

# **APES HILL BENEVOLENT SOCIETY INC.**

**The Society for the Successful Development of Apes Hill**

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Paul Lamb, President  
Yvonne Lankry, Vice President & Treasurer  
Charles Pattison, Vice President & Secretary

The Grove  
21 Pine Road  
Belleville, St. Michael  
Barbados

## **MEMBERSHIP APPLICATION AND AGREEMENT**

I am a member of the Apes Hill Club Homeowners Association Inc. (the “HOA”) or a duly authorized officer acting on behalf of a corporate member of the HOA and have come to understand that:

- (1) the HOA is controlled by Apes Hill (Barbados) Inc. (formerly known as “Plantation Sanctuary Inc.” (“PSI”) through an HOA Board of Directors appointed by PSI.
- (2) approximately 120 other members of the HOA who are not PSI have absolutely no voice in the operation, management, and control of the expenses of the HOA.
- (3) the HOA (a) refuses to hold annual membership meetings at which the business of the HOA can be conducted, including the election of a Board of Directors that is not appointed by PSI; (b) is attempting to mandate that all HOA members also become members of an entity to be formed and controlled by PSI, called the Apes Hill Club (the “Club”), to operate a golf club at the Apes Hill Development, and (c) requires all members of the HOA to pay an initiation fee of US\$125,000 to the Club, to pay US\$20,000 per annum in dues to the Club, and to cover the operating losses of the Club after its first year of operation as a golf club and (d) allows the Board of Directors of the HOA to operate the HOA under Rules that provide that HOA Directors appointed by PSI owe a fiduciary duty to PSI alone, and not to the HOA and all its members as required by the Companies Act of Barbados.
- (4) the Apes Hill Benevolent Society Inc. (the “Society”) was formed to uphold the rights of current and future HOA members through among other things, representative civil action by the Society, against the HOA, its current Board of Directors, and/or PSI, for the acts and omissions set out above, which are oppressive, unfairly prejudicial to, and unfairly disregard the interests of the HOA members, contrary to law.

## APES HILL BENEVOLENT SOCIETY INC.

I further understand that a group of HOA members (the “Owners Group”) have caused the activities of the HOA and its current Board of Directors to be investigated by counsel; have caused the Society to be incorporated on December 7, 2021, as non-profit company under the laws of Barbados; and have received opinions from counsel to the effect that:

**(A) The HOA must hold Annual Membership Meetings at which the business of the HOA can be conducted, including the election of a HOA directors by the HOA members.**

**(B) PSI has no authority to appoint any Directors of the HOA.**

**(C) Any Director of the HOA who is appointed by PSI, acts with fiduciary duties to the HOA and all members of the HOA, not just to PSI, notwithstanding any provision to the contrary in the 2021 Rules of the HOA.**

**(D) Under the constating documents which govern the HOA, no power to appoint HOA Directors is given to the Developer/PSI. In an attempt to get around this, the Directors unlawfully appointed by PSI have enacted the subsidiary 2021 Rules of the HOA, which purports to confer such power on PSI, as well as to confine the fiduciary duty of the HOA Directors to PSI alone rather than to all the HOA members as required by the Companies Act of Barbados, and to impose (without any authority to do so in the constating documents) mandatory golf club membership (with exorbitant mandatory fees) on all members of the HOA. This is entirely unlawful.**

I also understand that the Society was established to represent the interests of all members of the HOA who oppose the actions taken by PSI and the PSI controlled Board of Directors of the HOA, and that members of the Owners Group are willing to execute Deeds of Assignment of Claims to the Society to allow the Society to prosecute their claims against the HOA, its current Board of Directors and /or PSI on behalf of all members of the Society, provided the Society raises at least US\$50,000 or BD\$100,000 in Membership Fees by October 15<sup>th</sup> 2022, to be applied by the Society to cover the legal expenses of the Society in prosecuting assigned claims against the HOA, its current Board of Directors and/or PSI.

NOW THEREFORE, I hereby apply for Membership in the Society, by signing this Membership Application and Agreement (hereinafter collectively referred to as the “AGREEMENT”) and I:

**APES HILL BENEVOLENT SOCIETY INC.**

- 1) declare and confirm that I am title owner with full authority or am the duly authorized officer of a corporate owner, of the following Lot(s) within the Apes Hill Development, in St. James, Barbados:

Lot# \_\_\_\_\_ is owned by \_\_\_\_\_ (title owner(s))

Lot# \_\_\_\_\_ is owned by \_\_\_\_\_

Lot# \_\_\_\_\_ is owned by \_\_\_\_\_

(Please add a schedule for additional Lots, if required)

- 2) agree to pay the Membership Fee upon signing this AGREEMENT of US \$2,500 or BDS \$5,000 for a single Annual Membership in the Society; and agree that Membership in the Society is contingent upon approval of my application by the Board of Directors of the Society in accordance with the By-Laws of the Society. Any capitalized terms used, but not defined herein shall have the meaning given to such term(s) in the By-laws and Articles of Incorporation of the Society.

The AGREEMENT constitutes the entire agreement and understanding between the parties with respect to the subject matter hereof. No amendment of any provision of the AGREEMENT shall be effective unless it is in writing and signed by the parties and no waiver of any provision of the AGREEMENT, nor consent to any departure by either party from it, shall be effective unless it is in writing and signed by the affected party, and then such waiver or consent shall be effective only in the specific instance and for the specific purpose for which it was given.

To apply for membership in the Society, please do the following:

- 1) Send the AGREEMENT, after it has been completed and signed by you, by email to the Secretary of the Society, Charles Pattison ([charles.w21@icloud.com](mailto:charles.w21@icloud.com)); and
- 2) Pay the Society's Annual Membership Fee of US \$2,500 or BDS \$5,000 by:
  - a. bank transfer to RBC –US\$ Account No. 094358004699 or to RBC –BD\$ Account No. 094351099977 as per the attached wire instructions; or
  - b. by cheque written to the order of “*Apes Hill Benevolent Society Inc.*” in US\$ or BBD\$ and deliver it by mail to the Society at the address shown above.

**APES HILL BENEVOLENT SOCIETY INC.**

Membership in the Society commences on acceptance of the AGREEMENT by the Board of the Society and payment of your annual membership fee to the Society and ends by its own terms on November 15, 2023, unless further extended by the Society.

\_\_\_\_\_  
Applicant's Signature(s), or the Signature of duly authorized officer of the Applicant to the AGREEMENT

Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Date: \_\_\_\_\_

This AGREEMENT is not binding on the Society until the acceptance below is duly signed on behalf of the Society with a copy thereof emailed back to the Applicant.

Accepted by

Apes Hill Benevolent Society Inc.

\_\_\_\_\_  
Signature of Authorized Representative

Name:

Date:



## Payments – Incoming Wire Instructions For Client Use (Barbados)

### U.S. DOLLARS

Field 56 – Destination/Intermediary Bank: CHASUS33  
JP Morgan Chase Bank  
New York  
ABA 021000021

Field 57 – Pay to Bank/Beneficiary Bank: ROYCB BBB  
RBC Royal Bank (Barbados) Limited  
Bridgetown, Barbados

Field 59 – Beneficiary Account: /000001234567  
Beneficiary Name: (Insert Beneficiary Name)

The format for the beneficiary account number is: The first 5 digits are the transit number and **the last seven digits are the account number.**

### CANADIAN DOLLARS

Field 56 – Destination/Intermediary Bank: ROYCCAT2  
Royal Bank of Canada  
Toronto

Field 57 – Pay to Bank/Beneficiary Bank: ROYCB BBB  
RBC Royal Bank (Barbados) Limited  
Bridgetown, Barbados

Field 59 – Beneficiary Account: /000001234567  
Beneficiary Name: (Insert Beneficiary Name)

The format for the beneficiary account number is: The first 5 digits are the transit number and **the last seven digits are the account number.**

### STERLING (GBP)

Field 56 – Destination/Intermediary Bank: Sort Code 60-00-04  
IBAN No. GB47NWBK60000410007075  
NWBKGB2L NatWest  
London, England

Field 57 – Pay to Bank/Beneficiary Bank: ROYCB BBB  
RBC Royal Bank (Barbados) Limited  
Bridgetown, Barbados

Field 59 – Beneficiary Account: /000001234567  
Beneficiary Name: (Insert Beneficiary Name)

The format for the beneficiary account number is: The first 5 digits are the transit number and **the last seven digits are the account number.**



## EURO

Field 56 – Destination/Intermediary Bank: SOGEFRPP  
Societe Generale  
Paris  
IBAN No.FR7630003069900010152007152

Field 57 – Pay to Bank/Beneficiary Bank: ROYCB BBBB  
RBC Royal Bank (Barbados) Limited  
Bridgetown, Barbados

Field 59 – Beneficiary Account: /000001234567  
Beneficiary Name: (Insert Beneficiary Name)

The format for the beneficiary account number is: The first 5 digits are the transit number and **the last seven digits are the account number.**

### List of Transit Numbers for RBC Branches in Barbados

To avoid errors in routing or processing, it is imperative that the correct transit and account number is used.

Transit No.	Branch
06465	Private Bank Centre
09435	Main Branch, Broad Street, Bridgetown
09545	Hastings Branch
09785	Chelston Park Branch
09425	Sunset Crest Branch
09415	University Drive Branch
09565	Speightstown Branch