

BILL NO. 35-0423

Thirty-Fifth Legislature of the Virgin Islands

December 10, 2024

An Act approving the Fifth Amendment to Lease Agreement between the Government of the Virgin Islands and Coral World (V.I.), Inc. to extend the lease term, provide for additional rent, and incorporate two surveys reflecting the metes and bounds description of the leased premises

PROPOSED BY: Senator Novelle E. Francis, Jr., by Request of the Governor

WHEREAS, by lease agreement between the Government of the Virgin Islands and Coral World (V.I.), Inc. (“Coral World”) dated February 17, 1971 (“Original Lease”), as amended by agreements dated March 3, 1976 (“First Amendment”); August 13, 1976 (“Assignment Amendment”); August 16, 1976 (“Third Amendment”); and October 24, 2013 (“Fourth Amendment”), collectively referred to herein as the “Lease”, Coral World is the occupant of fast and submerged lands located in and adjacent to Parcel C, Parcel D-1, and Parcel D-2 Estate Coki Point, No. 4A East End Quarter, St. Thomas, Virgin Islands (“Premises”), on and in which Coral World has developed and operates Coral World Ocean Park.

WHEREAS, on October 25, 2024, the Government of the Virgin Islands, acting through the Commissioner of the Department of Planning and Natural Resources, entered into the fifth amendment to the Lease wherein the term of the Lease was extended from its current expiration

1 date of August 16, 2036 to August 16, 2056 with two renewal option terms of 10 years each;
2 additional rent in the amount of one percent of Coral World's gross profit, payable quarterly
3 in arrears, commencing in August 2036; Coral World's books and records are subject to a
4 yearly audit; and two surveys were incorporated into the Lease which, taken together, constitute
5 the metes and bounds description of the Premises as approved in the Fourth Amendment to the
6 Lease.

7 **WHEREAS**, on November 19, 2024, the Governor of the Virgin Islands approved the
8 Fifth Amendment to the Lease Agreement between the Government of the Virgin Islands and
9 Coral World (V.I.), Inc.; and

10 **WHEREAS**, title 31 Virgin Islands Code, part II, chapter 21, section 205, subsection (c)
11 provides that in addition to the Governor's approval of a lease, the Legislature of the Virgin
12 Islands must also approve the lease; Now, Therefore,

13 ***Be it enacted by the Legislature of the Virgin Islands:***

14 **SECTION 1.** Pursuant to 31 V.I.C. § 205 (c), the Legislature of the Virgin Islands
15 approves the Fifth Amendment to the Lease Agreement between the Government of the Virgin
16 Islands and Coral World (V.I.), Inc. to extend the term of the Lease from its current expiration
17 date of August 16, 2036 to August 16, 2056 with two renewal option terms of 10 years each;
18 provide for additional rent in the amount of one percent of Coral World's annual gross profit,
19 payable quarterly in arrears, commencing in August 2036; allow for the audit of Coral World's
20 books and records on a yearly basis; and incorporate two surveys namely: O.L.G. Map No. D9-
21 9876-T024, a survey of Parcel D-1 Remainder (Submerged Land), D-2-1 (Submerged Land), and
22 D-3 (Submerged Land) Estate Coki No. 4A East End Quarter, St. Thomas, Virgin Islands, a
23 registered survey of the reconfigured submerged land approved in the Fourth Amendment, and
24 PWD map D9-1053-T72, a registered survey of Parcel No. C Estate Coki Point, East End
25 Quarter, St. Thomas, Virgin Islands, which two surveys together constitute the meets and
26 bounds description of the Premises as approved in the Fourth Amendment to the Lease.

BILL SUMMARY

The bill approves the Fifth Amendment to Lease Agreement between the Government of the Virgin Islands and Coral World (V.I.), Inc. by extending the term of the Lease from its current expiration date of August 16, 2036 to August 16, 2056 with two renewal terms of 10 years each; providing for additional rent in the amount of one percent of Coral World's annual gross profit, payable quarterly in arrears, commencing in August 2036; allowing for the audit of Coral World's books and records on a yearly basis; and incorporating two surveys which, taken together, constitute the meets and bounds description of the Premises as approved in the Fourth Amendment to the Lease.

BR24-1408/December 4, 2024/GC

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