

Ovaj prijevod se sastoji od 4 stranice/9 listova

Br.-OV-43/21

Datum: 26.svibnja 2021.

OVJERENI PRIJEVOD POTVRDE S ENGLESKOG
NA HRVATSKI JEZIK



Ovaj prijevod s engleskog na hrvatski se sastoji od 4 stranice/stranica

Br.-OV-43/21

Datum: 26.05.2021.

Ovime ja, MICHAEL BARRETT iz Racehill, Ashbourne, Co. Meath, Irska, OIB: 32559349257, izdajem sljedeću

SPECIJALNU PUNOMOĆ

kojom ovlašćujem odvjetnika Borisa Bulja iz Splita, Hrvatske mornarice 1F, OIB: 12772307711, na poduzimanje radnji u skladu s odredbama ove specijalne punomoći.

Uvodno, ovime utvrđujem niže navedene činjenice, i to:

- da je rješenjem Trgovačkog suda u Splitu od dana 12. siječnja 2018., poslovni broj St-883/2017, otvoren i istovremeno zaključen stečajni postupak nad dužnikom SERENITAS d.o.o., Split, Lička 2/a, OIB: 76436434506.
- da je rješenjem Trgovačkog suda u Splitu od dana 12. studenog 2020., poslovni broj St-349/2020, po prijedlogu Cedenta, određen nastavak postupka radi naknadne diobe stečajne mase iza trgovačkog društva SERENITAS d.o.o., Split, Lička 2/a, OIB: 76436434506.

Navedenim rješenjem određeno je da će se Stečajna masa iza SERENITAS d.o.o., Split, Lička 2/a, OIB: 76436434506, upisat u sudski registar Trgovačkog suda u Splitu i po službenoj dužnosti dobiti novi osobni identifikacijski broj, te je određena zabilježba navedenog rješenja na nekretnini upisanoj u zemljišne knjige Općinskog suda u Splitu, zemljišnoknjižni odjel Supetar, k.o. Milna, u zk.ul. 1882, zk tijelo II, označenoj kao čest.zem. 2466/2.

- da je rješenjem Trgovačkog suda u Splitu kao registarskog suda, poslovni broj St Tt-20/11014-2, donesenim dana 10. prosinca 2020. u sudski registar upisana Stečajna masa iza SERENITAS d.o.o. u stečaju, sa sjedištem u Zagreb, Prilaz Baruna Filipovića 13, OIB: 31906772730.
- da je stečajna masa iza SERENITAS d.o.o. u stečaju upisana u sudski registar sa sjedištem u Zagrebu Prilaz Baruna Filipovića 13, OIB: 31906772730.
- da je rješenjem Trgovačkog suda u Splitu od dana 20. siječnja 2021., poslovni broj St-349/2020, u postupku nad stečajnim dužnikom Stečajna masa iza SERENITAS d.o.o. u stečaju, sa sjedištem u Zagreb, Prilaz Baruna Filipovića 13, OIB: 31906772730, utvrđena tražbina Cedenta kao vjerovnika drugog višeg isplatnog reda u iznosu 3.487.744,01 kn (trimilijunačetstoosamdesetsedamtisuća sedamstočetdesetčetirikune i jednulipu).
- da imam ovlast ugovorno ustupiti tražbinu, te da prijenos iste nije zabranjen na osnovi zakona ili ugovora, niti proizlazi iz same strogo osobne naravi tražbine odnosno naravi tražbine koja se protivi prenošenju na drugog.
- da jamčim postojanje tražbine, međutim ne odgovaram za naplativost tražbine.
- da imam pravo ustupiti tražbinu utvrđenu rješenjem Trgovačkog suda u Splitu od dana 20. siječnja 2021., poslovni broj St-349/2020, zajedno sa svim sporednim pravima trećoj osobi – društvu IVO HOLDING d.o.o. sa sjedištem u Podstrana (Općina Podstrana), Put Budeševa 5/A, OIB: 77486453081.

Slijedom navedenog, izrijekom ovlašćujem Borisa Bulja iz Splita, Antuna Mihanovića 37B, OIB: 12772307711, da u moje ime i za moj račun, a u svojstvu cedenta, sa društvom IVO HOLDING d.o.o. sa sjedištem u Podstrana (Općina Podstrana), Put Budeševa 5/A, OIB: 77486453081 kao Cesionarom, vezano uz realizaciju ustupa moje tražbine kao vjerovnika drugog višeg isplatnog reda u iznosu 3.487.744,01 kn (trimilijunačetristoosamdesetsedantisuća sedamstočetrestetirikune i jednulipu) utvrđene rješenjem Trgovačkog suda u Splitu od dana 20. siječnja 2021., poslovni broj St-349/2020, u stečajnom postupku nad stečajnim dužnikom Stečajna masa iza SERENITAS d.o.o. u stečaju, sa sjedištem u Zagreb, Prilaz Baruna Filipovića 13, OIB: 31906772730, poduzme sljedeće radnje:

- da po slobodnoj prosudbi samostalno pregovara i sklopi Ugovor o ustupu tražbine;
- da samostalno sklopi Sporazum o visini i uvjetima isplate naknade za ustup tražbine;
- da po slobodnoj prosudbi samostalno sklopi Aneks i/ili Dodatak Ugovoru o ustupu tražbine i Sporazumu o visini i uvjetima isplate naknade za ustup tražbine;
- da ovjeri potpis na Ugovoru o ustupu tražbine, Sporazumu o uvjetima i visini naknade za ustup tražbine i/ili Aneksu ili Dodatku navedenom Ugovoru o ustupu tražbine, Sporazumu o visini i uvjetima isplate naknade za ustup tražbine;
- da po slobodnoj prosudbi jednostrano/sporazumno raskide Ugovor o ustupu tražbine, Sporazum o uvjetima i visini naknade za ustup tražbine i/ili Aneks ili Dodatke navedenom Ugovoru o ustupu tražbine, Sporazumu o visini i uvjetima isplate naknade za ustup tražbine, te da ovjesi potpis na navedenim ispravama;
- da nastupa u moje ime i za moj račun u postupku koji je u tijeku pred Trgovačkim sudom u Splitu, poslovni broj St-349/2020;
- da Trgovačkom sudu u Splitu u predmetu pod poslovnim brojem St-349/2020, dostavi odgovarajući broj primjereka sklopljenih isprava na čije je sklapanje ovom specijalnom punomoći ovlašten, i to Ugovora o ustupu tražbine, Sporazuma o visini naknade i uvjetima isplate naknade za ustup tražbine i/ili Aneksa ili Dodatka navedenom Ugovoru o ustupu tražbine, Sporazumu o visini i uvjetima isplate naknade za ustup tražbine;
- da u moje ime i za moj račun kod mog opunomoćenika – odvjetnika koji me zastupa u postupku pred Trgovačkim sudom u Splitu, poslovni broj St-349/2020, preuzme svu raspoloživu dokumentaciju u svezi s mojom tražbinom, te da istu preda neposredno društvu IVO HOLDING d.o.o.;
- da u moje ime i za moj račun dade potrebne izjave, suglasnosti, odobrenja i svaki drugi oblik očitovanja volje radi prijenosa tražbine na društvo IVO HOLDING d.o.o.;
- da u moje ime i za moj račun dade potrebne izjave, suglasnosti, odobrenja i svaki drugi oblik očitovanja volje radi stupanje društva IVO HOLDING d.o.o. u sve postupke koji su u vezi s ustupljenom tražbinom;
- da pred Trgovačkim sudom u Splitu u predmetu pod poslovnim brojem St-349/2020, te po potrebi pred drugim tijelom, poduzme sve ostale radnje koje se ukazu potrebnim radi realiziranja ustupa tražbine.

Navedena punomoć proizvodi pravne učinke od dana potpisa sve do opoziva danog i ovjerenog te dostavljenog opunomoćeniku u jednakom obliku kao i punomoć, te ju u znak priznanja vlastoručno potpisujem.



Ovaj prijevod s engleskog na hrvatski se sastoji od 4 stranice/stranica 3

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U slučaju nesuglasja između hrvatske i engleske verzije Ugovora o ustupu, prevladava hrvatska verzija.

U Republici Irskoj, _18_. ožujka 2021. godine,

/vlastoručni potpis: nečitljivo/
MICHAEL BARRETT

/otisak pečata: potpisao Michael
Barret čiji sam identitet prvo
provjerio na 18 dan ožujka 2021.

/vlastoručni potpis: nečitljivo/

Scott Barry, javni bilježnik,
Killegland House, Ashbourne
Court,
Ashbourne, Co. Meath.
Doživotno ovlašten

/otisak grba/

/ovaj javnobilježnički čin
predstavlja samo provjeru imena i
potpisa podnositelja prijave, osim
ako nije drukčije izričito navedeno
na engleskom jeziku/

Scott Barry- javni bilježnik /



Ovaj prijevod s engleskog na hrvatski se sastoji od 4 stranice/stranica 4

Br.-OV-43/21

Datum: 26.05.2021

/otisak pečata ministarstva vanjskih poslova; parafirano/

APOSTILLE (Convention de La Haye du 5 octobre 1961)			
1. Država:		IRSKA	
Ovaj je javni dokument			
2. Potpisao		Scott Barry	
3. U svojstvu		Javnog bilježnika	
4. Nosi pečat/biljeg od		ovog Javnog bilježnika	
Potvrđen			
5. u	Dublinu	6. na dan	27.04.2021.
7. od strane		Ministarstva Vanjskih Poslova	
8. br.		2811002021	
9. pečat/biljeg: /Ministarstvo Vanjskih Poslova/		10. Potpis: <i>/vlastoručni potpis: nečitljivo/</i>	

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/2979-broj nečitljiv/

Kraj prijevoda s engleskog jezika 43/21

Ja, IVANA JELAVIĆ-ŠAKO, prof. engleskog i njemačkog jezika i književnosti iz Splita, Ulica Tijardovičeva 18, stalni sudski tumač za engleski i njemački jezik, imenovana rješenjem predsjednika Županijskog suda u Splitu, broj 4 Su-181-2020-4 od 18. travnja 2020., potvrđujem da gornji prijevod u potpunosti odgovara svojem izvorniku, sastavljenom na engleskom jeziku.

U Splitu, 26.05.2021.

Ivana Jelavic-Sako



I, MICHAEL BARRETT of Racehill, Ashbourne, Co. Meath, Ireland, OIB: 32559349257, Issue the following

SPECIAL POWER OF ATTORNEY

By which I authorize the lawyer Boris Bulj from Split, Hrvatske mornarice 1F, OIB: 12772307711, to take action in accordance with the provisions of this special power of attorney.

Introductory, I hereby establish the facts below, and that:

- that the decision of the Commercial Court in Split of 12 January 2018, business number St-883/2017, opened and at the same time concluded bankruptcy proceedings against the debtor SERENITAS d.o.o., Split, Lička 2 / a, OIB: 76436434506.
- that the decision of the Commercial Court in Split of 12 November 2020, business number St-349/2020, at the proposal of the Assignor, determined the continuation of the proceedings for subsequent division of the bankruptcy estate behind the company SERENITAS d.o.o., Split, Lička 2 / a, OIB: 76436434506.
The mentioned decision determined that the Bankruptcy estate behind SERENITAS doo, Split, Lička 2 / a, OIB: 76436434506, will be entered in the court register of the Commercial Court in Split and ex officio will receive a new personal identification number, and a record of the said decision was determined on the real estate registered in the land books of the Municipal Court in Split, land registry department Supetar, cadastral municipality Milna, in insert number 1882, Land Register Body II, marked as land parcel 2466/2.
- that by the decision of the Commercial Court in Split as a registration court, business number St Tt-20 / 11014-2, issued on December 10, 2020, the bankruptcy estate behind SERENITAS d.o.o. in bankruptcy is entered in the court register, with its registered office in Zagreb, Prilaz Baruna Filipovića 13, OIB: 31906772730.
- the Bankruptcy estate behind SERENITAS d.o.o. was entered in the court register. in bankruptcy, with its registered office in Zagreb, Prilaz Baruna Filipovića 13, OIB: 31906772730.
- that by the decision of the Commercial Court in Split dated 20 January 2021, business number St-349/2020, in the proceedings against the bankruptcy debtor Bankruptcy estate behind SERENITAS d.o.o. in bankruptcy, with its registered office in Zagreb, Prilaz Baruna Filipovića 13, OIB: 31906772730, the claim of Cedent as a creditor of the second higher payment order was determined in the amount of HRK 3,487,744.01 (three million four hundred and eighty-seven thousand seven hundred and forty-four kunas and one lipa).
- that I have the authority to assign the claim by contract, and that its transfer is not prohibited by law or contract, nor does it arise from the very personal nature of the claim or the nature of the claim that opposes the transfer to another.
- to guarantee the existence of a claim, however I am not responsible for the collectibility of the claim.
- that I have the right to assign the claim determined by the decision of the Commercial Court in Split from January 20, 2021, business number St-349/2020, together with all


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Ashbourne, Co. Meath,
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Notary Public,
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secondary rights to a third party - the company IVO HOLDING d.o.o. based in Podstrana (Municipality of Podstrana), Put Budeševa 5 / A, OIB: 77486453081.

Following the above, I expressly authorize Boris Bulj from Split, Antun Mihanovića 37B, B: 12772307711, to, in my name and for my account and as a cedant, with the company IVO HOLDING d.o.o. based in Podstrana (Municipality of Podstrana), Put Budeševa 5 / A, OIB: 77486453081 as Assignee, regarding the realization of the assignment of my claim as a creditor of the second higher payment order in the amount of HRK 3,487,744.01 (three million four hundred and eighty-seven thousand seven hundred and forty-four kunas and one lipa) determined by the decision of the Commercial Court in Split of 20 January 2021, business number St-349/2020 in proceedings against the bankruptcy debtor Bankruptcy estate behind SERENITAS d.o.o. in bankruptcy, with its registered office in Zagreb, Prilaz Baruna Filipovića 13, OIB: 31906772730, takes the following actions:

- to independently negotiate and conclude the Agreement on assignment of the claim at its own discretion;
- to independently conclude an Agreement on the amount and conditions of payment of the fee for the assignment of a claim;
- to, at its own discretion, independently conclude an Annex and / or an Addendum to the Agreement on assignment of claims and the Agreement on the conditions and amount of payment of compensation for assignment of claims;
- to certify the signature on the Assignment Agreement, the Agreement on the conditions and amount of the assignment fee and / or the Annex or Addendum to the said Assignment Agreement, the Agreement on the conditions and amount of payment of the assignment fee;
- to terminate unilaterally / by mutual agreement the Agreement on Assignment of claims, the Agreement on conditions and amount of assignment fee and / or Annex or Addendum to the said Agreement on Assignment of claims, Agreement on conditions and amount of assignment fee, and to certify signature on the said documents;
- to act in my name and on my behalf in the proceedings pending before the Commercial Court in Split, business number St-349/2020;
- to submit to the Commercial Court in Split in the case under business number St-349/2020, an appropriate number of copies of concluded documents for which conclusion he is authorized by this special power of attorney, namely the Agreement on Assignment of claims, Agreement on amount and conditions of assignment fee and / or the Annex or Addendum to the said Assignment Agreement, the Agreement on the amount and conditions of assignment fee;
- to take over all available documentation related to my claim in my name and on my behalf from my attorney who is representing me in the proceedings before the Commercial Court in Split, business number St-349/2020, and to hand it over directly to IVO HOLDING d.o.o.;
- to give in my name and on my behalf the necessary statements, consents, approvals and any other form of expression of will in order to transfer the claim to the company IVO HOLDING d.o.o.
- to give in my name and on my behalf the necessary statements, consents, approvals and any other form of expression of will in order for IVO HOLDING d.o.o. to enter into all procedures related to the assigned claim;


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Ashbourne, Co. Meath
Ireland.
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to take before the Commercial Court in Split in the case under business number St-349/2020, and if necessary before another body, all other actions that are necessary to realize the assignment of the claim.

The said power of attorney produces legal effects from the day of signing until the revocation given and certified and delivered to the attorney in the same form as the power of attorney, and as a sign of recognition I sign it myself.

In case of disagreement between the Croatian and English versions of the special power of attorney, the croatian version shall prevail.

In Republic of Ireland 18 March 2021.

M Barrett

MICHAEL BARRETT

Subscribed to by Michael Barrett
with whose identity I have first satisfied myself
this 18 day of March 2021

Scott Barry, Notary Public,
Killegland House, Ashbourne Court,
Ashbourne, Co. Meath.
Commissioned for Life



The within notarial act is limited to
the verification of the name(s) and
signature(s) of the Appearer(s),
unless otherwise expressly stated in
the English Language
Scott Barry - Notary Public

Scott Barry
Kinoglass
Ashboon
Ashboon
Ireland.
Notary Public
Commissioner



APOSTILLE (Convention de La Haye du 5 octobre 1961)			
1. Country: Pays/País:		IRELAND	
This public document Le présent acte public / El presente documento público			
2. has been signed by a été signé par ha sido firmado por		Scott Barry	
3. acting in the capacity of agissant en qualité de quien actúa en calidad de		Notary Public	
4. bears the seal / stamp of est revêtu du sceau / timbre de y está revestido del sello / timbre de		Notary Public	
Certified Attesté / Certificado			
5. at à / en	Dublin	6. the le / el día	27/04/2021
7. by par / por	Department of Foreign Affairs and Trade		
8. No sous no bajo el número	2811002021		
9. Seal / stamp: Sceau / timbre Sello / timbre	10. Signature: Signature: Firma:		

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