASOCIACION DE PROPIETARIOS DE LA MISION VIEJA DE SAN MIGUEL, A.C.” (LMPOA), was declared formally opened at Poco Cielo restaurant, which is located at km 60 in the Municipality of Ensenada, Baja California, Mexico. The assembly will deal with the subjects of the Agenda previously published in a local newspaper. A copy of said publication is attached to these Minutes.

According to article 21 of the bylaws of LMPOA a minimum quorum of 50% plus one is necessary to hold the Assembly. After the second call only 30% of the Association’s members with the right to vote must be present to declare a legal quorum.

The General Assembly and the Board of Directors conducted the meeting, and the following results and resolutions were approved:

AGENDA

Number 1 Registration of Attendance of Associates/members and member’s proxy registration

38 members in good standing were registered for the assembly which represents 45% of the membership. The list of said members is attached to these minutes.

President Wilburn called the assembly to order at 10:00 hours.

Number 2 Certification and declaration of legal quorum.

Beverly Jean Wilburn, President of the Association’s Board of Directors, according to the Bylaws of LMPOA will preside as President of the Assembly and Sandra Stadelmann, Secretary of the Board of Director’s, was appointed as Secretary and Scribe and, as scrutineer of the Assembly with Marla Ann Poggioli.

The Assembly’s Scrutineer’s certified the presence of 38 members in good standing.

Number 3 Opening and starting the Annual Ordinary General Assembly; Declaration of legal Assembly; Guest and Members Presentation; and, Reading and approval of the Agenda.

45% of the members are present. No incidents occurred and members who attended the call were officially registered. Each one of them took a seat inside the place designated for the September 03, 2016 Annual Ordinary General Assembly.

In Attendance:

Board Members: Beverly Jean Wilburn, Keith de Mott Williamson, Marla Ann Poggioli, Sandra Stadelmann, official interpreter Patricia Alejandra Eaton Reyes and the Members registered in the list attached.

Beverly Jean Wilburn called the Assembly to order at 10:00 hours and welcomed the Assembly and greeted the official interpreter Patricia Alejandra Eaton Reyes. She explained that the Agenda would be followed exactly as published and that no other items would be discussed at the Assembly and that no other motions or amendments to resolutions already published would be accepted during the Meeting. Mrs. Wilburn declared a sufficient number of the Association's members in good standing were present, making the necessary legal quorum to celebrate the 2016 Annual Ordinary General Assembly, in accordance with the Civil Law for Baja California and with our Association's Bylaws, and any and all decisions taken by this Assembly will be legal and valid.

A Motion was made by the President, Mrs. Wilburn, to the membership to ratify the Agenda; the Motion passed unanimously.

Number 4 Reading and approval of the Minutes Of 2015.

The minutes from 2015 were accepted by a vote of 29.

Number 5 Vote for LMPOA officers for the September 2016 to September 2018 term and ratification of the accountant of LMPOA Acc. Jesus Sergio Garcia Quinones as legal representative for "general power of acts for administration and for procedures of Sat. Imss and state government offices". Appointing a legal representative to record these minutes before Notary Public.

Vote: Accountant Jesus Sergio Garcia Quinones was ratified by the members present and will serve as accountant and as legal representative before several authorities.

Vote: 25 yes / 0 no

The election process commenced and the floor was open to nominations. Mrs. Wilburn gave a brief explanation of the Board duties and obligations.

A motion was put on the floor to vote with a show of hands and the results were the following:

For Vice-president, 2 years term, from 2016-2018:

Candidate: Mark Johnson

Vote: Mark Johnson: unanimous

For Secretary, 2 year term, from 2016-2018:

Candidate: Sandra Stadelmann

Vote: Sandra Stadelmann: unanimous

Number 6 Report of Bookkeeper/Budget

La Loma: Budget Copy attached

We raised the per day pay for the guards from \$20.00 to \$25.00 for a 12 hour shift. Viktorya Allen proposed that we add an additional \$2000.00 into the budget for road repairs. Dave Kamina and Richard (?) both have information on repair options.

Budget approved: 12 yes / 0 no

La Playa: Budget Copy attached

John and Lyla Pierce volunteered to take over the maintenance of the gate and garden. La Loma and La Playa would like to get more payers for next year.

Budget approved: 22 yes / 0 no

Home Owners Association: Budget Copy attached

Fee is \$120.00 per year for hill and beach. We need more contributors. This money helps support cleaning up the Estuary and the beach. We also put in over \$200.00 worth of rocks to keep cars and other vehicles out of the Estuary. Bev suggested adding \$500.00 to the upkeep of the Estuary and the rock fund. We increased the fund to \$700.00.

Budget Approved: 34 yes / 0 no

Number 7 Estuary Report / Cindi Kirchhoff

Committee: Cindi Kirchhoff, Dave Larson, Mari Daniel, Teresa Zavala,

The Ejido is also helping.

Keeping vehicles off the beach & estuary:

The police have responded when called. We have blocked entrances to the estuary with huge rocks. We are getting signs from the Government that say: "No Vehicles"

We have been testing the water in the estuary and it is good. Coliforms have doubled near the sheep farm. Conagua and Profepa are going to speak to the sheep farm people about this situation. We all need to watch for trees being cut down in the estuary.

Don Lucio said his land is private and he has sold some of it. This is being investigated.

There has been spraying for mosquitos.

Algae is growing on the shoreline of the estuary water. We were told the way to get rid of it is to go in and scoop it out by hand. There were no volunteers.

Number 8 CC&R's / Steve Zimney

Steve presented a recap and review of what we want to accomplish. This is all published in the minutes of 2015. Basically, the rules are already in place in the master trust. We are gathering all the data that already exists and getting it published in the Gazette in Ensenada. We are not changing anything. We are working with what already exists. We are not going retroactive. We need everything in one place (The Gazette) in order for Ensenada to aid us in enforcing the building codes that are in our trust. It is up to us as a community to help enforce these rules. Everyone needs to be involved. Steve went over the rules and regulations that are being documented in detail. This is all published in the MINUTES OF THE ANNUAL ORDINARY GENERAL ASSEMBLY OF "ASOCIACION DE PROPIETARIOS DE LA MISION VIEJA DE SAN MIGUEL, A.C." CELEBRATED ON September 5, 2015.

After a lengthy discussion the following motion was made:

MOVE TO AUTHORIZE LMPOA TO ADOPT, AND LMPOAS' BOARD OF DIRECTORS TO PRESENT TO CONTROL URBANO, THE DOCUMENT ENTITLED "PROPERTY DEVELOPMENT REGULATIONS" (REGLES DE CONSTRUCCION) AND TO RESPOND TO AND/OR EXECUTE ANY PROCEDURAL ACTIONS THAT MIGHT BE REQUESTED AND/OR IMPOSED BY CONTROL URBANO, AND DO ALL THAT IS NECESSARY SO THAT THE DOCUMENT IS PUBLISHED IN THE OFFICIAL GAZETTE OF BAJA CALIFORNIA (EL PERIODICO OFICIAL DE BAJA CALIFORNIA) IN ORDER TO ACHIEVE THE FOLLOWING:

1. TO CREATE A LINK BETWEEN LMPOA AND THE FIVE PROPERTY DEVELOPMENT REGULATIONS CURRENTLY IN PLACE, AS OUTLINED IN THE DOCUMENT.
2. TO FORMALIZE THE STANDING OF LMPOA IN THE EYES OF CONTROL URBANO WHEN IT COMES TO REPRESENTING THE LMPOA MEMBERSHIP'S COLLECTIVE INTERESTS REGARDING THE FIVE PROPERTY DEVELOPMENT REGULATIONS CURRENTLY IN PLACE.
3. TO HAVE THE FIVE PROPERTY DEVELOPMENT REGULATIONS, AND THE TITLES OF RELEVANT SUPPORTING LAWS AND DOCUMENTS, IN ONE PLACE SO THAT THE RETRIEVAL OF THIS INFORMATION BY ANY AND ALL INTERESTED GOVERNMENT AGENCIES IS MORE EFFICIENT AT ANY TIME THAT THESE AGENCIES NEED TO ISSUE RULINGS REGARDING PERMITTING AND/OR PROPERTY DEVELOPMENT APPLICATIONS AND/OR ANY RELATED CHALLENGES TO SAID PERMITTING AND/OR PROPERTY DEVELOPMENT REQUESTS OR ACTIONS.
4. TO ENHANCE THE TIMELINESS, CONSISTENCY AND EFFECTIVENESS OF THE ADMINISTRATION OF THE FIVE PROPERTY DEVELOPMENT REGULATIONS.

Vote: Yes / Unanimous

Number 9 Other General Business or Motions from the floor

Leslie Smith made a motion to try and Ban flying machines from the beach. "All in favor of the Flying Machines being gone:"

Leslie and Pilar Villazon will work on this.

Vote: Yes/ Unanimous

It was reported that Richard Sampson and Lynn Sisco (aka Lynn Kathryn) have filed a complaint regarding the legality of the guards and the gates. It was noted that Doug Lewis, who was the LMPOA President at the time the gates were put in, got permission in Rosarito to build the guard shack and gates. We were told at that time that once the gates go up the roads are no longer public, they become private and we are responsible for the upkeep and maintenance of our roads. Our community has been maintaining them ever since at our own expense.

Number 10 Designation of a legal Representative to record these Minutes before a Public Notary and is recorded in the Public Registry Records in Ensenada.

The President appoints Maria del Pilar Villazon Rodriguez to attend the Public Notary Office of her choice to ratify, and register these minutes, the resolutions and the elections results, once the Minutes have been approved by the board of LMPOA.

Number 11 Meeting Adjournment

President Wilburn thanked the existing Managing Board and Committees for their last year service and, to the Members for their attendance and participation.

The meeting was adjourned the same day at 12:10 and these minutes were signed by the Board members and translator that were present and agreed to sign.

Sincerely

Executive Committee

Beverly Wilburn

President

Keith Williamson

Vice President

Marla Poggioli

Treasurer

Sandy Stadelmann

Secretary

Patricia Alejandra Eaton Reyes

Official Interpreter