

BILL NO. 36-0062

Thirty-Sixth Legislature of the Virgin Islands

March 28, 2025

An Act approving the lease agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and the United States Department of Commerce, National Oceanic and Atmospheric Administration for a portion of the telecommunications tower located on Parcel R-22 of Tract 1 Estate Nazareth, No. 1 Red Hook Quarter, St. Thomas

PROPOSED BY: Senator Milton E. Potter, by Request of the Governor

WHEREAS, on December 17, 2024, the Commissioner of the Department of Property and Procurement executed the lease agreement between the Government of the Virgin Islands and the United States Department of Commerce, National Oceanic and Atmospheric Administration;

WHEREAS, on February 4, 2025, the Governor of the Virgin Islands approved the lease agreement between the Government of the Virgin Islands and the United States Department of Commerce, National Oceanic and Atmospheric Administration;

WHEREAS, the United States Department of Commerce, National Oceanic and Atmospheric Administration will use the premises for the purpose of transmission and reception of weather broadcast communications and emergency broadcast communications which is contingent on the lessee obtaining and maintaining the required permits, licenses,

and any required rezoning of the premises to a zoning designation compatible to the operation of same, as required in paragraph 1 of the lease.

WHEREAS, the term of this lease shall be for a period of 20 years, commencing upon the date of approval by the Legislature of the Virgin Islands (“Commencement Date”). The parties may agree to enter into a succeeding or superseding lease for the Premises, with the United States Government’s property (e.g., improvements) remaining on the property of the Virgin Islands Government;

WHEREAS, the lessee shall pay to the lessor an annual rent of \$1,200, payable at the rate of \$100.00 monthly in arrears, without demand;

WHEREAS, title 31 Virgin Islands Code, chapter 21, section 205, subsection (c) provides that in addition to the Governor’s approval of any lease, the Legislature of the Virgin Islands must also approve all leases that exceeds a term of one year; Now, Therefore,

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Pursuant to title 31 Virgin Islands Code, section 205, subsection (c), the Legislature of the Virgin Islands approves the lease agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement and the United States Department of Commerce, National Oceanic and Atmospheric Administration (“NOAA”), acting through NOAA’s Real Property Management Division for a portion of the telecommunications tower comprising of: (a) antenna attachment space approximately 120 feet above ground level; (b) shelter floor space of approximately 36 U.S. square feet in an onsite climate controlled equipment shelter; and (c) standby power located on Parcel R-22 Tract 1 Estate Nazareth, No. 1 Red Hook Quarter, St. Thomas, Virgin Islands with the geographic coordinates of Latitude 18 19 42.5 Longitude -64 51 33 for a term of 20 years at an annual rent of \$1200 payable at the rate of \$100 per month.

BILL SUMMARY

This bill approves the lease agreement between the Government of the Virgin Islands and the United States Department of Commerce, National Oceanic and Atmospheric Administration for a portion of the telecommunications tower located on Parcel R-22 of Tract 1 Estate Nazareth, No. 1 Red Hook Quarter, St. Thomas Virgin Islands.

**BR25-0390/March 10, 2025/AA
G36-005**