

Mutual Heights

Darling Street Cape Town.

NEWS FROM YOUR TRUSTEES

Edition 5.

July 2006

Dear Fellow Owner,

Our first Annual General Meeting on 15th April was attended by 116 owners present or by proxy. It was a good turnout, and a successful meeting. There were strong opinions expressed concerning the perceived shortcomings of Old Mutual Properties in various respects, the non opening of the gym being the issue most often raised. At the meeting Vusi Nondo (for OMP) produced proposals for the operation of the gym and the very next morning to everyone's surprise, the doors of the gym opened to the delight of many residents. Your trustees are now negotiating arrangements for the distribution of the running costs of this.

All of the statutory business was dealt with, last year's audited accounts examined and approved, new auditors appointed. Having been advised by Charles Keefer, the managing agent, the meeting agreed values for insurance purposes. Trustee Lynette Shaw led us through the complexities of the budget for the forthcoming year which had been circulated with the Agenda papers. After some questions and debate this was approved.

As a supplement to my annual report which was also circulated but which had unfortunately omitted the number of owners referred to attorneys for their recovery of arrears - which was 19 - I outlined some thoughts for the future. I reported that on that very morning The Adderley trustees had approved my revised conduct and management rules which had been given the green light by the lawyers. They will now go to the adjourned Special General Meeting and if accepted will ensure that in future no trustees could impose on the owners of the eight hundred or so car parking bays any part of the cost of maintaining any other part of the complex (save access) including of course the residential areas and their amenities. This is now a major step forward toward resolving this difficulty. I also mentioned my plan to set up an informal consultative council including the chairmen and women of all the other sectional title schemes in the City for the exchange of ideas, the discussion of matters of common interest and ideas for the better running of our sectional title schemes. In time this could become an influential body in the relationships we all have with the City. I also reported that when in funds your trustees hoped to landscape the atrium to make it less bleak. All this met with apparent approval.

OMP then sought the consent of the meeting to an adjustment of the common areas allowing them to consolidate two of their units on the eighth floor into one and absorb a small portion of common area which runs between them on the plans. Some members

spoke against this and others enquired if OMP in the reshaping would provide much needed access to the northern lifts at that level as on the ninth floor. For OMP it was said that purchasers had ample opportunity to see access to their units on level 8 when they bought their units though others pointed out that OMP themselves had made several important adjustments to those plans concerning the proposed common areas including the extinguishment of the entire proposed staircase on the southern end of the atrium. In the end their request for an adjustment was defeated on a ballot - by 60% against to 40% in favour. It was not a good evening for OMP.

At the meeting, Daniel Katz, Lynette Shaw, Vusi Nondo and Warren Williamson indicated that they did not wish to stand for re-election as trustees. I thanked them for their service and Taryn Lewis, Alan Hill, Dion Williamson, Leon Hans, Dylan Stanton and myself were re-elected together with Simon Hudson, Professor Andy Bytheway and Amelia Beattie (who was proposed by OMP). We have a strong team of trustees - nine in all, a much easier number to organise. May I thank my fellow owners for the confidence they have expressed in myself.

The meeting agreed to the proposal moved by Simon Hudson to open the front doors 'til midnight every day once frameless glass security doors are in place (giving a secure space in each lift lobby) and provided that there is at least one guard always in the security pill box at the top of the stairs. Don't hold your breath for this since we must now obtain various permissions and also find some cash to pay for it.

The meeting also agreed to both a tightening and a relaxation of conduct rule 8(b)i. Henceforth only blinds or curtains are to be allowed (no more newspapers, sheets blankets or other materials) and the previous requirement that visible curtains or blinds be white was removed leaving the colour to the discretion of owners and a preference expressed (in a footnote) to white, aluminium, bamboo or wood colours.

By the time we got to the last agenda item, two and a quarter hours had passed, and there was an appetizing table laden with snacks, beer wine and soft drinks waiting for us outside and clearly visible within. Even so and to my surprise no one seemed much interested in raising any other burning issue for discussion and my passionately argued proposal that we should abandon the name "Mutual Heights Body Corporate" and adopt (as I suggested) The Mutual Body Corporate as our name aroused no particular interest and was roundly defeated!

After all this we adjourned for a pleasant chat and a glass or two of wine. It was very nice for me, to put faces to names of various members who have written to me over the past year. Please keep writing since trustees must daily be in touch with the feelings of the owners whose interests they protect.

A little while later your trustees met for what was their briefest meeting yet and elected me nem con as their (and your) chairman for the coming year. It is a great honour for me to be allowed to continue this work which I greatly enjoy. As is shown by the fate of my

name changing idea, the position offers little influence, but nevertheless is well worth doing.

Already your trustees have got down to work in a further and far longer meeting a few days later. We reviewed the decisions of the AGM and formulated our plans to give effect to the wishes of the members. We discussed the outstanding work to be done in the building and the terms on which the gym is to be used. More of this later.

Finally may I draw your attention to two important matters: It seems that unauthorised persons are gaining access to the building through the Parliament Street door by pretending that they have legitimate business there. Please make it clear to you and yours (including your tenants) that they must admit NO ONE through these doors save persons they can see and know are other owners or tenants. Guests must be personally greeted there, and all others directed to security in the front lobby.

Secondly, the equipment in the gym is there for everybody and must not be removed in any circumstances.

I shall now be away for four weeks. Indeed this is being drafted in sunny Cornwall in England. In my absence your trustees elected Leon Hans to act as vice chairman and of course he and the managing agent can be found through the office on the upper mezzanine floor.

Paul Rippon.
Chairman.