

ACT NO. 7468
BILL NO. 29-0460

TWENTY-NINTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2012

An Act granting easements by the Port Authority for Parcels No. 20, 24, and 199 Crown Bay, 4B Southside, Quarter, St. Thomas, Virgin Islands pursuant to the authority conferred upon the Port Authority under title 29 Virgin Islands Code, section 543 (6)

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WHEREAS, the Virgin Islands Port Authority, (“the Authority”) among other real property owns: Parcel No. 24 Crown Bay, as shown on PWD D9-4995-T90; Parcel No. 20 Crown Bay, as shown on PWD D3-395-T89; and Parcel 199, as shown on OLG No. D9-8683-T012, in 4B Southside Quarter, St. Thomas, Virgin Islands; and

WHEREAS, the Authority is authorized to grant easements over its property pursuant to title 29, section 543 (6) of the Virgin Islands Code; and

WHEREAS, the Authority granted a right of way easement for ingress and egress dated August 29, 1990, for Parcel No. 2 Estate Careening Hole, No. 8A Southside Quarter, St. Thomas, Virgin Islands; and the parties now wish to expand that easement; and

WHEREAS, the Governing Board of the Authority at its January 20, 2010, and May 16, 2012, meetings authorized the Authority’s Executive Director to enter into and execute a Grant of Easements; and

WHEREAS, the Grant of the Easements authorized by the Governing Board is intended to amend the right of way easement for ingress and egress running in favor of Parcel No. 2 Estate Careening Hole, No. 8A Southside Quarter, St. Thomas owned by Soraya Diase Coffelt and Gordon L. Coffelt, as co-Trustees of Soraya Diase Coffelt Living Trust, and recorded at the Office of the Recorder of Deeds for St. Thomas and St. John on August 31, 1990; and

WHEREAS, the Grant of Easements contains certain conditions, including conditions for the conservation of the property and for the indemnity of the Virgin Islands Port Authority; and

WHEREAS, the Virgin Islands Port Authority has acknowledged the sufficiency of consideration received for the Grant of Easements; and

WHEREAS, title 29 Virgin Islands Code section 543 (6) in pertinent part provides that “in no case shall the Authority have the power to sell, assign, mortgage, pledge, grant or otherwise dispose of or encumber any real property, franchise, concession, privilege or right of any interest therein without the approval of the Legislature, or the Committee of the Finance of the Legislature when the Legislature is not in Session, and the Governor”; and

WHEREAS, the Governor on August 31, 2012, submitted to the Legislature a proposed Grant of Easements, which he approved on August 27, 2012; and

WHEREAS, the members of the Twenty-Ninth Legislature are satisfied that the Grant of Easements is in the public interest; Now, Therefore,

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Pursuant to title 29 Virgin Islands Code, chapter 10, subchapter II, section 543, paragraph (6), the Legislature of the Virgin Islands approves:

(1) The Grant by the Virgin Islands Port Authority of a perpetual, exclusive easement running in favor of Parcel No. 2, Estate Careening Hole, No. 8A Southside Quarter, St. Thomas, Virgin Islands for ingress and egress over and across Parcel 24 Crown Bay, 4B Southside Quarter, and a perpetual non-exclusive easement for ingress and egress over and across Parcel 199 Crown Bay, 4BSouthside Quarter, and that portion of Parcel No. 20 Crown Bay, 4B Southside Quarter, St. Thomas, Virgin Islands, as shown on OLG File No.9-8683-T012, dated November 17, 2011, and on the Survey as Easement “A”, as more particularly set forth in the document titled “Grant Of Easements” executed by the Executive Director of the Virgin Islands Port Authority on May 16, 2012, and approved by the Governor of the Virgin Islands on August 27, 2012; and

(2) The Grant by the Virgin Islands Port Authority of a perpetual, non-exclusive easement running in favor of Parcel No. 2, Estate Careening Hole, No. 8A Southside Quarter, St. Thomas Virgin Islands, for the easement property identified in paragraph (1) of this section for the installation and maintenance of sewers, storm drains, water mains, and underground utilities, as more particularly set forth in the document titled “Grant Of Easements”, executed by the Executive Director of the Virgin Islands Port Authority on May 16, 2012, and approved by the Governor of the Virgin Islands on August 27, 2012.

Thus passed by the Legislature of the Virgin Islands on November 20, 2012.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 30th Day of November, A.D., 2012.



A handwritten signature in blue ink that reads "Ronald E. Russell".

Ronald E. Russell
President

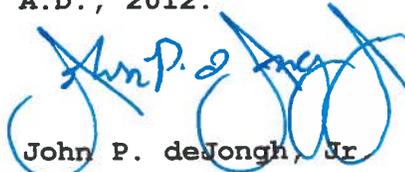
A handwritten signature in blue ink that reads "Sammuel Sanes".

Sammuel Sanes
Legislative Secretary



Bill No.29-0460 is hereby approved.

Witness my hand and the Seal of the
Government of the United States
Virgin Islands at Charlotte Amalie,
St. Thomas, this 14th day of December
A.D., 2012.

A handwritten signature in blue ink, appearing to read "John P. deJongh, Jr.", written over a circular stamp or seal.

John P. deJongh, Jr
Governor