

Book:  
Pages:  
Doc# 2004008387  
Filed & Recorded  
09/23/2004 9:25 AM  
WILMA O. HART SMITH  
RECORDER OF DEEDS  
ST THOMAS/ST JOHN  
PER PAGE FEE \$ 3.00  
RECORDING FEE \$ 25.00

**CONSENT TO AMENDMENTS TO THE DECLARATION**

ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PARCELS NO. 59-1B AND 59-1C-1, NO. 3 FRENCHMAN'S BAY QUARTER, ESTATE BOLONGO BAY, ST. THOMAS, VIRGIN ISLANDS, PURSUANT TO CHAPTER 33, TITLE 28 OF THE VIRGIN ISLANDS CODE, dated April 12, 1974, and recorded with the office of the Recorder of Deeds for St. Thomas and St. John, USVI, in Book 15-0, page 308, Sub No. 117 and noted in Aux 21(b) page 141, and to AMENDMENTS TO EXHIBIT C, referred to as the BY-LAWS of said DECLARATION.

WHEREAS, the unit owners of Watergate Villas Section 2, AKA Regatta Point Villas Section 2 Homeowner's Association now desire to amend said DECLARATIONS and BY-LAWS, as hereafter stated, and adopted certain amendments at a duly held special meeting held March 13, 2004; and,

WHEREAS Paragraph 16 of said DECLARATION and, ARTICLE XI SECTION 1 of said BY-LAWS require written approval of those mortgagees holding mortgages constituting first liens upon six or more condominium units; and,

WHEREAS, the FIRSTBANK of the VIRGIN ISLANDS, is holder of six or more mortgages on condominium units constituting parts of Watergate Villas, Section 2;

NOW THEREFORE, the FIRSTBANK of the VIRGIN ISLANDS, does hereby indicate its approval of said AMENDMENTS, consisting of the restatement of ARTICLE II, SECTION 14 of the BY-LAWS.

WITNESSES:

Yudana J. Jamiso  
Judi Wallace

FIRSTBANK of the VIRGIN ISLANDS

By: Paul W. Downey

TITLE: VICE PRESIDENT

DATE: 09/14/04

Subscribed and sworn to before me this  
14<sup>th</sup> day of September, 2004.

Eloise H. Rabsatt-Maynard

NOTARY ELOISE H. RABSATT-MAYNARD  
St. Thomas, USVI

Notary Public  
St. Thomas/St. John U.S. Virgin Islands  
My Commission Expires: May 1, 2008  
NP - 047-02

ARRIVED FOR RECORDING AT THE RECORDER'S OFFICE  
ON THE 23<sup>rd</sup> DAY OF Sept 2004 AT 9:25

Clock AM  
[Signature]  
RECORDER OF DEEDS

DOC# 2004008387

AMENDMENT TO BYLAWS OF WATERGATE VILLAS, SECTION 2, AKA REGATTA  
POINT VILLAS, SECTION 2, SET FORTH AS EXHIBIT C TO DECLARATION  
ESTABLISHING A PLAN FOR CONDOMINIUM  
OWNERSHIP OF PARCELS NOS. 59-1B AND 59-1C-1,  
NO. 3 FRENCHMAN'S BAY QUARTER, ESTATE BOLONGO BAY,  
ST. THOMAS, VIRGIN ISLANDS

(Pursuant to Chapter 33, Title 28, Virgin Islands Code)

WHEREAS, Watergate Villas Associates, as Sponsor, by Declaration recorded with the Recorder of Deeds for St. Thomas and St. John, US Virgin Islands, on April 29, 1974, in Book 15-0, Page 308, No. 117, and noted in Aux. No. 21(b), page 141, established a plan for condominium ownership; and,

WHEREAS, said Declaration contained as EXHIBIT C, the By-Laws of WATERGATE VILLAS, SECTION 2, recorded simultaneously on April 29, 1974, in Book 15-0, page 329, No. 117©); and,

WHEREAS, the unit owners of Watergate Villas, Section 2 unit owner's association now desire to amend said By-Laws as hereafter stated; and,

WHEREAS, pursuant to ARTICLE II, SECTION 14, Liability of the Board of Directors, of said By-Laws, this amendment as expressed herein has been approved by vote and consent of at least 66 2/3% in number and in common interests of all unit owners at a duly called special meeting held on Saturday, March 13, 2004, and by a majority of the Board of Directors; and,

WHEREAS, upon review of the records of the condominium and inquiry of all owners, FIRSTBANK of the VIRGIN ISLANDS, is a holder of mortgages comprising first liens on six or more units;

NOW, THEREFORE, said unit owners declare that such By-Laws be, and hereby are, amended as follows:

ARTICLE II, SECTION 14 will henceforth be restated as follows:

SECTION 14. LIABILITY OF THE BOARD OF DIRECTORS

The members of the Board of Directors and their managing agent or manager shall not be liable to the unit owners for any mistake of judgment, negligence, or otherwise, except for their own individual willful misconduct or bad faith. The unit owners shall indemnify and hold harmless each of the members of the Board of Directors and their managing agent or manager against all contractual liability to others arising out of contracts made by the Board of Directors or their managing agent or manager on behalf of the Property or other claims or causes of action against them for matters arising out of the performance of their duties, unless any such contract or other claims or causes of action were the result of acts of bad faith or contrary to the provisions of the Declaration or of these By-Laws. It is intended that the members of the Board of Directors and their managing agent or manager shall have no personal liability with respect to any contract or other claims or causes of action made on behalf of or against the Property, except as aforesaid. It is also intended that the liability of any unit owners arising out of any contract or other actions

taken by the Board of Directors or their managing agent or manager or out of the aforesaid indemnity in favor of the members of the Board of Directors and their managing agent or manager shall be limited to such proportion of the total liability thereunder as his interest in the common areas and facilities bears to all such interest. Every agreement made for or actions taken on behalf of the Board of Directors or by the managing agent or manager on behalf of the Property shall provide that the members of the Board of Directors or the managing agent, or the manager as the case may be, are acting only as agents for the unit owners and shall have no personal liability thereunder (except as unit owners) and that each unit owner's liability thereunder shall be limited to such proportion of the total liability thereunder as his interest in the common areas and facilities bears to all such interests.

WATERGATE VILLAS SECTION 2,  
AKA REGATTA POINT VILLAS SECTION 2  
HOMEOWNERS' ASSOCIATION

Donna L. Wells  
Donna Wells, President

WITNESSES:

[Signature]  
[Signature]

On this, the 27 day of Aug, 2004, before me, the undersigned officer, personally came and appeared Donna L. Wells, known by me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and who acknowledges herself to be the President of Watergate Villas Section 2, AKA Regatta Point Villas Section 2 Homeowners Association, a Virgin Islands Association of Condominium Owners, and that she, as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the Association by herself as President.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Karen Montoya  
NOTARY

Subscribed and sworn to before me on  
this 27 day of Aug, 2004.

KAREN MONTOYA  
NOTARY PUBLIC  
STATE OF RHODE ISLAND  
COMMISSION EXPIRES  
MAY 1, 2006

DOC# 2004000387

218-214

FIRST AMENDMENT TO DECLARATION ESTABLISHING A PLAN FOR  
CONDOMINIUM OWNERSHIP OF PARCELS NOS. 59-1B and 59-1C-1,  
NO. 3 FRENCHMAN'S BAY QUARTER, ESTATE BOLONGO BAY,  
ST. THOMAS, VIRGIN ISLANDS  
known as  
WATERGATE VILLAS, SECTION 2

112  
1995

(Pursuant to Chapter 33, Title 28, Virgin Islands Code)

WHEREAS, Watergate Villas Associates, as Sponsor, by Declaration Establishing a Plan for Condominium Ownership, dated April 12, 1974, and recorded with the Recorder of Deeds for St. Thomas and St. John, US Virgin Islands, on April 29, 1974, in Book 15-0, Page 308, No. 117, and noted in Aux. No. 21(b) page 141, established a plan for condominium ownership; and,

WHEREAS, the unit owners of Watergate Villas, Section 2 unit owners' association now desire to amend said Declaration as hereafter stated; and,

WHEREAS, pursuant to paragraph 16 of said Declaration, this amendment to the Declaration as expressed herein has been approved by vote and consent of at least 75% in number and in common interests of the unit owners at a duly called special meeting held on January 31, 1995, and by a majority of the Board of Directors; and,

WHEREAS, upon review of the records of the condominium and inquiry of all owners, CHASE MANHATTAN BANK, N.A. is a holder of mortgages comprising first liens on 6 or more units;

NOW THEREFORE, said unit owners declare that such Declaration be, and hereby is, amended as follows:

ADD THE FOLLOWING PARAGRAPH:

23. FIRST AMENDMENT. Article V Section 18 of the By-Laws of Watergate Villas, Section 2 has been amended by vote of the owners on January 31, 1995.

Except as amended hereby, said Declaration shall continue in full force and effect.

-1-  
218

IN WITNESS WHEREOF, Watergate Villas, Section 2 Unit Owners' Association has caused this Amendment to the Declaration to be signed on its behalf by its duly authorized President, this 7<sup>th</sup> day of February, 1995.

WATERGATE VILLAS, SECTION  
UNIT OWNERS' ASSOCIATION

WITNESSES:  
Charles C. Austin  
Robert V. Wilson

David Ledabouche  
David Ledabouche, President

95 FEB -9 AM 9:17  
OFFICE OF THE CLERK OF RECORDS  
ST. THOMAS, VIRGIN ISLANDS

On this, the 7<sup>th</sup> day of Feb., 1995, before me, the undersigned officer, personally came and appeared David Ledabouche, known by me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and who acknowledges himself to be the President of Watergate Villas, Section 2 Unit Owners Association, a Virgin Islands Association of Apartment Owners, and that he, as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the Association by himself as President.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Cave A. King  
NOTARY  
ST. Thomas, US Virgin Islands

My commission expires: May 11, 1996

RECORDED IN THE RECORDER'S OFFICE FOR THE DISTRICT OF ST. THOMAS AND ST. JOHN, VIRGIN ISLANDS OF THE U.S.A. BOOK 112, PAGE 218, SUB NO. 112, AND ENTERED IN THE REAL (PERSONAL) PROPERTY REGISTER FOR QUARTER NO. \_\_\_\_\_ (AUXILIARY) PAGE 203 DATE: Feb 9 1995  
Marie T. [Signature]  
DISTRICT CLERK OF RECORDS

219

220

113  
1995

CONSENT TO AMENDMENTS to the DECLARATION  
ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PARCELS NO. 59-1B and 59-1C-1, No. 3 FRENCHMAN'S BAY QUARTER, ESTATE BOLONGO BAY, ST. THOMAS VIRGIN ISLANDS, PURSUANT TO CHAPTER 33, TITLE 28 OF THE VIRGIN ISLANDS CODE, dated April 12, 1974, and recorded with the office of the Recorded of Deeds for St. Thomas and St. John, USVI, in Book 15-0, page 308, Sub No 117 and noted in Aux 21(b) page 141, and to AMENDMENTS TO EXHIBIT C, referred to as the BY-LAWS, of said DECLARATION.

WHEREAS, the unit owners of Watergate Villas, Section 2 unit owner's association now desire to amend said DECLARATIONS and BY-LAWS, as hereafter stated, and adopted certain amendments at a duly held special meeting held January 31, 1995; and,

WHEREAS Paragraph 16 of said DECLARATION and ARTICLE XI SECTION 1 of said BY-LAWS require written approval of those mortgagees holding mortgages constituting first liens upon six or more apartment units; and,

WHEREAS, the CHASE MANHATTAN BANK, N.A. is holder of six or more mortgages on condominium units constitution parts of Watergate Villas, Section 2;

NOW THEREFORE, the CHASE MANHATTAN BANK, N.A., does hereby indicates its approval of said AMENDMENTS, consisting of the addition of paragraph 23 to the DECLARATION and the restatement of ARTICLE V Section 18 of the By-Laws.

Witnesses: [Signature]  
[Signature]  
By: [Signature]  
Title: Vice President  
Date: 2/8/95

THE CHASE MANHATTAN BANK, N.A.

Subscribed and sworn to before me this 8th day of February, 1995.  
[Signature]  
NOTARY  
St. Thomas, US Virgin Islands  
My commission expires: Jan. 15, 1996

95 FEB -9 AM 9:17  
OFFICE OF THE REGISTER OF DEEDS  
ST. THOMAS, US VIRGIN ISLANDS

220

RECORDED \_\_\_\_\_ IN THE RECORDER'S OFFICE FOR THE DISTRICT  
OF ST. THOMAS AND ST. JOHN, VIRGIN ISLANDS OF THE U.S.A.  
BOOK 44-A PAGE 220 SUB NO. 113, AND ENTERED IN  
THE REAL (PERSONAL) PROPERTY REGISTER FOR \_\_\_\_\_

QUARTER NO. \_\_\_\_\_ (AUXILIARY)  
PAGE 203  
DATE: Feb. 9 19 95  
*Marie T. [Signature]*  
DISTRICT RECORDER OF DEEDS

220(A)

115-217

FIRST AMENDMENT TO BYLAWS OF WATERGATE VILLAS, SECTION 2,  
SET FORTH AS EXHIBIT C TO DECLARATION ESTABLISHING A PLAN  
FOR CONDOMINIUM OWNERSHIP OF PARCELS NOS. 59-1B and 59-1C-1,  
NO. 3 FRENCHMAN'S BAY QUARTER, ESTATE BOLONGO BAY,  
ST. THOMAS, VIRGIN ISLANDS  
known as  
WATERGATE VILLAS, SECTION 2

111  
1995

(Pursuant to Chapter 33, Title 28, Virgin Islands Code)

WHEREAS, Watergate Villas Associates, as Sponsor, by Declaration recorded with the Recorder of Deeds for St. Thomas and St. John, US Virgin Islands, on April 29, 1974, in Book 15-0, Page 308, No. 117, and noted in Aux. No. 21(b), page 141, established a plan for condominium ownership; and,

WHEREAS, said Declaration contained as EXHIBIT C, the BY-LAWS OF WATERGATE VILLAS, SECTION 2, recorded simultaneously on April 29, 1974, in Book 15-0, page 329, No. 117(c); and,

WHEREAS, the unit owners of Watergate Villas, Section 2 unit owner's association now desire to amend said By-Laws as hereafter stated; and,

WHEREAS, pursuant to ARTICLE XI Section 1 of said By-Laws, this amendment as expressed herein has been approved by vote and consent of at least 66-2/3% in number and in common interests of all unit owners at a duly called special meeting held on January 31, 1995, and by a majority of the Board of Directors; and,

WHEREAS, upon review of the records of the condominium and inquiry of all owners, CHASE MANHATTAN BANK, N.A. is a holder of mortgages comprising first liens on 6 or more units;

NOW THEREFORE, said unit owners declare that such By-Laws be, and hereby are, amended as follows:

ARTICLE V Section 18 will henceforth be restated as follows:

Section 18. Gas.

Gas shall not be supplied to any apartment unit, and unit owners are specifically prohibited from using gas, as a fuel or otherwise, within an apartment unit or on any part of the Property. Unit owners are further specifically prohibited from placing within an apartment unit, within a common area, or on any other part of the Property, any bottle, cylinder, or other similar container for gas; except that the provisions of this



paragraph shall not apply to (i) the recreational pavilion located in Building 5-A, which may be permitted to use gas for normal purposes or (ii) professional use in a dental or medical office or professional apartment or (iii) to any unit owner who has received written approval from the Board of Directors to place on the outdoor deck or balcony appurtenant to his apartment unit a portable, liquid propane fueled barbecue grill with a gas container capacity of no greater than twenty [20] pounds. Provided further that any consent granted by the Board of Directors to allow gas grills shall be for an expressed period of time, not to exceed two [2] calendar years, and shall be subject to Rules and Regulations established by the Board of Directors, from time to time, with the approval of a majority of the unit owners. Failure to abide by any of the established conditions shall constitute a violation and the approval shall be considered immediately revoked.

Except as amended hereby, said By-Laws shall continue in full force and effect.

IN WITNESS WHEREOF, Watergate Villas, Section 2 Unit Owners' Association has caused this Amendment to the By-Laws to be signed on its behalf by its duly authorized President, this 7th day of February, 1995.

WATERGATE VILLAS, SECTION 2  
UNIT OWNERS' ASSOCIATION

WITNESSES:

Wendell C. Addington  
Gordon P. Abston

David Ledabouche  
David Ledabouche, President

On this, the 7th day of Feb., 1995, before me, the undersigned officer, personally came and appeared David Ledabouche known by me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and who acknowledges himself to be the President of Watergate Villas, Section 2 Unit Owners Association, a Virgin Islands Association of Apartment Owners, and that he, as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the Association by himself as President.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Carol A. Young  
NOTARY  
St. Thomas, US Virgin Islands

My commission expires: May 11, 1996

RECORDED IN THE RECORDER'S OFFICE FOR THE DISTRICT OF ST. THOMAS AND ST. JOHN, VIRGIN ISLANDS OF THE US: IN BOOK 114 PAGE 215 SUB NO: 111 AND ENTERED IN THE REAL (PERSONAL) PROPERTY REGISTER FOR QUARTER NO: 203 AUXILIARY PAGE 203 DATE: Feb 9 1995  
Marie T. [Signature]  
DISTRICT RECORDER OF ST. THOMAS

95 FEB -9 AM 9:17  
OFFICE OF THE CLERK OF RECORDS  
ST. THOMAS, US VIRGIN ISLANDS