



THE VIRGIN ISLANDS Official Gazette

Published by Authority

Vol. XLVII, No. 16

ROAD TOWN, TORTOLA

THURSDAY 21 MARCH 2013

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USING THE GAZETTE

The Virgin Islands Official Gazette is the official newspaper of the Government of the Virgin Islands. It is published weekly on Thursdays. Extraordinary editions are published as and when required.

Closing time for lodging notices is 12 noon on Monday in the week prior to publication. Early deadlines apply in cases of public holidays. Please refer to the schedule of deadlines at the back of the Gazette for specific deadlines. Late notices are accepted at the publisher's discretion only.

Notices must be accompanied by payment and written instructions. All dates, proper names, and signatures must be shown clearly, and contact details for the person responsible for the notice must be included.

Notices will be returned unpublished if not submitted in accordance with these requirements.

The *Official Gazette* reserves the right to apply its in-house style, and to reject notices which do not meet its requirements.

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GOVERNMENT

Supplements

2729 The following documents are being circulated with and form part of this issue of the Gazette:

STATUTORY INSTRUMENT, 2013

NO. 10 - PUBLIC OFFICERS (CHANGE OF TITLE) NOTICE, 2013

RESOLUTION, 2013

NO. 1 - RESOLUTION OF THE HOUSE OF ASSEMBLY OF THE VIRGIN ISLANDS EXEMPTING THE HONOURABLE RALPH T. O'NEAL, LEADER OF THE OPPOSITION FROM VACATING HIS SEAT AS AN ELECTED MEMBER OF THE HOUSE OF ASSEMBLY

Land Notices

**NOTICE OF APPLICATION FOR REGISTRATION BY PRESCRIPTION
SECTION 135 OF THE REGISTERED LAND ORDINANCE
CAP 229 OF THE 1991 EDITION OF THE REVISED LAWS OF THE VIRGIN ISLANDS**

**REGISTRATION SECTION: WEST CENTRAL
BLOCK: 2638B
PARCEL: 139**

2730 The Chief Registrar of Lands hereby gives **NOTICE** that **ESTELLA AGATHA THOMAS** by her legal practitioners, Maximea & Co. Law Chambers, has applied to be registered as proprietor by Prescription of Parcel 139 Block 2638B West Central Registration Section, measuring 3.766 acres and have filed affidavits in support of her application.

At present Parcel 139 is registered to **LAVERNE THOMAS AS EXECUTRIX OF THE ESTATE OF AMANDA TODMAN**, deceased

The relevant documents may be inspected at the Land Registry upon request. Copies will be provided by the Applicant's Legal Practitioner.

Anyone who has just cause to object to **ESTELLA AGATHA THOMAS** being registered as proprietor by Prescription of the aforementioned Parcel 139 should do so in writing to the Chief Registrar of Lands no later than one (1) month from the 23rd February 2013.

Dated 20th February 2013

(for) **Chief Registrar of Lands**

IN THE LAND REGISTRY OF THE TERRITORY OF THE VIRGIN ISLANDS

Claim No. BVILR PT/1/12

IN THE MATTER of Section 103 of the Registered Land Ordinance (Cap 229 of the 1991 Revised Edition of the Laws of the Virgin Islands)

and

IN THE MATTER of an Application for Partition of Parcels 3 & 10 of Block 2535B Mount Sage Registration Section and Parcel 10 Block 2635B Sea Cows Bay Registration Section Filed by Irma B. Smith as Attorney in Fact for Eleanor Charles Nibbs, Enelle Smith, Mildred Charles George, Leona Charles Simmonds and Lorna Charles as Personal Representative for the Estate of Jean Austin Charles (Deceased)

Before: The Chief Registrar of Lands

Dated: The 5th day of March 2013

Filed: The ____ day of _____ 2013

ORDER

2731 WHEREAS by Notice of Application issued in this matter on 28th June 2012, it was published that Irma B. Smith as Attorney-in-Fact for Eleanor Charles Nibbs, Enelle Smith, Mildred Charles George, Leona Charles Simmonds and Lorna Charles as Personal Representative of the Estate of Jean Austin Charles (Deceased), had filed an application to partition land as follows:

- Lot 3 on survey plan CA-2535B-008-T and Lot 1 on survey plan CA-2635B-118-T to be registered to Eleanor Charles Nibbs
• Lot 1 & 1A on survey plan CA-2535B-008-T and Lot 2 on survey plan CA-2635B-118-T to be registered to Enelle Smith
• Lot 4 on survey plan CA-2535B-008-T and Lot 4 on survey plan CA-2635B-118-T to be registered to Mildred Charles George
• Lot 2 on survey plan CA-2535B-008-T and Lot 3 on survey plan CA-2635B-118-T to be registered to Leona Charles Simmonds and
• Parcel 10 on survey plan CA-2535B-008-T to be registered to Lorna Charles as trustee for the estate of Jean Austin Charles.
• The remnant of Parcel 3 on survey plan CA-2535B-008-T and Parcel 10 on survey plan CA-2635B-118-T, will remain registered in the names of Phillip Heraldo Charles, Heirs of Elaine Frazer and Leroy Glanville Charles.

AND WHEREAS the facts show:

- 1) The acreage of Parcels 3 and 10 of Block 2535B, and Parcel 10 of Block 2635B (the "Property") is 2.77, 0.976 and 4.005 acres, respectively, for a total of 7.751 acres altogether;
- 2) The Property is family land which was originally intended to be treated as one family estate for the purpose of dividing and sharing the estate;

AND WHEREAS on enquiry by the Chief Registrar of Lands, the private surveyor concerned indicated that the estate road for Parcel 10 Block 2635B, which is sketched on survey plan CA-2635B-118-T in the 2.224 acres that will remain post partition and which is required to service not only the remnant lands, but Lots 3 and 4 of the current partition, measures 0.444 acre, thereby leaving approximately 1.780 acres of useable land in the said Parcel 10 to be shared by the remaining three proprietors who are not a party to this Application;

AND WHEREAS, as confirmed by the said the private surveyor, of the 0.444 acre set aside for the estate road in Parcel 10 Block 2635B the portion needed for Lots 3 and 4 is 0.162 leaving a further 0.282 acre portion in road together with the 1.780 acres of useable land to be shared by the said remaining three proprietors as they see fit;

NOW THEREFORE IT IS HEREBY DETERMINED and ORDERED that:

- (1) the Property be exceptionally partitioned as one combined family estate as applied for and published in the *Notice of Application* issued on 28th June 2012 (details shown in the table attached to this Order), which represents the closest possible match to the eight proprietors' share entitlement, the reasonable utilization/distribution of the Property which accords with prior family agreement, the history surrounding the Estate, the varying sizes of the three parcels, and the geographic distance between them;
- (2) the estate road for Parcel 3 Block 2535B needed to serve Lots 2, 3 and 4 be partitioned in the current Application as shown on survey plan CA-2535B-008-T;
- (3) The portion of the 20-foot estate road required for access to Lot 3 in Parcel 10 Block 2635B be delineated and partitioned as part of the current Application as sketched on survey plan CA-2535B-118-T, and the sketch of the remaining portion of the estate should remain intact with the approximate acreage shown;
- (4) The amended survey plan required to give effect to (3) above should be prepared and submitted to the Land Registry within 30 days of the date hereof for final processing.
- (5) The names Eleanor Charles Nibbs, Enelle Smith, Mildred Charles George, Leona Charles Simmonds and Lorna Charles as Personal Representative for the Estate of Jean Austin Charles (Deceased) be removed from the remnant lands in the aforementioned three parcels as the lots applied for and approved herein fully satisfy their share entitlement.

Erica Smith-Penn
Chief Registrar of Lands