

ASOCIACION DE REGULARIZATION DE VECINOS DE LA CHOLLA A.C

Regular Meeting of Board – Clubhouse Cholla Bay Mexico

January 30th, 2022

CALL TO ORDER:

A regular meeting of the new Board was held Sunday, January 30th, 2022. President Mike Dugan called the meeting to order at 9:02 am. The meeting was held inside the Cholla Bay Community Clubhouse.

Board members in attendance were; Mike Dugan, Kathy Barnard, Darrell Smith, and Lew Felton. Absent: Steve Lee, Gabe Camargo, Pat Champion, and Kelly Ross.

MINUTES:

Mr. Dugan asked if there were any corrections or additions to the minutes of December 12th, 2021. There being none, a motion was made to approve the minutes, seconded and passed

TREASURER’S REPORT/FINANCIAL:

Mr. Dugan will have the January financials at the end of month of January and will be posted after the 31st, 2022.

MEMBERSHIP:

Mr. Felton reported the following: There are 314 members who have paid to date.

314 X \$150 = \$47,100 in income for the 2021-2022 fiscal year, a shortfall of \$42,900 of a budget of \$90,000. This reduction in income will result in exploring options regarding services provided by the Association for the remainder of the year.

OLD BUSINESS:

There was no old business to report.

CLUBHOUSE:

Mr. Dugan explained that it has been difficult to find the source of the roof leak. During this past big rain, water leaked through the ceiling in the same area as before, however there is no evidence that the water came from any open area on the roof. Mr. Dugan re-patched the leak and will further explore the source of the leak.

Mr. Felton said there is a major leak in the Vecinos' Office that will need to be addressed. The library should be looked at as well. Mr. Felton stated that there is plenty of material to make the repairs.

GARBAGE:

Mr. Felton reminded everyone that the "Red Bag" program has been suspended and that anyone with a bag to see him for a refund. The Director of Oomislim, Senor Morales said to check back about the program in January. However after seeing on Facebook that the program has been discontinued, it is understood that the program will not restart.

Mr. Felton stated that he has sold 300 bags and only a few have asked for a refund. He also has a final payment 11,000 pesos to give to Oomislim to bring the total to 48,000. He had explained to Oomislim that its money they would not be getting, because the people who buy the Red Bags at \$10 per bag will NOT buy the sticker for \$265. What will happen is those people will leave their garbage, put it in someone else's garbage or carry their garbage out. (See attached final Red Bag payment report.)

Final OOMISLIM red bag report

Cash to Oomislim

Total Bags	500	\$36,900.00	Apr thru Nov
Inventory	-180	\$10,460.00	Final Payment
Monica	-5		
Julio	-10		
Ramon Villa	-9		

Bags sold:	296	
Bags X 160		\$47,360.00

Mr. Dugan said that Gabi Camargo has been available to pick up tree trimmings and large items, to just give him a call. He does this work on the weekends.

ROADS

Mr. Dugan said that the roads are in good shape. There has been less traffic and the roads have been graded and watered to help keep the dust down and compact the caliche.

Mr. Dugan stated that he, his wife Rhea and Mr. Felton have replaced stops signs and one was added to the “V” intersection at the Tecate Store. Hopefully by placing the sign further up the road, it will help with visibility. Additional signs will be added as needed.

PARKS/ENVIRONMENTS:

Mr. Smith reported that the estimate for the work to be done in the Park and the Clubhouse is about \$1500. He recommends holding back on allocating funds before talking with City officials to see what they would do to help. Mr. Dugan stated that the Vecinos would water plants and trim the trees, but since the Park belongs to the City, they could come out and maintain the Park. The Vecinos would take care of any safety issues. Mr. Dugan has asked Ms. Hernandez (of Kaizen) to introduce him to the administrator in charge of City Parks, to discuss a possible partnership in the care and maintenance of Firecracker Park. Mr. Felton added that because things move very slowly with the City, it might be prudent to clean up the park now and hope for City assistance in the future.

SECURITY:

Mr. Dugan related an incident that took place in a house owned by Mike Wright Construction Company out of Tucson. Someone had entered his house changed the locks on the doors, then went to town and changed the name on the property’s CFE bill, then moved in. Mr. Wright contacted Gabi, who managed to get into the house and change the locks back. Mr. Dugan stated that this has happened before. A Mexican family had moved into a house just down from Mr. and Mrs. Dammonn. When owners returned they were going to have to go to court to have the family removed but it was going to be too expensive for the owners and they were ready to give up. However, just before the annual Children’s Christmas Party, the family moved out and into town. They did however, show up at the Party and asked to receive their “Christmas Gift” which they did not get. Mr. Felton contacted the owners and told them the family was gone. Mr. Felton checked with the City records to determine that the house was still in their names and that the taxes had been paid. There was a new bill for 2022 which showed the property was in the ladies’/owner name. This is a reminder to check your tax bill to be sure that it is in your name.

Mr. Dugan stated that someone next door to the Courts’ and since he wasn’t in Cholla, he suggested that Corol Court call the police to have the person removed from the house. It is a reminder to keep vigilant.

WATER AND SEWER:

There was nothing new to report. The flow of the water is doing well.

NEW BUSINESS:

Future Meetings: 2022
March 13th
April 23rd General Meeting
April 24th
June 26th

Mr. Dugan announced the coming elections at the General Meeting on April 23rd. There are two positions open; President and Board member. He reminded current members interested in running for office to have their biography in by the meeting on March 13th. (*Send your bio. To: info@vecinosdelacholla.org.)*

Again, he advises members to review their tax bill to make sure their information is correct and that the bill is in their name. There was some discussion regarding charges on your bill. Mr. Felton will be posting an article regarding these charges, some of which you can ask that they be removed.

ADJOURMENT

A motion was made, seconded and passed. The meeting was adjourned.

AUDIENCE PARTICIPATION:

Ms. Dugan asked about the increase in electric bill, which is due to kilowatt usage. Mr. Felton explained that the rates increase after a certain amount of usage. There was more discussion among members in attendance. Mr. Felton will post an article explaining this in detail.

Ms. Dammon thanked Lew for keeping members updated.

To all Homeowners of the Cholla Bay Community,

Regardless of your Vecinos de la Cholla membership status, here are the facts:

1. The Vecinos de la Cholla A.C. is a legal entity, proof of this has been provided multiple times and is contrary to what some have been led to believe.

2. Whether or not you like the current Board, they were elected by the current members of the Association and ran uncontested. They have been and are “still working for you.”
3. None of the services provided by the Association, have been disrupted, roads graded, Park and Building have continued to be maintained and Porta Johns serviced.
4. Because more homeowners have chosen not to pay their dues, due to the controversy, the Association’s income and consequently the yearly budget have been affected and adjustments will have to be considered.
5. The Vecinos de la Cholla is the **only** association providing the above mentioned services for all of Cholla. And as a result, the current and paying members of the Association are carrying the burden for those who are “sitting on the fence” and/or refuse to contribute. The result is and has been to the detriment of the entire community.
6. Paying members would like the Board to ask the homeowners to unify and become part of the community by doing their part and contribute their fair share by paying their dues.

Tax time is coming around and discounts will be available. Also take note of the "Nombre" section, if it does not have your name, the city does not recognize you as the owner and you may possibly not have a deed of trust.

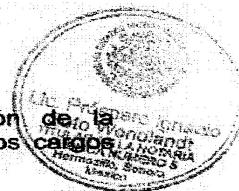
The Following documents were included in the minutes of October 2021 and are included again here. See below.

Enclosed:

1. Copy of signed and stamped document page recorded in the Public Registry, showing Michael Courtney Dugan is President of the Asociacion de Regularizacion de Vecinos de la Cholla A.C.
2. Copy of document page showing the cession of rights of the CBSC (lots 18 and 19, now fused into 19) has been given to the Vecinos.
3. Copy of document page showing the Letter of Instruction to Bancomer to transfer the Clubhouse to the Vecinos.
4. Letter of Confirmation – Myriam Hernandez - Kaizen

#1. Michael Courtney Dugan - President

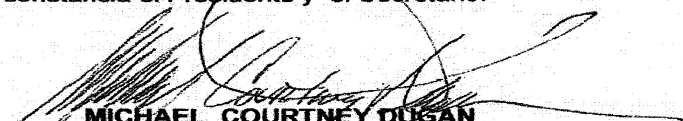
En vista del Acuerdo que antecede, la administración de la Asociación queda encomendada a las personas y con los cargos que a continuación aparecen:




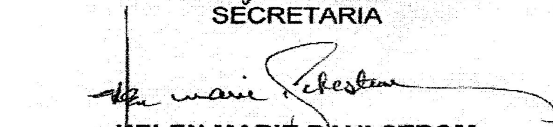
CONSEJO DIRECTIVO
PRESIDENTE: MICHAEL COURTNEY DUGAN
TESORERO: HELEN MARIE DAHLSTROM
SECRETARIO: SHIRLEY RUTH MCDONALD

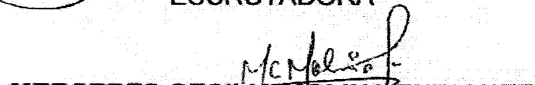
PUNTO TERCERO DE LA ORDEN DEL DÍA. - Se designa comisionado especial de la presente Asamblea a la Señora ELIZABETH GUADALUPE MORENO CLARK para que concurra al Notario Público de su elección para protocolizar la presente Acta de Asamblea y en su oportunidad efectúe los trámites legales de registro que correspondan. -

PUNTO CUARTO DE LA ORDEN DEL DÍA. El Presidente preguntó a los Asociados si deseaban tratar algún otro asunto y habiendo contestado éstos negativamente, ordenó un receso para dar lugar a la formulación de la presente acta, hecho lo cual el Secretario dio lectura de la misma, siendo aprobada en su totalidad y firmaron al calce para constancia el Presidente y el Secretario.


MICHAEL COURTNEY DUGAN
PRESIDENTE


SHIRLEY RUTH MCDONALD
SECRETARIA


HELEN MARIE DAHLSTROM
ESCRUTADORA


MERCEDES CECILIA MOLINA ENRIQUEZ
PERITA TRADUCTORA

#2. Cession of rights of the CBSC given to the Vecinos.

DOCUMENTO: ESCRITURA PUBLICA 105, FECHA 22-04-2005
FEDATARIO: FRANCISCO JAVIER MANZO TAYLOR

EN LA CIUDAD DE PUERTO PEÑASCO, SONORA SE HACE CONSTAR QUE QUED
INCORPORADA LA DOCUMENTACION QUE AMPARA EL PRESENTE, FORMADA
CON 133 FOLIOS

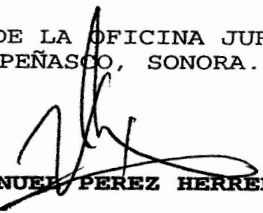
CESION DE DERECHOS DE FIDEICOMISARIO

EN LA SECCION **REGISTRO INMOBILIARIO, LIBRO UNO**
NUMERO DE INSCRIPCION **24606** DEL VOLUMEN **1216**
SIENDO LAS **11:13** HORAS DEL DIA **7 DE JUNIO DE 2005**

DEL REGISTRO PUBLICO DE LA PROPIEDAD DE ESTE DISTRITO JUDICIAL
EN EL ESTADO DE SONORA. PAGO DE DERECHOS \$6,396.25 SEGUN SU ORDEN
DE PAGO 23016 DE FECHA 24-05-2005, RECIBO OFICIAL 610003-1299
DE FECHA 25-05-2005

LO QUE AUTORIZO Y FIRMO PARA CONSTANCIA

REGISTRADOR TITULAR DE LA OFICINA JURISDICCIONAL DE
PUERTO PEÑASCO, SONORA.


VICTOR MANUEL PEREZ HERRERA



CALIFICO: CLARIVEL ACOSTA CELAYA
REGISTRO: CLARIVEL ACOSTA CELAYA

GOBIERNO DEL ESTADO DE SONORA
SECRETARIA DE HACIENDA
INSTITUTO CATASTRAL Y REGISTRAL
REGISTRO PUBLICO DE LA PROPIEDAD
PUERTO PEÑASCO, SONORA.

3. Letter of Instruction to Bancomer to transfer to Clubhouse to the Vecinos

CLUB



Puerto Peñasco, Sonora a 24 de Marzo del 2004.-

**BBVA BANCOMER SERVICIOS, S.A.
DIRECCION FIDUCIARIA
PUERTO PEÑASCO, SONORA.**

**Ref. F/25881-4
"Cholla Bay Sportsmen's Club"
"Asociación de Regularización
de Vecinos de La Cholla, AC."**

Estimado Señores:

Por medio de la presente y de la manera mas atenta, le estamos girando instrucciones irrevocables para efectos de que instruya al LIC. FRANCISCO JAVIER MANZO TAYLOR, Notario Público número VEINTISEIS, con ejercicio y residencia en la Demarcación Notarial de la Ciudad de SONOYTA, SONORA, para efectos de que elabore Escritura Pública que contenga CESIÓN PARCIAL (EL CINCUENTA PORCIENTO) DE LOS DERECHOS Y PRIVILEGIOS FIDEICOMISARIOS, según las siguientes características:

Como "FIDEICOMISARIO CEDENTE": "CHOLLA BAY SPORTSMEN'S CLUB", INC. SOBRE EL CINCUENTA PORCIENTO DE LOS DERECHOS QUE LES CORRESPONDEN.

Como "FIDEICOMISARIO CESIONARIO": "ASOCIACION DE REGULARIZACION DE VECINOS DE LA CHOLLA". A.C., LA CUÁL ADQUIERE EL CIENTO PORCIENTO DE LOS DERECHOS FIDEICOMISARIOS.

Como "FIDUCIARIO" BBVA BANCOMER SERVICIOS, S.A., INSTITUCIÓN DE BANCA MÚLTIPLE, GRUPO FINANCIERO BBVA BANCOMER, DIRECCIÓN FIDUCIARIA.

PRECIO DE LA OPERACIÓN: El que resulte del valor del Avalúo del Inmueble en Fideicomiso.

BIEN INMUEBLE: 50% DE LOS DERECHOS FIDEICOMISARIOS del Lote de Terreno con Casa Habitación marcada como el Número 18, de la Manzana 8, con Superficie Total de 1,242.15 Metros Cuadrados y 50% DE LOS DERECHOS FIDEICOMISARIOS del Lote de Terreno marcado como el Número 19, de la Manzana 8, con Superficie Total de 588.82 Metros Cuadrados, ambos ubicados en la región conocida como Bahía "La Cholla", en el municipio de Puerto Peñasco, Sonora, propiedad descrita según Escritura Pública Número 12,372, Volúmen CLXXXIV, expedido por el Notario Público Suplente Número 17, LICENCIADO FRANCISCO JAVIER MANZO TAYLOR, en la Ciudad de HERMOSILLO, SONORA, y con fecha del 1 DE FEBRERO DE 2001, la cuál se inscribió en el Registro Público de la Propiedad, Sección REGISTRO INMOBILIARIO, Libro UNO, con número de Inscripción 18,128, con fecha del 24 DE MAYO DE 2001, en la Ciudad de PUERTO PEÑASCO, SONORA.

Todos los gastos e impuestos correspondientes a ésta operación, serán pagados por los FIDEICOMISARIOS CESIONARIOS.

Agradeciendo de antemano su atención a la presente, quedo de Usted muy,

ATENTAMENTE

CEDEnte (S)
SELLER (s)

"CHOLLA BAY SPORTSMEN'S CLUB", INC.

ROBERT JERRY BELK
Presidente Del Consejo

PATRICIA GOODIN
Secretaria Del Consejo

CESIONARIO (S)
BUYER (s)

"ASOCIACION DE REGULARIZACION DE VECINOS DE LA CHOLLA". A.C.

#4. Letter of Confirmation – Myriam Hernandez – Kaizen page 1



Kaizen Title and Escrow
Tel & Fax. 01152638-3831010 y 3831313
USA Tel-Fax. (480) 248-2424
E-Fax. (480) 907-2280
Mobile US 425.449.3619
Puerto Peñasco, Sonora Mx. 83550
P.O. Box 1415, Lukeville, Az 85341

REPORT

The following is a report to acknowledge specific facts linked to a petition for information granted by members of the board of directors appointed by the entity known as ASOCIACION DE REGULARIZACION DE VECINOS DE LA CHOLLA ASOCIACION CIVIL, incorporated before Notario Publico on June 5th. 1991, under deed number 6697, volume CXI, granted before attorney at law OSVALDO RENE ORTEGA FELIX, Notario Publico 91 in Puerto Peñasco, Sonora, then recorded at city record department, under folio 38, section V, L.I. volume ONE, dated December 17th. 1991, to grant full compliance and legal existence of such incorporation.

Therefore, the existence of the aforementioned entity is in full compliance with laws and regulations ruling in the Mexican Republic.

Furthermore, in regards to deed number 32800, volume 505, granted on March 13th. 2012, before Notario Publico number 5, attorney at law Prospero Ignacio Soto Wendlandt, with residence and legal exercise in Hermosillo, Sonora, we observe ORDINARY GENERAL ASSEMBLY MEETING EXECUTED BY ASOCIACION DE REGULARIZACION DE VECINOS DE LA CHOLLAZ A.C. Where it is agreed by the general assembly, to convey administration of such ASOCIACION to MICHAEL COURTNEY DUGAN as president of the board of directors, with full and wide power of attorney to execute all acts to protect heritage and assets in the name and representation of the ASOCIACION CIVIL in comment. The above mentioned deeds granted before public faith in Mexico, support legal personality to entity and individuals appointed according to Mexican laws, therefor their legal existence and actions are duly supported by federal law.

In regards to ACTA DE ASAMBLEA GENERAL executed on April 27th. 2019, at 9:00 AM at cholla bay community center, such is currently being processed at Notario Publico number 5 attorney at law Prospero Soto Castelo, with residence in Hermosillo, Sonora, awaiting for proper recording at city record department in Puerto Peñasco, Sonora. Same condition prevails for ACTA DE ASAMBLEA recently performed in 2021, being status in custody of Notario Publico number 5 Prospero Soto Castelo, with residence in Hermosillo, soon to be completed to file at city record department in Puerto Peñasco, Sonora.

Also, in regards to collection of dues from home owners of such A.C. arising from checking accounts placed at foreign banking institutions (U.S.) it is important to state that U.S.

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Karen Marquez
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#4. Letter of Confirmation – Myriam Hernandez – Kaizen page 2



Kaizen Title and Escrow
Tel & Fax. 01152638-3831010 y 3831313
USA Tel-Fax. (480) 248-2424
E-Fax. (480) 907-2280
Mobile US 425.449.3619
Puerto Peñasco, Sonora Mx. 83550
P.O. Box 1415, Lukeville, Az 85341

banking institutions comply with all related due diligence linked to anti money laundering regulations including K.Y.C protocols for every single checking account, therefor such collection complies with transparency in regards to legal money flow pertaining to origin and destination of funds.

Keeping in mind a legal precept that dictates in Mexico: "What is not forbidden, is allowed". In regards to image circulating that "shows" status of A.C. according to ICRESON, (City record department) Such image is not considered as a public document, has no legal value for not being an original public document, and has also been manipulated by having words in English, when legal public documents have to be executed in Spanish language.

The above report is being extended in Puerto Peñasco, Sonora, Mexico, on the 22nd. Day of June, 2021.

~Safeguard Your Mexican Property and Business by Hiring a Real Estate Attorney, Fiscal Attorney and Certified Public Accountant! ~



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License number 12201456

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