

RULES & REGULATIONS PERTAINING TO THE OVERALL AESTHETICS, QUALITY CONTROL & HYGIENE OF BUILDING WORKS IN EUC FINCA CORTESÍN

(REGULATION OF CONSTRUCTION)

The rules apply to the standards that in conjunction with current regulations reflected in the *ORDENANZAS REGULADORAS DEL PLAN PARCIAL*, must be met for the construction, building and overall aesthetics that apply when carrying out works of any nature within the estate that comprises Finca Cortesín.

Plots acquired for the construction of dwellings by EUC property members are obligated to do so in accordance with current urban planning regulations.

These Rules and Regulations are available to EUC property members in the Administrative Offices.

ADVANCE PROJECT APPROVAL (AESTHETICS)

Prior to Carrying out Construction Works

1. Before applying for building permission (*Licencia Urbanística de Obras*) to the Casares Town Hall, the Construction Project must be submitted to the EUC Aesthetics Committee (*Comisión de Estética de la EUC*) who will return a decision in the course of fifteen working days.

The Committee will either:

- Reject the submitted application, for not complying with construction and building codes.
- Partially approve the application, in which case the owner must submit in the course of fifteen working days, modified project which meets the requirements stipulated by the Committee.
- Approve the application.

The Project must reflect proposed entry and exit points to the urbanisation whilst the works are being carried out, which will also require the approval of the Aesthetics Committee.

Having verified that approval has also been granted by the Aesthetics Committee, authorisation to proceed will then be given by the EUC.

Any property member who carries out construction works based on a project **which has not been approved** by the Aesthetics Committee, will be required to pay a penalty equivalent to 40% of the total construction budget, with a minimum fee of €300.000. Said penalty will be paid by the offending property owner within fifteen days from the date of notice as issued by the Aesthetics Committee, without prejudice to any legal action that may be deemed necessary, including damages and prejudice caused as a result and which will be claimed for by the entity.

2. Prior to carrying out any construction works, corresponding license (*Licencia Municipal Urbanística*) must be obtained from the Casares Town Hall and a copy thereof submitted to the EUC.

A bank guarantee in the name of the EUC must be provided in order to cover any damages or prejudice which may be caused as a result of the construction works carried out in the urbanisation, as well as infringement of the building rules and regulations corresponding to site safety, quality control and hygiene.

The guarantee will be in the sum of €60.000 for the construction of individual-family dwellings and €100.000 for the construction of multiple-family dwellings, without prejudice to the liability for damages that may arise and that may exceed the guaranteed amounts. The EUC will provide copy (wording) for the guarantee.

3. Prior to carrying out the works, the plot will be FENCED IN to a minimum height of 2.00m, using metal panels, wood or galvanised tubing with concealment-mesh in opaque green.

The fence will be reviewed and approved in advance by the Aesthetics Committee.

4. To allow for preliminary works to be carried out including access by heavy-goods vehicles, prior to the actual license being issued, protection elements must be set up on paved and landscaped areas including pavements, through which said access is to be granted.
5. Recommended materials include the use of metal plates and concrete slabs with sufficient strength to provide protection, which in all instances will have been approved by the EUC. If slabs are the chosen option, these will be fitted as indicated in Point 5. At the start of the construction works, after the relevant license and Site Inspection Guidelines Act (*Acta de Comprobación de Replanteo*) have been issued, ENTRY ACCESS WILL BE CREATED, thus protecting the pavement and reinforcing with concrete slabs and mesh, the entire width area all the way to the plot, without invading paved areas and taking care not to hamper with storm-water manholes, if these are in fact present. Side-entry points between the access and paved areas will be suitably even to allow for pedestrian transit without peril. No trees may be cut down without prior permission from the EUC.

The pavement has a sand base and cannot withstand the weight of any type of vehicle, therefore any repair works that need to be carried out will be the sole responsibility of the owner. Any cracks, holes or otherwise that appear in the ground, must be repaired prior to completion of the construction works.

6. Prior to carrying out the building works, the SITE INSPECTION GUIDELINES ACT (*ACTA DE COMPROBACIÓN DE REPLANTEO*) will be assessed in the presence of the Aesthetics Committee. Responsibility for determining the perimeters of the plot lies with the owner, and works to be carried out are dependent on the guidelines.
7. Construction works may be carried out by a construction company deemed suitable for the job, but prior to initiating these works, their agreement to proceed must be received in writing by signing the relevant document, in addition to the Rules & Regulations Pertaining to the Overall Aesthetics, Quality Control & Hygiene of the Building Works.

During the Course of the Construction Works

8. The pavement will not be used FOR THE STORAGE OF MATERIAL. Neither will portacabins or construction material be placed in the Common Areas without prior consent. To be able to use the adjoining plots, the EUC must be in receipt of written consent by the neighbour affected by said use.
9. Removal of debris and general cleanliness of the road affected by the works is crucial. Likewise, vehicle tyres must be reviewed and cleaned prior to exiting the street. Infringement of this article will result in the immediate suspension of vehicle access and if the EUC is in charge of clearing the road, each cleaning job will be charged individually to the owner of the plot, at a cost of €600 each.
10. For special vehicle and crane access, the owner must contact the Casares Town Hall, to ensure that in any case, the correct procedure established by the Casares Municipal Police, is carried out, and advise the EUC.
11. Authorisation for light and water HOOK-UPS will be requested in advance to the EUC and will require advance payment of €200 for each connection, to cover supervision.
12. Works TO DIG UP THE EARTH will conform to those approved in the corresponding Project. Under no circumstances will they exceed 3.00m in height, nor will the slopes be greater than 66%, without authorisation from the EUC. Plot perimeters will remain in all points at their initial altimetry, unless an agreement is reached with the adjoining owner, which must be reflected in writing and given to the EUC.
13. FINAL ENCLOSURE of the plot will conform to the approved Project, prior consent given by the EUC and having taken into consideration adjacent constructions.

If hedging is placed in front of the mesh of the perimeter adjoining the road, it must be set back towards the interior of the plot, by 100cms, thus ensuring the hedging remains in alignment with the plot perimeter.

14. FINAL ACCESS will be carried out by paving the entire surface area using the same surface as the pavement. To ensure the rubbish area is concealed, a space with a door will be left in the entrance pillars. Additionally, a grid will be placed to cover the gutter, if one in fact exists, between the pavement and green belt. These works will be overseen by an engineer representing the Aesthetics Committee, therefore the owner is responsible for requesting said assistance.

Works to be carried out on a private basis may not invade the public road, but authorisation may be granted to recess the pavement to facilitate vehicle access.

15. The EUC must be notified in writing of any PROPOSED CHANGES, including extensions, additional building, swimming pool, etc, by submitting a copy of the corresponding Project and if necessary, corresponding Building License (*Licencia de Obras*) obtained from the Casares Town Hall

If at the beginning of the construction works, **these do not comply with the Project as approved by the Aesthetics Committee** or contravene construction and building regulations, the owner will be required to pay a penalty equivalent to 40% of the

construction budget, with a minimum fee of €300.000. Said penalty will be paid by the offending property owner within fifteen days from the date of notification as issued by the Aesthetics Committee, without prejudice to any legal action that may be deemed necessary, including damages and prejudice caused for breach of conduct.

16. EXISTING GREEN BELT between the pavement and perimeter of the plot will remain horizontal and turfed with grass.

17. WORKING HOURS

Monday to Friday from 08:00hrs to 20:00hrs, Saturday 9:00hrs to 13:00hrs

Works will not be carried out:

- Sundays and Bank Holidays.
- Easter and Christmas holidays and from 15th July to 31st August, unless prior authorisation is obtained from and the EUC.
- Championship and other events held at Finca Cortesin and organised on an annual basis.

18. ADDITIONAL EXTERNAL ASSISTANCE

Use of stationary cranes will be by prior consent issued by the EUC. Use of loud machinery and/or machinery that may contaminate the environment, must be approved by the EUC.

19. Appropriate measures will be carried out to comply with Health and Safety.

ON COMPLETION OF WORKS

20. Once construction has commenced, building works will be completed in accordance with the timeframe as approved by the Aesthetics Committee, with a maximum period of 24 months from the start.

If works are paralysed or delayed resulting in completion taking longer than the 24 months stipulated in the previous paragraph, the owner will be required to pay a penalty to the EUC for said delay, at a daily rate of €250.

21. Along with the First License (*Licencia de Primera Ocupación*) issued by the Town Hall, the Aesthetics Committee of the EUC will review the common areas and having issued their approval, as well as ensuring that the pavements, roads and additional common areas have been restored to their original state by the owner, application for the return of the bank guarantee can be processed.

If the Aesthetics Committee is in disagreement with the completed works, the EUC will carry out said works, and these will be charged to the owner.

The deadline for the return of the previously deposited bank guarantee, is 30 days from the approval issued by the Aesthetics Committee.