




Dagregister			Bewaring	De Hypotheek- bewaarder,	C	deel 163
deel	nr.	In bewaring genomen				no. 76
22	1868	11 augustus 1999	St. Maarten			Vervolgblad(en) 
Repertorium E 36-48 E 24-360			<p>Upon this eleventh day of August, nineteenhundred and ninety-nine, came and appeared before me, Elco Sutan Rosario, Notary at Law, established on Sint Maarten:</p> <ol style="list-style-type: none"> 1. Mister VAN DIJKE ALSAIN BELL, Head of the Insular Department for legal Affairs for the Island Territory of Sint Maarten, residing on Sint Maarten, by these presents acting as mandatary of the Lieutenant Governor of the Island Territory of Sint Maarten, who in turn, in accordance with Article 74 of the "Eilandenregeling Nederlandse Antillen", represents said Island Territory. Said mandate is evident from a decree of abovementioned Lieutenant Governor dated March seventeenth, nineteenhundred and ninety-eight, number 345. The appearer by these presents representing the section Sint Maarten of said Island Territory, which Island Territory hereinafter will be referred to as the "Grantor". 2. Ms. EMELDA JOCELYNE RILEY, an office manager, residing on Sint Maarten, by these presents acting as verbally appointed mandatory of CACTUS TREE N.V., a limited liability company established on Sint Maarten; said Cactus Tree N.V. hereinafter to be referred to as the "Leaseholder". <p>The appearer sub 1, acting as aforementioned, declared to issue on long lease on behalf of the Grantor, in execution of a decree of the Executive Council of the Island Territory Sint Maarten, number 614, dated April twenty-third, nineteenhundred and ninety-nine, to the Leaseholder, for which the appearer sub 2 declared to accept on long lease the following water parcel:</p> <p>-- a water parcel with an area of TENTHOUNDSEVENHUNDRED AND TEN SQUARE METERS (10.710M²), situated at Oysterpond, Sint Maarten, further described in certificate of admeasurement number 547/1996.</p> <p>The Grantor acquired aforementioned parcel of land by means of transcription at the office of the registrar of mortgages on Sint Maarten, in Register C, volume 83, number 12, on December ninth, nineteenhundred and eighty-seven, of the Land Ordinance of June eighth, nineteenhundred and eighty-seven, (P.B. 1987/117).</p> <p>The appearers, acting as aforementioned, declared that the granting of the leasehold has been effected under the general conditions for granting on long lease of land belonging to the Island Territory of the Windward Islands, stipulated in the "Eilandsverordening op de uitgifte in erfpacht van gronden toebehorende aan het Eilandgebied de Bovenwindse Eilanden", as specified in Island Ordinance A.B. 1954 No. 1.</p> <p>With regards to special conditions, parties hereby refer to said Decree of the Executive Council dated April twenty-third, nineteenhundred and ninety-nine, a copy of which is attached to this deed, and which decree and special conditions are considered to form an integral part of this deed.</p> <p>Three of the said special conditions are:</p> <ol style="list-style-type: none"> "1. the right of long lease will be granted for a period of sixty (60) years from the transcription of the deed of granting right of long lease in the appropriate registers; 2. aforementioned groundrent has been set at ONE NETHERLANDS ANTILLEAN GUILDER (NAF 1,--), per square meter per year and shall each time after expiration of a period of five (5) years after the execution of the deed of granting right of long lease be increased by Twenty Cents Currency of the Netherlands Antillean Currency (NAF 0,20) per per square meter per year until the leaserent has reached the amount of Two Netherlands Antillean Guilders (NAF 2,00) per square meter per year; 			

3. the water parcel may exclusively be used for the expansion of the parcels described in certificates of admeasurement 83/1983 and 330/1988 and may not be filled in".

Finally the appearers, acting as aforementioned, declared that for the purpose of computing the transfertax, they have determined the value of the aforementioned leasehold to be ONEHUNDRED AND THIRTY-NINE THOUSAND TWOHUNDRED AND THIRTY NETHERLANDS ANTILLEAN GUILDERS (NAF. 139.230,--).

The appearers are known to me, Notary at Law.

WHEREOF THIS DEED

has been executed on Sint Maarten in one original copy on the date mentioned in the heading hereof.

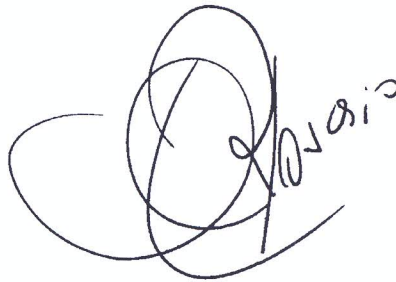
After relating the contents of this deed to the appearers, they declared unanimously to have examined the contents of this deed and not to require a full reading thereof. Then, after summary reading of this deed, this deed was signed by the appearers and by me, Notary at Law.

Was signed: V.D. Bell, E. Riley, E. Rosario.

ISSUED FOR TRUE COPY!

(W.s E. Rosario);

De ondergetekende, Mr. E.S. Rosario, notaris ter standplaats Sint Maarten, verklaart dat dit stuk eensluidend is met het ter overschrijving aangeboden stuk.

A handwritten signature in black ink, appearing to read 'E.S. Rosario', is written over a large, circular, scribbled mark.

Dagregister			Bewaring	De Hypotheekbe- waarder, <i>[Handwritten Signature]</i>	C	deel 94
deel	nr.	In bewaring genomen				no. 59
17	2131	22 juni 1989	Sint Maarten			met zonder <i>[Handwritten Mark]</i> Vervolgblad(en)

Repertorium E 24-271,272 E 24-360	<p>Upon this sixteenth day of June, _____, nineteenhundred and eighty-nine, came and appeared before me, Elco Sutan Rosario, notary at Law, established on Sint Maarten, in the presence of the witnesses to be mentioned hereinafter:</p> <ol style="list-style-type: none"> 1. Mistress SARAH AGATHA WESCOTT, born WILLIAMS, a Governmental Official, residing on Sint Maarten, by these presents acting as mandatary of the Lieutenant Governor of the Island Territory of Sint Maarten, who in turn, in accordance with Article 74 of the "Eilandenregeling Nederlandse Antillen", represents said Island Territory. Said mandate is evident from a decree of abovementioned Lieutenant Governor dated October twenty-second, nineteenhundred and eighty-six, number 203. The appearer by these presents representing the section Sint Maarten of said Island Territory, which Island Territory hereinafter will be referred to as the "Grantor". 2. Miss COLLEEN ANDREA LEJUEZ, a secretary, residing on Sint Maarten, by these presents acting as mandatary of CACTUS TREE N.V., a limited liability company, established on Sint Maarten; said company hereinafter to be referred to as the "Leaseholder". Said mandate is evident from a power of attorney, which after duly authentication, will be attached to the original of this deed. <p>The appearer sub 1, acting as aforementioned, declared to issue on long lease on behalf of the Grantor, in execution of a decree of the Executive Council of the Island Territory Sint Maarten, number 2138, dated December twentieth, nineteenhundred and eighty-eight to the Leaseholder, for which the appearer sub 2 declared to accept on long lease the following waterparcels:</p> <ol style="list-style-type: none"> A. a waterparcel with an area of TWOTHOUSAND TWOHUNDRED AND EIGHTY SQUARE METERS (2.280M²), situated in the district of Oysterpond, on Sint Maarten, described in certificate of admeasurement number 83/1983, and _____ B. a waterparcel with an area of SEVENTHOUSAND SEVENHUNDRED AND TWENTY SQUARE METERS (7.720M²), situated in the district of Oysterpond, on Sint Maarten, described in certificate of admeasurement number 330/1988. <p>The Grantor acquired aforementioned waterparcels by means of transcription at the office of the registrar of mortgages on Sint Maarten, in Register C, volume 83, number 12, on December ninth, nineteenhundred and eighty-seven, of the Land Ordinance of June eighth, nineteenhundred and eighty-seven, _____ (P.B. 1987/117).</p> <p>The appearers declared that the granting of the leasehold has been effected under the following conditions:</p> <ol style="list-style-type: none"> a. the right of long lease will be granted for a period of sixty (60) years from the transcription of the deed of granting right of long lease in the appropriate registers; _____ b. the Leaseholder has the obligation to pay the annual ground-rent in advance at the Receiver's Office of the Island Territory, for the first time before or on the day of which this instrument will be executed and thereafter each year after a notice for payment has been sent by said Receiver's Office; c. aforementioned groundrent has been set at ONE GUILDER
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CURRENCY OF THE NETHERLANDS ANTILLES (NAF. 1,00) per square meter and can be revised by decree of the Executive Council after expiration of a period of ten (10) years after the transcription of the deed of granting right of long lease in the public registers;

- d. the waterparcels given in long lease may not be used for any other purpose than for the construction of a wooden pier with other marina facilities, with the ascertainment that the waterparcels will not be filled in;
- e. the Leaseholder has the obligation to start construction within six (6) months after the transcription of the deed of long lease in aforementioned public registers and to continue constructing without interruption according to a building plan, approved by the Executive Council; excavations with regards to the construction of access roads and the development of parcels of land for building may only be started after permission has been obtained by the Executive Council;
- f. the Leaseholder commits itself in case it should not use the parcel of land for the abovementioned purpose, not to transfer the right of long lease before having been granted a written permission by the Executive Council.

This granting on long lease is further effected under the general conditions for granting on long lease of land belonging to the Island Territory of the Windward Islands, stipulated in the "Eilandsverordening op de uitgifte in erfpacht van gronden toebehorende aan het Eilandgebied de Bovenwindse Eilanden", as specified in Island Ordinance A.B. 1954 No. 1.

Finally the appearers declared that for the purpose of computing the transfertax, they have determined the value of the aforementioned leasehold to be ONEHUNDRED AND THIRTY THOUSAND NETHERLANDS ANTILLEAN GULDERS (NAF. 130.000,—).

The appearers and witnesses are known to me, Notary at Law. _____

WHEREOF THIS DEED

has been executed on Sint Maarten in one original copy on the date mentioned in the heading hereof, in the presence of: Emelda Jocelyne Carty-Riley and Cheryl Joycelin Muller-Berkel, both secretary and both residing on Sint Maarten.

Immediately after the reading aloud, this deed was signed by the appearers, the witnesses and by me, notary at Law. _____

Was signed: S. Wescott, C. Lejuez, E. Carty, C.J. Berkel, _____
E. Rosario. _____

ISSUED FOR TRUE COPY!
(w.s. E. Rosario);

De ondergetekende, Mr. E.S. Rosario, notaris ter standplaats Sint Maarten, wonende aldaar, verklaart dat dit uittreksel eensluidend is met het ter overschrijving aangeboden stuk.

