

# Annexure A

## MEMBERS of RANDJESFONTEIN CONVENE A GENERAL MEETING

17 members of Randjesfontein Country Estates signed a request for an urgent General Meeting and this was delivered by hand to the RCE office on Wednesday 24 August asking that the Notice of the General Meeting go to all members on Friday 26<sup>th</sup> August, with the Agenda and reasons for the Agenda clearly laid out in the request letter. As this was not done, the members concerned, following procedure as per our Articles( clause 11.2.2) hereby convene a GENERAL MEETING OF MEMBERS to be held on Wednesday 11<sup>th</sup> September 2019 at the Hedgehog Meadows Nursery School at 7pm.

### Agenda Item 1

According to the Randjesfontein title deeds the RCE Board only has the mandate to approve plans of "dwellings with the usual outbuildings". Historically "Unusual buildings" were either discussed at length by the RCE board, or a new mandate sought from members at a General Meeting prior to the RCE approving the plans. Additionally the immediate affected neighbours must approve and sign off the plans prior to Board approval. Neither of these processes were done. We believe that RCE approved these plans illegally and the members need to:

- be informed about the Board's decision to approve these plans without following due process and taking affected parties into consideration,
- Instruct the board as to whether they can approve this unusual building and if not then instruct the board to reverse the approval decision.
- discuss and agree on appropriate remedial actions which will ensure that the requirements of the title deeds and Building and Land Use document are upheld, and
- discuss and agree on the liabilities that will apply in the event that remedial actions requiring the removal of the structure lead to a claim for damages from the owner of portion 67.

### Agenda Item 2

The process followed by the Board in the approval of the plans for Plot 67 is seriously flawed. It also became clear that the Chairman(after 2 years service) is unaware of his responsibilities and has not ensured that other Board members understand their duties fully and correctly understand the interpretation of various important title deed conditions and regulations that protect the area of Randjesfontein Country Estates. With this action they have severely endangered the integrity of the estate.

- The members must decide if the board members concerned must stand down or a vote of No Confidence be held.

### Agenda Item 3

Historically the RCE board has appointed consultants when their expertise is required. They could be drawn from the community or specialist advice appointed. In this case a consultant has been appointed to RCE board where it was not necessary and places the members at risk.

- The members must decide on guidelines for the Board approval of consultants.

# Annexure B

## **Request to convene a General Meeting of the Members of RANDJESFONTEIN COUNTRY ESTATES**

As the RCE board has already been notified in writing of the extreme dissatisfaction of various community members, and as the issue requires a General Meeting of members in order to resolve this issue, in terms of Article 11.2.2 of the RCE Articles of Association the Members listed below hereby request a General Meeting to be convened to address the issue regarding the Board's approval of the outbuilding structure that has been erected on portion number 67 Court Day Crescent.

### **Agenda Item 1**

According to the Randjesfontein title deeds the RCE Board only has the mandate to approve plans of "dwellings with the usual outbuildings". Unusual buildings must get members approval at a General Meeting prior to the RCE approving the plans. Additionally in light of publicly available Building and Land Use document we believe that at least 2 requirements have been contravened, and the community needs to:

- be informed about the Board's decision to approve these plans without following due process and taking affected parties into consideration,
- Instruct the board as to whether they can approve this unusual building and if not then instruct the board to reverse the approval decision.
- discuss and agree on appropriate remedial actions which will ensure that the requirements of the title deeds and Building and Land Use document are upheld, and
- discuss and agree on the liabilities that will apply in the event that remedial actions requiring the removal of the structure lead to a claim for damages from the owner of portion 67.
- We request that the Board insist that the building procedure be halted until due process has been followed and responds to the request to convene a General Meeting in terms of the above as a matter of great urgency. If this is not done from the RCE board by Friday of this week, the above signed members will call the community to a General Meeting as is allowed by the Articles of Association.

### **Agenda Item 2**

- The building plans of plot 67 were approved in March 2019 by one person. They were not discussed at a board meeting and no minutes are available. They were briefly put on the table at the board meeting on 15 August. The process is seriously flawed and it is very clear that the current board leadership is unaware of their responsibilities and the vital role they play in understanding and ensuring compliance of the title deed conditions. They erred as they did not interpret these title deed conditions correctly. With this action they have severely endangered the integrity of the estate. For this reason the board members concerned must stand down or a vote of No Confidence will be held.

### **Agenda 3**

- The process by which the board has appointed consultants to portfolios.

# Annexure C

**From:** RCE Chairman

**Sent:** 22 August 2019 03:23 PM

**Subject:** Request to convene a general meeting

Dear members of RCE

The Board acknowledges receipt of your request for a general meeting.

We will be sending out notice of the general meeting during next week. Some members of the Board are currently unavailable. This will also follow the discussions with the legal experts.

Regards

Bernard Smit