



Jewel of the Magaliesberg

UTOPIA NATURE ESTATE
The Body Corporate, Utopia Sectional Title Scheme No SS879/2003

P.O. Box 457, Kroondal, 0350
Portion 3, Farm Grootfontein, 346JQ
North-West, South Africa

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MINUTES OF THE ANNUAL GENERAL MEETING

Annual General Meeting of the Utopia Sectional Title Body Corporate held at the Utopia Hall, Utopia, remaining extent of portion 3, of the farm Grootfontein 346JQ on, 5 October 2019 from 09:30.

IN ATTENDANCE

QC De Klerk	Unit 1	
LK Wake	Unit 2	Proxy to S Jackson
L Kowalski	Unit 5	
BR Gatward	Unit 7 –	Proxy to G Ferns
Scholtz Trust	Unit 11 –	Proxy to K Botha
D Du Plessis	Unit 12	Proxy to F du Plessis
AF du Toit	Unit 13	Proxy to C Ferns
A Herz	Unit 14	Proxy to MS Colyn
PRS Tewson	Unit 17	
T Gladwin	Unit 18	Proxy to L Keet
NN Mabunda	Unit 19	Proxy to MS Colyn
FM Martin	Unit 21	
A Neale	Unit 24	
Jeffrey van Rooyen Family Trust	Unit 25	Proxy to W Keet
AM Liebman	Unit 26	Proxy to Ray Tewson
N Holthauzen	Unit 28	Proxy to N Botha
JMH Martin	Unit 29	Proxy to J Gleimius
LM Keet	Unit 31	
S & L Smith	Unit 32	Proxy to L Keet
DJ White	Unit 33	
WH Enslin	Unit 34, 81, 89, 91	
EEE & S Kruger	Unit 35	
J Lotter	Unit 36	
NJ & P Jackson	Unit 38	Proxy to S Jackson
J Liebenberg	Unit 39	Proxy to FM Martin
Bokmakierie Gesinsprojek	Unit 40	Proxy to R Vorster
A Stols	Unit 41	Proxy to A Stols
S van den Berg (Mills)	Unit 42	Proxy to C Malan
GC Kilduff & AL van Wieringen	Unit 43	Proxy to W Keet
JT & M Maritz	Unit 45	
S Putter	Unit 46	Proxy to P Colyn
Jeffrey van Rooyen Familie Trust	Unit 47	Proxy to W Keet



Member of the Buffelspoort Conservancy

TRUSTEES: J Siemens (Chairman), C Ferns, W. Keet, A Nel, P Ridgwell, J van der Molen, A Stols



Utopia Wegbreek	Unit 48	Proxy to Koos Fritz
BJD Properties	Unit 49	G Vermaak
D Bothma	Unit 50	
PJ Ridgwell	Unit 51	
J van der Molen	Unit 52	
KL Lawrenz	Unit 54	
AI Young	Unit 55	Proxy to MS Colyn
Spirifield PTY LTD	Unit 56	Proxy to G Goulding
CP&AM De Jager	Unit 57	Proxy to K Lawrenz
Ashton Leigh Trust	Unit 60	Proxy to P Ridgwell
EJ Warren	Unit 61	
Scarlett Prop Trust	Unit 63	Proxy to C Ferns
A & N Marshall	Unit 64	Proxy to J Siemens
RM Weiss	Unit 66	Proxy to P Ridgwell
CJ Botha (Engelbrecht)	Unit 67	
HV Meyer	Unit 68	
CJ De Beer (Late)	Unit 69	Proxy to FM Martin
JH Feldtmann	Unit 70	Proxy to QC de Klerk
JD Kriel	Unit 73	Proxy to K Gill
ES John	Unit 74	Proxy to H Meyer
SA Jackson	Unit 75	
JJ & MM Siemens	Unit 76	
HM Du Plessis	Unit 77	Proxy to A Nel
AI Nel	Unit 78	
Aipotu Eiendomme CC	Unit 80	Proxy to W Enslin
B De Wet	Unit 83	
BM Von Veh	Unit 84	Proxy to B de Wet
BJM & SI Wagner	Unit 85	Proxy to J Siemens
AM Hockley	Unit 90	Proxy to QC de Klerk
R Walsh & MM Fourie	Unit 92	
DW de Klerk	Unit 94	Proxy to K Botha
AC Oosthuysen	Unit 96	
ML Janse van Vuuren	Unit 97	Proxy to M Siemens
PM & MS Colyn	Unit 99	
L Morris	Unit 104	
K Gill & FJ Bashall	Unit 105	
FJ Bashall	Unit 106	
SL & M Roux	Unit 108	
EM Romanowska	Unit 110	
Afropolitan Property Investment	Unit 111	
PJ Lazarus	Unit 112	
OR Schwankhart	Unit 113	
Wetdan D114 CC	Unit 124	Proxy to B de Wet
BR Gatward	Unit 126	Proxy to G Ferns
AI & AJ Litkie	Unit 168	Proxy to N Botha
AN Vlachopoulos	Unit 173	
IW Paton	Unit 174	Proxy to K Lawrenz



NC & G Ferns	Unit 182	
JW Luke and Partners	Unit 185	Proxy to E Romanowska
A Botha	Unit 192	
MJ Barnard	Unit S129	

1. OPENING AND WELCOME

H Meyer welcomed all the members present. W Enslin opened the meeting with prayer.

2. CONSTITUTION AND CONFIRMATION OF:

2.1. Proxies

It is confirmed that Proxies are held by

S Jackson - 2
G Ferns - 2
K Botha - 2
F du Plessis
C Ferns - 2
MS Colyn - 2
L Keet - 2
W Keet - 3
R Tewson
N Botha - 2
J Gleimius
FM Martin - 2
R Vorster
to A Stols
C Malan
P Colyn - 2
Koos Fritz
G Vermaak
G Goulding
K Lawrenz - 2
P Ridgwell - 2
J Siemens - 2
QC de Klerk - 2
H Meyer
A Nel
W Enslin
B de Wet - 2
M Siemens
E Romanowska

2.2. Nominations for Trustees

13 Written nominations was received, and is listed as follows:



- 2.2.1. MJ Barnard
- 2.2.2. CJ Botha
- 2.2.3. QC de Klerk
- 2.2.4. J van der Molen
- 2.2.5. G Ferns
- 2.2.6. C Ferns
- 2.2.7. W Keet
- 2.2.8. F Martin
- 2.2.9. A Nel
- 2.2.10. F Ridgwell
- 2.2.11. J Siemens
- 2.2.12. A Stols

2.3. Other Persons Representing Members

None

2.4. Issue of Voting Cards

Ballots will be used to vote

2.5. Quorum Requirement

86 owners, either personally or by proxy, signed the attendance register, and as that formed a quorum, the meeting according to Annexure 1, Rule 19 of the Sectional Titles Scheme Management Act 8 of 2011, was formally constituted.

The owners present, represented a Participation Quota of 69.9%.

2.6. Election of Chairman

H Meyer was elected as Chairman for the meeting and was requested by Mrs. L. Keet not to leave the meeting prior to closure as during the SGM of 24 August 2019.

2.7. Proof of Notice Given

It was confirmed that 30 days' notice of the AGM was given.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on **27 October 2018** as circulated, was taken as read, unanimously approved as a correct record of the proceedings of that meeting and signed by the Chairperson.

Concern was raised by owners regarding the handling of Proxies during the previous AGM of 2018. Martinique read the Act and explained accordingly.

4. TRUSTEE'S REPORT



**MAGALIESBERG
BIOSPHERE**

Part of the Magaliesberg Biosphere

TRUSTEES: J Siemens (**Chairman**), K Botha, Q de Klerk, C Ferns, A Nel, P Ridgwell, J van der Molen

Member of the Buffelspoort Conservancy



4.1. A Written trustees report was presented and was distributed to all owners prior to the AGM.

5. 10-YEAR MAINTENANCE, REPAIR AND REPLACEMENT PLAN

5.1. A 10-year maintenance plan was drafted by SA PLAN. This will be used to assist with budgeting and overall improvement of the common property facilities.

5.1.1.10-year Maintenance Plan – Resolution Passed. 97.65% votes

5.1.2. New Reserve fund Budget – Resolution Passed. 96.47% votes

6. INSURANCE

6.1. Approval of the insurance replacement values

6.1.1. The insurance values were approved. Martinique indicated that Utopia would have to obtain a valuation report as it is a requirement of the Act to obtain independent valuation report every three years.

6.1.2. Owners were yet again warned that if the square meterage of their units do not align to the values provided to the insurer, that their units will not be adequately insured and they risk insurance loss.

6.1.3. The replacement values were unanimously approved.

6.1.4. The members granted the trustees the mandate to investigate the insurance quotation and to make the necessary decisions on the way forward.

6.1.5. Genesis Broker, Tim Lazarus explained that Insurance Premiums for the new year remain unchanged.

7. APPROVAL OF THE BUDGET FOR THE ENSUING FINANCIAL YEAR

7.1. The budget was approved with a 10% increase. – Resolution Passed 95.29% Votes

7.2. It was suggested for a Special General Meeting to be scheduled for 2020 to discuss the budget for the new financial year.

8. CONSIDERATION OF THE FINANCIAL STATEMENTS

8.1. The Auditor, Strydom Venter presented a summary of the financials. A non-qualified audit has been achieved.

8.2. Utopia's financial status has improved over the past financial year.

8.3. Utopia achieved a surplus for the year of R1,280,780.00.

8.4. The Financial statements were accepted by the members.

8.5. Strydom Venter suggested that the loan accounts for the Trust and Share Block be closed.

8.6. The Board was given the mandate to decide on the way forward regarding the vehicle financed per contract with W Enslin.

8.7. It was requested for an inventory to be done by the new board so that the asset lists can be updated by the auditors.



- 8.8. Strydom Venter mentioned that Bad Debt is problematic and a huge concern.
- 8.9. The new board was given the mandate to hand all new cases over to Gisela Grunwald Attorneys in Rustenburg.
- 8.10 Financial Statements Approved – 100% of votes

9. APPOINTMENT OF AN AUDITOR

- 9.1. The Body Corporate accepted the Chairman's recommendation that Schutte en Vennote be re-appointed as the Utopia Auditors for the 2019/2020 financial year.
- 9.2. . Resolution Passed - Votes 100.00%

10. ELECTION OF TRUSTEES

Concern was raised by an owner regarding spouses both being allowed to be nominated as trustees. Martinique confirmed that no such stipulation in the Act exists. Martinique suggested that owners, by means of vote, decide on this. It was resolved that one of the only one of the spouses be accepted on the nomination list.

10.1. Establishing the number of Trustee's

The Number of trustees were determined as 7.

10.2. Election of Trustee's

The 10 Nominated members were all given the opportunity to introduce themselves in order for the members to acquaint themselves before the voting.

10.3. Results – Listed Alphabetically:

CJ Botha

Q de Klerk

C Ferns

Andrew Nel

P Ridgwell

J Siemens

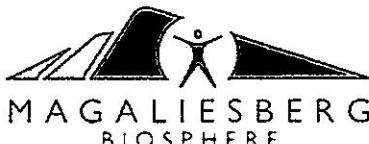
J van der Molen/A Stols

The outcome of the results reflected a tie between J van der Molan and A Stols.

Martinique to establish if it would be legally acceptable for the chairman's vote to stand in such a case.

The Chairman requested the new board of trustees to set up a list of what they require from the exiting trustees.

H Meyer and A Nel will continue to act as signatories in order for the new board to make the necessary arrangements with the bank within the next two weeks.



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11. DETERMINATION OF DOMICILUM CITANDI ET EXECUTANDI

The Domicilium Citandi Et Executandi was confirmed as the following:

UTOPIA BODY CORPORATE

C/o Martinique (Pty) Ltd.	
PO Box 457	Utopia
Kroondal	Portion 3
0350	Farm Grootfontein 346 JQ
	Rustenburg
	0299

11.1. SPECIAL RESOLUTIONS

11.1.1. Public Access to Utopia – Resolution Failed. It was suggested for this resolution to be re-drafted for future consideration. Distinguish between day visitors, visitors to the restaurant, weekend campers. It was suggested that Utopia's income from visitors be calculated against the liability and management control in order to establish if it would be to the advantage of Utopia. A suggestion was made for a fee to be introduced by Utopia for owners who are renting their properties out.

11.1.2. Approval to Allow Pets – Resolution Failed

11.1.3. Approval to Allow Motorcycles – Resolution Failed

12. UNANIMOUS RESOLUTIONS

12.1.1. Write-off of Legal Debtors - Resolution Failed

13. GENERAL

13.1 Rentals

The screening of rentals was discussed. It was confirmed that Protocol is in place and will be distributed to all owners together with the management rules.

13.2 MCSA

The new board was given the mandate to decide on the way forward.

13.3 Restaurant

It was explained that the contract expires at the end of November. The new board of trustees was given the



mandate for the way forward.

13.4 Ablution facilities

It was explained that a budget of R85 000 remains. The project will be completed in approximately 3 weeks. W Enslin will complete the project in conjunction with the new infrastructure trustee.

13.5 Admin Controller

The mandate was given to the new board of trustees to handle and finalise this matter.

13.6 Tuck Shop

Expectations raised by several owners. Charlene Malan has been granted permission to use the facility below the restaurant for this. Costing and further information will be discussed with the new board.

1. CLOSURE

A Rosmarin thanked the exiting board, congratulated the new board and requested co-operation from all.

The meeting was noted as productive and timeous. The Chairman thanked the Owners for their positive participation and closed the meeting at 15h30.

Confirmed as a correct record of the proceedings of this meeting.

Signed at UTOPIA on this 9TH day of FEBRUARY 2020.

2. TRUSTEE / PORTFOLIO MANAGER

