

Legal Framework – Maremma Website

Section on Estate Management

Estate Management.

Pre-amble:-

The Maremma Estate was developed to provide 50 home owners with a unique country lifestyle such that it is akin to owning your own piece of farmland. To this end the development (which is located outside any Municipal boundaries) was registered as conforming to all the requirements of a Home Owners Association operation.

Of the estate of 51,6 hectares, 2 hectares (50 plots of 400 sq m each) is individually owned and a further 3 hectares (50 plots with 600 sq m of exclusive use land) is for exclusive use of individual homeowners. That leaves 46,6 hectares which is commonly owned by all the homeowners on the estate. Thus one could say that for the price of a 1000 sq m plot, the owner of that plot has access to 46,6 ha of glorious farmland. The best deal on buying a farm ever.

The key aspect of any home owners' association development is that each person that purchases a property within that development is legally obliged to become a member of the association and to be bound by the provisions of the associations' constitution. (click to link with the constitution)

The constitution of such a home owners association will deal with the objects of the association, membership, the obligations of members and include as annexures any other documents and agreements that direct and dictate how the association will manage the whole estate.

Running the show:-

The 50 homeowners are able to elect – annually at the Annual General Meeting - a board of 7 Trustees that manage, control, administer and maintain the common area (46,6 ha) of the estate and all the ancillary functions. This ensures that each homeowner is provided with the necessary services as regards domestic resources (water, electricity, sewerage and Refuse)

The Trustees appoint suppliers to assist in the operation of the estate, thereby ensuring that the estate, together with all the structures and operating plants, is maintained. The Trustees develop the budget for each year, which determines the levy payable by each homeowner. Managing such an enterprise is akin to operating a small municipality. The full spectrum of municipal services (with the exception of rates) are provided, developed, maintained and administered by the Trustees. The one big difference being that there are no Salaries involved.

Each homeowner – as member of the association – is entitled to full use of the 46,6 ha of common area. Each homeowner is also entitled to voice their concerns or requirements as regards the management of the common areas. To assist in ensuring happy and harmonious community living, where all residents enjoy their properties and the common area in a co-operative, considerate and responsible manner, a set of conduct rules (click to link with conduct rules) provide guidance in this area.