

CLARIFICATIONS FOR THE TENDER 2016-1 (eAuction VI)

last updated on 23.03.2016

A. General

All available documents pertaining to each Asset are included in the Information Pack of the said Asset. In any case, Interested Parties are expressly encouraged to proceed to their own independent review of the Asset in question, as expressly stated by them upon submission of their Offer and stipulated in any case.

The Information Pack contains documents and reports provided to the Fund by public servants and independent counsel.

The procedure for visiting an Asset is described in the corresponding General Auction Terms.

We inform you that, by mistake, Annex 3 – Solemn Declaration Template of the Greek text of the General Auction Terms dated 15 January 2016 refer to the date of “30.09.2015” instead of the correct “15.01.2016”. The relevant declaration of the Participants should mention the correct date (15.01.2016).

A Joint Venture formed under a simple written agreement may participate in the Auction Procedure. This written agreement must be contained in the Auction Participation Documents and must expressly provide that it reflects the full and final agreement between its parties and cannot be amended without the prior written consent of the Fund. The Joint Venture must obtain a VAT Number (ΑΦΜ) and conform to the publicity requirements set out by the applicable Law, in order to be eligible to participate in the Auction Procedure.

There is no template for the Letters of Guarantee for the specific case of a Joint Venture. The wording of the Letters of Guarantee is provided in the templates and the provision of par. 4.2 of the General Auction Terms describes clearly the modifications resulting by the legal form (Joint Venture) of the Participant, such as, for example: [The Bank guarantees in favour of] “the Joint Venture and each of its parties under the title [*] having its establishment at [*] and consisting of [*list of JV members and their addresses*] for the amount of [*]”.

The draft Sale Contract will be formulated following the nomination of the Highest Bidder in accordance with the Specific Auction Terms.

The minimum term of validity of the Opening Bid is until 31.12.2016.

In case of extension of the validity term of the Opening Bid, the Participant is notified timely and in writing by the Fund in order to either proceed himself to the required actions (eg. The extension of the term of

the Participation Bond) or to be informed about the relevant unilateral actions of the Fund.

The certificates which the Highest Bidder must produce, and consequently their issuing authorities or persons, depend upon the country of origin of the Highest Bidder and are determined ad hoc after the nomination of the Highest Bidder.

For the attestation of the non-applicability of any of the exclusion provisions of par. 3.3 of the General Auction Terms dated 15.01.2016, it suffices to produce a copy of the criminal record of each of the legal representatives of the corporate Interested Party.

In the Solemn Declaration (Annex 3 - par. iv), the wording for the case of a société anonyme is the following: "Acting in my capacity as the legal representative of [...] hereby declare [...] that [...] as of today, the legal entity which I represent satisfies [...]".

On the (outer) envelope "PARTICIPATION DOCUMENTS" the indication «Q 109781: LETO Hotel, Mykonos" and in the (inner) envelope "OPENING BID" the indication "Q 109781: Opening Bid" must be written. In any case, insignificant variations do not constitute grounds for the exclusion of the Offer, provided that the indication "Q 109781" is present.

In the electronic auctions of the real estate assets belonging to the Fund, such as the Auction Q 109781 in question, an objection procedure is not provided. In any case, however, it is possible to refer to the competent courts, as provided by the legislation in force.

As regards the training in a mocj auction, the Phase B Participants are notified timely by email (at their declared address) and telephone.

The legal representative of a corporate Interested Party may provide a third person with a written power-of-attorney (authenticated as to the identity of the issuer), in order for the latter to submit by hand the Auction Participation Documents.

As representative of a corporate Interested Party for the purposes of the Auction, any person other than the standard legal representative of the corporation may be appointed, by means of a written resolution of the competent corporate body contained in the Auction Participation Documents. Similarly, and under the condition that such power is expressly provided in the resolution of the corporate body which appoints him, the said representative may himself issue further power-of-attorney documents to other parties in order for them to perform specific actions in the context of the Auction Process. It is underlined that, if one of the said representatives (ie. the non-standard legal representatives of the corporate Interested Party) is a Realtor, par 4.1(iv) of the General Auction Terms dated 15.01.2016 applies.

Documents published in the Greek Business Registry (ΓΕΜΗ) do not have to be authenticated. The Minutes of the Board of Directors which provides

a power-of-attorney to a person in order to submit the Opening Bid and to represent the (Greek) Interested Party in the Auction Process do not require authentication other than the standard authentication signed by the Chairman of the Board and stamped with the company seal.

The auction in question must be referred to as "[sale of the property] 109781 'LETO Hotel' in Mykonos".

Any document which consists, according to the applicable Law, full proof of power-of-attorney, ie. it is full and secure evidence of the identity of the issuing party and the attorney, as well as of the content and terms of the power conferred, is considered adequate for the purposes of the Auction. In the particular case, such power-of-attorney may be conferred simply by means of the Minutes of the Board of Directors, a certified copy of which must be included in the Auction Participation Documents. No further authentication is necessary.

Following the execution (signature) of the Sale Contract and during the period when the Condition Precedent remains pending

- a) the freehold rights and possession over the Asset are transferred to the Highest Bidder,
- b) the Highest Bidder succeeds the Fund in the lease contract and enjoys the relevant rights under the Law and the contract (eg. rent collection, guarantees etc.),
- c) the Highest Bidder is granted the right to transfer to himself the existing building permits and to issue future building permits for the Asset, at his own exclusive expense and liability, provided that all the relevant legal requirements are met.

An "Auction Participation Request" in the present Auction is deemed to be the submission of the Auction Participation Documents and the Opening Bid according to the General and the Special Auction Terms.

The use of a Greek Identity Card is acceptable for the filling in of the personal details in the Solemn Declarations of the Auction.

The intention of an Interested Party to make use of the option for the payment of the Agreed Price in instalments is declared after its nomination as the Highest Bidder. Consequently, it does not affect the classification of the Participants and the nomination of the Highest Bidder.

For the purposes of the Auction, a "Realtor" is a professional real estate broker.

In this particular Auction, Realtor-related documents are included in the Auction Participation Documents and are not provided by email.

Anti-sniping 5-minute extensions of the Auction term are sequentially provided and renewed without limit if higher bids are submitted on time.

No page numbering of the Auction Participation Documents is necessary.

B. Q109781 (Hotel "LETO" in Mykonos, Prefecture of Cyclades)

The procedure under which an Interested Party may obtain information concerning the terms of an existing lease of the Asset is described in par. 2.7 of the General Auction Terms. No copies of contracts or other related documents may be supplied. Specifically, par. 2.7 provides that "In particular, regarding information on Assets that already leased to third parties, the Interested Parties after having received the Information Pack will be allowed to review the lease contracts at the PPCo's offices (7, Voulis Str., Syntagma, Athens, tel. +30 210 333 9710 upon signing of a standard confidentiality agreement". Due to the lively interest in the Tender Q109781 (LETO Hotel in Mykonos) and numerous requests, the lease contract as currently in force (ie. the initial contract, its amendment and the appendices to said amendment) **UPDATE (23.03.2016): as well as other documents pertaining to the city-planning status and the hotel license of the Asset are concerned** will also be available online through the password provided for access to the Information Pack. It is reminded that the Information Pack (part of which consists of the documents hereby provided) are subject to the Statement of Confidentiality and the related obligation on the part of the Interested Parties.

According to the agreement amendment made in 2009, the rent is constant, is being paid regularly and the contractual obligation concerning the insuring of the Asset has been duly fulfilled. The lease shall remain in force after the transfer of the ownership of the Asset, wherefore it may be terminated in accordance with the legislation in force. For information regarding the completion of contractually-provided works, refer to the "Technical Report concerning the implementation of the investment in the LETO Hotel" (in Greek), contained in the Information Pack of the Asset. **UPDATE (23.03.2016): There is no more recent report or verification of the works. The value of the works under the lease contract is EUR 2,600,000, not including the cost of the studies and the VAT, as stated in the appendix of the agreement amendment. The lessee has not notified of any sublease agreement of the Asset or part thereof.**

There is no minimum Opening Bid. It should be noted, however, that the Participant with the lowest Opening Bid may be excluded from the following Phase of the Auction, under the provisions of par. 5.1 of the General Auction Terms.

The legitimization of unlicensed buildings under L. 2178/2013 will take place prior to the signature of the Sale Contract.

The Fund and its Advisors do not grant any authorization or power-of-attorney to any Interested Party. Access to the records of the Asset maintained in public authorities and agencies is granted on the basis of the applicable legislation, following a direct request by the Interested Party to the said authorities and agencies, which shall issue them

according to their mandate.

Other documents requested by Interested Parties are not made available. The current state of the asset is reflected in the Technical Report contained in the Information Pack and may be verified by means of an on-site visit of the Asset, according to the procedure described in the General Auction Terms. It falls upon the Interested Parties, of course, to conduct their own independent and full legal and technical reviews of each Asset.

The Fund and its advisors do not offer any information concerning the tax or similar burdens of the asset following its sale. It is noted that in the case where the Asset is sold with the Agreed Price being payable in instalments, the ownership of the Asset is retained by the Fund until full payment of the Agreed Price, therefore, according to the applicable law, the Buyer is not liable to pay the current ownership tax (ΕΝΦΙΑ) until then. It is further noted that the notarial Sale Contract is not subject to transfer tax and benefits from reduced notarial and land registry fees.