



ST. CHRISTOPHER AND NEVIS

CHAPTER 20.54

SAINT CHRISTOPHER AND NEVIS (SPECIAL RESORT DEVELOPMENT) ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Cap. 1.03.

This edition contains a consolidation of the following laws—

| | Page |
|---|------|
| SAINT CHRISTOPHER AND NEVIS (SPECIAL RESORT DEVELOPMENT) ACT | 3 |
| Act 12 of 2007 ... in force 1st June 2007 | |
| SAINT CHRISTOPHER AND NEVIS (DESIGNATION OF ST. KITTS PENINSULA RESORT DISTRICT) ORDER – Section 6 | 11 |
| S.R.O. 29/2007 | |

CHAPTER 20.54

**SAINT CHRISTOPHER AND NEVIS
(SPECIAL RESORT DEVELOPMENT) ACT**

ARRANGEMENT OF SECTIONS

1. Short title
2. Interpretation
3. Objectives of the Act
4. Authority of Minister to enter into development agreement
5. Conditions to which development agreement is subject
6. Designation of Resort Districts
7. Concessions and exemptions
8. Exemptions from government charges
9. Exemption from certain employment laws
10. Government to facilitate resort development
11. Transfer of rights
12. Public access to beaches
13. Effect of agreement

SCHEDULE: Saint Christopher and Nevis (Designation of St. Kitts Peninsula
Resort District) Order

CHAPTER 20.54
SAINT CHRISTOPHER AND NEVIS
(SPECIAL RESORT DEVELOPMENT) ACT

AN ACT TO AUTHORISE THE MINISTER TO ENTER INTO DEVELOPMENT AGREEMENTS FOR THE PURPOSE OF INDUCING AND ACCOMPLISHING ENVIRONMENTALLY SENSITIVE DEVELOPMENT OF LANDS IN THE FEDERATION OF SAINT CHRISTOPHER AND NEVIS SO AS TO CREATE ECONOMIC OPPORTUNITIES AND REVENUES FOR THE PEOPLE AND GOVERNMENT OF SAINT CHRISTOPHER AND NEVIS; TO ENHANCE BOTH THE REGION AND THE ISLAND'S PROMINENCE AS AN EXTRAORDINARY RESORT DESTINATION; TO EMPOWER THE MINISTER TO GRANT TO COMPETENT RESORT DEVELOPERS SUCH CONCESSIONS, EXEMPTIONS, REDUCTIONS, AND REBATES RELATING TO GOVERNMENT CHARGES IN ORDER TO ACHIEVE THE PURPOSES OF THIS ACT; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Saint Christopher and Nevis (Special Resort Development) Act.

Interpretation.

2. In this Act, unless the context otherwise requires—

“development agreement” means an agreement entered into in accordance with the provisions of this Act, and includes an amending agreement;

“government charge” means duties, taxes, levies, tariffs, assessments, exactions, charges, surcharges, and fees of every type, nature, and description, however referred to and whenever imposed and of whatever type, or any other payment due to the Government, now existing or hereafter authorised, arising, or enacted;

“Minister” means the Minister responsible for Special Resort Development;

“resort” means a development that includes one or more of the following—

- (a) a luxury hotel;
- (b) a championship level or executive golf course;
- (c) a state of the art marina;
- (d) resort-related amenities;
- (e) resort residential development of high quality; and
- (f) resort commercial village;

“resort developer” means a qualified resort developer and its permitted assigns;

“Resort District” means the Resort District created pursuant to the provisions of section 6 of this Act;

“utilities” means water, potable water, sewerage disposal, solid waste disposal, solid waste collection, electricity, natural gas or propane (whether provided through lines in the ground or by truck delivery into individual tanks), desalination, cable television, telephone, high speed internet or other utility services.

Objectives of the Act.

3. The objectives of this Act are the following—
- (a) to induce and accomplish environmentally sensitive development of areas of Saint Christopher and Nevis which are scenic and largely unimproved so as to enable the people of Saint Christopher and Nevis to benefit from the significant economic opportunity and other permanent enhancements associated with distinguished, world class destination resorts and their associated residential and commercial development;
 - (b) to facilitate the creation of world class, aesthetically pleasing environmentally sensitive developments including—
 - (i) luxury hotels;
 - (ii) championship level or executive level golf courses;
 - (iii) state of the art marinas;
 - (iv) resort-related amenities;
 - (v) resort residential development of similar quality; and
 - (vi) resort commercial villages,intended to generate continuing economic opportunities, tax revenues, and other forms of income designed to improve the quality of life for the people of Saint Christopher and Nevis;
 - (c) to facilitate the development of infrastructure facilities like roads, water, sewerage treatment, and electricity, and facilities for utilities so as to support the development of world class resorts and associated developments;
 - (d) to attract financially qualified resort developers with proven experience and success, sufficient lenders, and other participants, and investors to ensure that world class resort developments and associated investments do take place;
 - (e) to facilitate the granting of certain financial assistance and incentives through concessions, exemptions, reductions, and rebates related to government charges in accordance with the provisions of this Act for the purpose of achieving the objectives of this Act;
 - (f) to protect the investment of the resort developers in their property and of lenders in their security over such property.

Authority of Minister to enter into development agreement.

4. Subject to the provisions of section 5, and with the prior approval of Cabinet, the Minister may, for the purpose of giving effect to the provisions of this Act, and notwithstanding anything contained in any enactment—
- (a) enter into a development agreement with a resort developer;
 - (b) purchase real property from, sell, transfer, or convey real property to, or grant a lease, licence, option, or tenancy over or in respect of real property to, a resort developer for resort and related residential development through a development agreement;

- (c) enter into related and supporting agreements with a resort developer to accomplish resort development, and such agreements may include agreements dealing with—
 - (i) improvements to Government property;
 - (ii) the provision of Government services;
 - (iii) the extension to a Resort District of other Government goods and services as are essential or useful to the creation of a world class resort;
 - (iv) support for approved non-governmental organisations;
- (d) grant a resort developer the exclusive right to develop the lands encompassed by a particular development agreement; and
- (e) take such other actions and specify such conditions as are necessary to facilitate creation of a successful resort development.

Conditions to which development agreement is subject.

5. The Minister may enter into a development agreement with a resort developer only if—

- (a) the real property, which is the subject of the development agreement, is at least three hundred and fifty acres of land;
- (b) the proposed resort project is anticipated to generate significant employment, educational, career development, economic linkages and/or entrepreneurial opportunities for the people of Saint Christopher and Nevis;
- (c) the resort developer is to construct the necessary infrastructure, utilities, and facilities to service the resort project;
- (d) the resort developer demonstrates to the Minister that it has the capability, financial capacity, and other qualifications needed to accomplish the resort development specified in the development agreement; and
- (e) the resort developer commits to taking appropriate initiatives and supporting Government sanctioned efforts to achieve sustainable development including best practices of environmental management.

Designation of Resort Districts.

6. (1) The Minister may, in accordance with section 4, by Order, designate and define a Resort District.

(2) A Resort District may encompass—

- (a) the particular resort;
- (b) any properties designated by the resort developer that are currently owned or leased or subsequently acquired or leased by the resort developer or any of its successors, assigns, or affiliates that are covered by the development agreement;
- (c) properties to which the Resort District has been or may be extended under the terms of a development agreement;

- (d) after consultation with the Government, any property that is designated by the resort developer which is not owned by the resort developer but which is incorporated into the Resort District with the written consent of the owner.

(3) The purpose of providing for and creating a Resort District shall be to define and describe the geographic area that may be subject to a development agreement or particular planning and development standards that may be duly adopted or decreed for planning and development of a geographic area that includes, but may be larger than, the resort land which is subject to the development agreement.

Concessions and exemptions.

7. (1) Where a resort developer enters into a development agreement with the Government in accordance with the provisions of this Act, the resort developer may be granted such concessions, exemptions, reductions, rebates and other rights in accordance with the provisions of this Act for the purpose of—

- (a) inducing investment in, and development of, a resort development;
- (b) allowing a financial return to the resort developer and others who may assist or participate in the resort development;
- (c) assuring a beneficial economic climate for the sale and leasing of the resort land and the improvements, and the provision of goods and services, to other persons;
- (d) enhancing the economic viability of the resort and encouraging the development thereof to take place in a proper and prompt manner;
- (e) inducing any loans or credit or investment to the resort developer and others to construct and operate any aspect of the resort.

(2) The concessions, exemptions, reductions, rebates, or rights that may be granted to a resort developer in a development agreement shall be those the Minister shall determine are in proportion to the anticipated benefits to the public and the Government.

(3) The granting of certain concessions, exemptions, reductions, rebates, or rights in one development agreement shall not constitute a basis or precedent for granting them in another development agreement for a separate resort project.

(4) The Government shall not be required to grant any exemptions, concessions, reductions, rebates, or rights, and may grant only those that are in proportion, in the Minister's estimation, to the anticipated benefits to the public and Government to be derived over time from a particular resort project.

Exemptions from government charges.

8. Notwithstanding anything contained in any enactment, the Minister may, in accordance with section 4, grant a resort developer, with respect to a resort development, exemptions, concessions, reductions, and rebates from government charges in connection with the acquisition, financing, construction or operation of the resort property and businesses conducted in the resort property.

Exemption from certain employment laws.

9. (1) For the purposes of this Act, the Minister may, where resort developer satisfies the Minister that the resort developer's expatriate employees who are not citizens of the Federation of Saint Christopher and Nevis enjoy similar protection under the laws of the expatriate employee's country of nationality, exempt a resort developer and such employees from the provisions of the following laws and any other related enactments—

- (a) the Holidays with Pay Act;
- (b) the Labour Act;
- (c) the Protection of Wages Act;
- (d) the Social Security Act.

(2) The Minister may, after consulting the Minister responsible for Labour, in respect of expatriate employees who are not citizens of Saint Christopher and Nevis, permit the resort developer and such employees to contract out of any of the provisions of the Protection of Employment Act.

Government to facilitate resort development.

10. The Minister may, for the purpose of giving effect to the provisions of this Act—

- (a) ensure the expeditious issuance of all Government permits, licences and approvals of any kind or type as are related to the purposes of the development agreement;
- (b) allow the use or transfer of and title to such land and interests in real property, seabeds, beach areas and salt or fresh water wetlands or coastal areas to accomplish the creation of world class resorts;
- (c) allow the adoption and implementation of standards for a Resort District to govern the planning, design, and construction of the resort;
- (d) allow for the exemption, for a defined period of time, of the resort developer from certain enactments related to utilities to be specified in the development agreement governing utilities, facilities, services, rates, and placement so as to expedite and achieve the goals described herein;
- (e) allow for the facilitation of planning, design, construction, and operation of the resort, subject to specified licensing fees and to accommodate the prompt issuance of business licenses;
- (f) provide concessions, reductions, rebates, and exemptions from enactments for specified periods of time so that the resort developer, its lenders, investors, and other interested parties may have a reasonable measure of certainty that the essential purposes of this Act, the resort investment proposed, and the Government's contractual commitments in the development agreement may proceed or be accomplished as contemplated and provided in the development agreement;
- (g) allow flexibility and discretion to the resort developer with respect to the type, numbers, timing, sizing, height, aesthetics, setbacks, and

locations of uses, structures, improvements, amenities, residential units, and other structures and facilities;

- (h) allow the revitalisation, enhancement, creation and protection of beaches, leasing of seabed (provided that such lease shall be exercised in accordance with the laws of Saint Christopher and Nevis) and extraction of sand from the seabed to revitalise or protect beaches in the resort.

Transfer of rights.

11. (1) Provision may be made in a development agreement for the transfer of certain rights granted to a resort developer in the development agreement to other persons or entities owning or leasing property within or performing work or providing or transporting goods in or benefiting the resort district, which transfer shall be made upon specified terms and conditions:

Provided that such associated obligations of the resort developer as may apply to such rights, property, service and goods, if any, are in appropriate circumstances, assumed by the transferee.

(2) The rights referred to in this section shall also be subject to mortgage, pledge, assignment, or other encumbrance in favour of those lending monies or providing credit in good faith for the purchase, planning, design, construction, or operation of any aspect of the resort, and to purchasers, Lessors, Lessees, and other holders of or transferees of interests of real or personal property in the Resort District, or to such others as may be provided in the development.

Public access to beaches.

12. A development agreement entered into in accordance with the provisions of this Act shall preserve public access to the beaches located in a Resort District as specified in the development agreement.

Effect of agreement.

13. A development agreement entered into in accordance with the provisions of this Act shall be deemed to have been authorised and enforceable between the Government and the resort developer.

SCHEDULE

SAINT CHRISTOPHER AND NEVIS (DESIGNATION OF ST. KITTS PENINSULA RESORT DISTRICT) ORDER

Citation.

1. This Order may be cited as the Saint Christopher and Nevis (Designation of St. Kitts Peninsula Resort District) Order.

Resort District.

2. The areas, the limits of which are specified in the First Schedule and which is shown in the map in the Second Schedule to this Order, are hereby designated as the St. Kitts Peninsula Resort District for the purpose of the Saint Christopher and Nevis (Special Resort Development) Act.
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FIRST SCHEDULE**DESCRIPTION OF ST. KITTS PENINSULA RESORT DISTRICT**

(Regulation 2)

BANANA BAY (34.13 ACRES)

ALL THAT lot piece or parcel of land containing 34.13 acres being a dismemberment of Salt Pond Estate situate in the Parish of St. George in the Island of St. Kitts, as shown and described in the following three deeds, particulars of which are respectively stated in the Schedule hereto.

SCHEDULE

1. Indenture of Conveyance for 32.19 acres, more or less, from Banana Bay Developments Limited to Auberge Firesky Limited dated April 28, 2006 and recorded as Deed Number 14717 in Liber Y Volume 7 at Folios 2493–2502 of the Register of Deeds for the island of St. Christopher, and bounded and measuring as follows—

On or towards the North by a 20 Foot Access Road 147.04 feet, by lands of Calvin & Rita Cable 112.93 feet, and by a 20 Foot Access Road 130.00 feet, On or towards the East by lands of Calvin and Rita Cable 93.00 feet, On or towards the West by lands of Calvin and Rita Cable 93.00 feet, On or towards the East/North-East by lands of David J Ongley 357.20 feet, On or towards the West/North-West by lands of David J. Ongley 342.90 feet; On or towards the East/North-East by lands of Plymouth Holdings Ltd. (Sandals) 748.30 feet, On or towards the East/South-East by a Sandy Beach of Banana Bay 204.76 feet and 702.97 feet, On or towards the South by Salt Pond Estate 615.30 feet, On or towards the West/South-West by Salt Pond Estate 1086.50 feet, On or towards the North/North-West by Salt Pond Estate 465.30 feet, On or towards the North by a 20 Foot Access Road 20.00 feet, And on or towards the West/North-West by a 20 foot Access Road 158.47 feet and 438.78 feet, all as the same is set forth bounded and described on the plan thereof made by Calvin R Esdaille Licensed Land Surveyor dated April 24th 2006.

2. Indenture of Conveyance for 1.7 acres, more or less, from Banana Bay Developments Limited to Auberge Firesky Limited dated April 28, 2006 and recorded as Deed Number 1471.6 in Liber Y Volume 7 at Folios 2487–2492 of the Register of Deeds for the island of St. Christopher, being—

ALL THOSE several parcels of land bordered in red on the plan dated June 3, 1994 made by Calvin R. Esdaille, Licensed Land Surveyor of Basseterre, St. Kitts attached to the aforesaid Indenture of Conveyance described in part as road reserves and/or easements and beach reserve.

3. Indenture of Conveyance for 0.24 acres (10,502.50 square feet), more or less, from Arthur Sharpe to Auberge Firesky Limited dated April 28, 2006 and recorded as Deed Number 14715 in Liber Y Volume 7 at Folios 2475–2486 of the Register of Deeds for the island of St. Christopher, described as Lot No. 4 of Ocean Terrace Inn Limited Housing Development and bounded and measuring as follows—

On or towards the North-East by an Unsurfaced Road 112.93 feet; On or towards the South-East by Lot No. 3, 93.00 feet, On or towards the South-West partly by lands of Ocean Terrace Inn Limited and partly by lands of Caribe Canada Limited 112.93 feet, and On or towards the North-West by Lot No. 5, 93.00 feet as the same is set forth bounded and described on the plan thereof made by John S. Napier, Licensed Land Surveyor, dated April 24, 1987, copied by Calvin R Esdaille Licensed Land Surveyor dated April 24, 2006.

COCKLESHELL (12.4242 ACRES)

ALL That lot piece or parcel of land situated at Cockleshell Bay Southeast Peninsula, St. Kitts measuring in total 12.4242 acres, more or less, as shown and described in the following three deeds, particulars of which are respectively stated in the Schedule hereto.

SCHEDULE

1. Certificate of Title for 11.4195 acres dated the 4th day of August 1989 and registered in Book 02 Folio 207 of the Register of Titles of St. Kitts, further described as—

ALL THAT lot piece or parcel of land situate at Salt Pond Estate in the Island of St. Christopher comprising 11.4195 acres and bounded and measuring as follows, that is to say, on or towards the North-East partly by lands of J.A.C. Cramer 123.18 feet and partly by a road 20.80 feet and partly by lands of the Estate of F.E. Kelsick deceased 174.20 feet and partly by lots in the O.T.I. Housing Development owned by C. Cable, K. Chandiramani, Howard McEachrane and J. Napier respectively 378.71 feet, On or towards the South-East partly by a road 124.82 feet and partly by the Caribbean Sea 1093.22 feet, On or towards the South-West partly by the Caribbean Sea 281.06 feet and partly by lands of Tropi-Canada Properties Ltd., 748.30 feet and on or towards the North-West by a 20 foot road 697.18 feet.

2. Deed of Conveyance for 2 roods (0.5 acres) dated the 21st day of November 1989 and registered as Deed No. 6359 in Liber I, Volume 7 at Folios 509 to 516 in the Register of Deeds of St. Kitts, further described as—

ALL THAT lot piece or parcel of land situate at Salt Pond Estate in the island of St. Christopher and known or described as Lot F, bounded and measuring as follows, that is to say, On or towards the South-West by Lot E, 174.2 feet, On or towards the North-East by Lot G 174.2 feet, On or towards the North-West by a road reserve 103.8 feet and On or towards the South-East by the High Water Mark of Cockleshell Bay 103.8 feet, all as the same is set forth and delineated on the plan thereon by Oran Monplaisir, Licensed land Surveyor, copied by John S. Napier, Licensed land Surveyor, and further copied by Calvin R. Esdaille Licensed land Surveyor.

3. Deed of Conveyance for 0.5047 acres dated the 6th day of November 1989 and registered as Deed No. 6311 in Liber I, Volume 7 at Folios 209 to 212 in the Register of Deeds of St. Kitts, further described as—

ALL THAT lot of land part of Salt Pond and Grape Tree Bottom Estates situate in the Island of Saint Christopher and being the south-western portion of the lot of land originally numbered "G" in a plan dated October 31st 1989

attached to the Indenture of Conveyance dated 6th November 1989 recorded as Deed Number 6311 in Liber I Volume 7 at Folios 209 to 212 of the Registry of Deeds for Saint Christopher and bounded and measuring as follows: On or towards the North-East by the remaining portion of Lot G, 220.57 feet; On or towards the South-West by Lot F, 213.94 feet; On the South-East by Cockleshell Bay, 87.12 feet; On or towards the North-West by a road, 115.87 feet and containing by admeasurement .5047 acre all as the same is delineated and described in the aforesaid plan, made by J. S. Napier Licensed Land Surveyor and copied by Calvin R. Esdaille Licensed Land Surveyor, or howsoever otherwise the same may be bounded abutted or described.

GUANA POINT (23 ACRES)

ALL THAT piece of land containing 23 acres, more or less, being part of the Salt Pond Estate situated in the Island of Saint Christopher in the Federation of Saint Christopher and Nevis as described in that certain Indenture of Conveyance from Jacques Augustine Copel Cramer to Auberge Firesky Limited dated March 2, 2006, and recorded as Deed Number 14518 in Liber Y Volume 7 at Folios 843–852 of the Register of Deeds for the island of St. Christopher and abutted and bounded as follows—

On the North by White House Bay, on the South by Ballast Bay, on the East by Little Salt Pond and on the West by the sea and measuring altogether 23 acres more or less but not exceeding 25 acres as the same is shown on the plan thereof dated the 19th of December, 2005, attached to Seller's deed made by Stanley Sebastian late of the Town of Basseterre in the Island of Saint Christopher, a Licensed Surveyor, and copied by Calvin R. Esdaille of Frigate Bay in the Island of Saint Christopher, Licensed Land Surveyor, or howsoever otherwise the same is or heretofore was abutted, bounded and situated or described TOGETHER WITH all rights, easements and appurtenances whatsoever belonging thereto AND ALL the estate, right, title, interest, claim and demand whatsoever of the vendor therein TO HOLD the same unto the purchaser, his heirs and assigns in fee simple AND THERE IS HEREBY EXPRESSLY INCLUDED in the Conveyance hereby made the following right, namely a RIGHT OF WAY at all times and for all purposes for the purchaser and his successors in title, the owner or occupier for the time being of the property hereby conveyed or any part thereof and their respective servants and licensees (in common with all persons having the like right) with our without vehicles or animals over and across adjoining lands of Caribe (Realties) Canada Limited of 8230 Mayrand Street, Montreal, Canada, and EXPRESSLY giving access to the Bay known as White House Bay to and from the property hereby conveyed or any part thereof and all or any buildings thereon over and along the road 30 feet wide which is delineated on the said plan annexed to the Indenture of Conveyance dated 8th January 1970 and recorded as Deed No. 34, 182 in Liber O Volume 6 at Folios 169–176 of the Register of Deeds for Saint Christopher and is thereon coloured red between the points marked "X" and "Y" thereon, subject to the payment of a fair proportion of the expenses of maintaining and keeping such road in repair. AND IT IS HEREBY EXPRESSLY DECLARED that the grant herein is subject to the RIGHT OF WAY in fee simple for Caribe (Realties) Canada Limited of 8230 Mayrand Street, Montreal, Canada, in common with the purchaser and his successors in title at all times and for all purposes with or without vehicles or animals over and from and to the adjoining lands of Caribe (Realties) Canada Limited of 8230 Mayrand Street, Montreal, Canada, at Salt

Pond Estate in the Island of Saint Christopher and EXPRESSLY from and to the lands of Caribe (Realties) Canada Limited aforesaid situated in Ballast Bay over and across the lands hereby conveyed along the road 30 feet wide which is delineated on the said plan attached to the Indenture of Conveyance dated 8th January 1970 and is recorded as Deed No. 34, 182 in Liber O Volume 6 at Folios 169–176 of the Register of Deeds for Saint Christopher and is thereon coloured blue between the points marked “W” and “Z” thereon, subject to the payment of a fair proportion of the expense of maintaining and keeping the road over and across the said land hereby conveyed in repair.

TURTLE BEACH (433.456 ACRES)

ALL THAT lot piece of parcel of land consisting of 433.456 acres, more or less, as described and conveyed in that certain Indenture of Conveyance given to Auberge Firesky Limited dated March 2, 2006, and recorded as Deed Number 14519 in Liber Y Volume 7 at Folios 853 to 866 of the Register of Deeds for the island of St. Christopher, described in the First Schedule hereto or howsoever otherwise the said lot piece or parcel of land may be bounded known or described TOGETHER WITH all easements quasi-easements liberties privileges rights advantages ways paths and appurtenances belonging or appertaining thereto AND all the estate right title and interest whatsoever of the Vendors and each of them but SUBJECT TO and EXCEPT an existing right of way described in the Second Schedule and RESERVING nevertheless unto the Vendors and the various persons mentioned in the Third Schedule hereto for the benefit of the lands mentioned therein the various rights and easements specified in the Third Schedule hereto as follows:

FIRST SCHEDULE

ALL THAT lot piece or parcel of land situate at Turtle Beach, Salt Pond Estate, in the Parish of St. George on the Island of Saint Christopher containing by admeasurement 433.456 acres and bounded and measuring as follows, that is to say, On or towards the North/North-West by lands of Sand Bank Bay Investments Ltd and White House Bay Dz Limited 3160.73 feet and 3210.17 feet; thence on or towards the East (line bearing 188°11') by the Caribbean Sea, 580.80 feet; thence on or towards the East/North-East (line bearing 162°41' and line bearing 141°45') by the Caribbean Sea 279.69 feet and 142.47 feet; thence on or toward the North (line bearing 99°13') by the Caribbean Sea 156.11 feet; thence on or towards the North-East by the Caribbean Sea (line bearing 115°07') 109.77 feet; (line bearing 128°36') 128.95 feet, (153°20') 54.26 feet, (126°46') 80.29 feet; (148°48') 106.27 feet, (115°58') 88.48 feet, thence on or towards the South-East by lands of the Heirs of Dr. William Herbert (line bearing 228°00') 2325.01 feet, thence On or towards the North-East by lands of the Heirs of Dr. William Herbert (line bearing 138°48') 1734.87 feet; thence on or towards the South/South-East partially by lands of David and Barbara Lenkowsky and partially by lands of Turtle Beach Developments (line bearing 245°16') 401.41 feet, thence on or towards the East/North-East by lands of David and Barbara Lenkowsky (line bearing 161°12') 141.27 feet, thence on or towards the South/South-East by a Development Road (line bearing 247°43') 115.90 feet, thence on or towards the East by a Development Road (line bearing 188°58') 360.65 feet; thence on or towards the South-East by a Development Road (line bearing 219°45') 58.60 feet; thence on or towards the South/South-East by a Development Road (line bearing 248°46') 50.15 feet, thence on or towards the West/South-West by lands of Turtle

Beach Development (line bearing 339°39') 46.31 feet, thence on or towards the North/North-West by lands of Turtle Beach Development (line bearing 64°26') 35.23 feet, thence on or towards the West/North-West by lands of Turtle Beach Development (line bearing 64°26') 35.23 feet, thence on or towards the West North West by lands of Turtle Beach Development (line bearing 25°07') 110.71 feet (line bearing 22°01') 28.37 feet, (line bearing 07°22') 125.38 feet, thence on or towards the West/South-West by lands of Turtle Beach Development (line bearing 344°20') 71.45 feet, thence on or towards the South/South-East by lands of Turtle Beach Development (line bearing 240°49') 108.48 feet and (line bearing 244°21') 63.26 feet, thence on or towards the South by lands of Turtle Beach Development (line bearing 272°29') 139.10 feet, thence on or towards the East/North-East by lands of Turtle Beach Development (line bearing 142°38') 181.33 feet and (line bearing 160°36') 189.21 feet, thence on or towards the South/South-East by a Development Road (line bearing 248°02') 42.00 feet; thence on or towards the West/South-West by lands of Turtle Beach Development (line bearing 351°15') 120.27 feet, (line bearing 309.56°) 197.08 feet, (299°35') 124.83 feet (line bearing 329°25') 160.48 feet, thence on or towards the South/South-East by lands of Turtle Beach Development (line bearing 241°00') 95.27 feet, thence on or towards the West/South-West by a Development Road (line bearing 320°07') 300.99 feet, and by lands of Turtle Beach Development (line bearing 343°14') 269.28 feet and (line bearing 341°44') 225.66 feet thence on or towards the South/South-East by lands of Turtle Beach Development (line bearing 237°07') 276.94 feet, and (line bearing 235°12') 37.45 feet, thence on or towards the South-West by lands of Turtle Beach Development (line bearing 321°37') 261.78 feet, thence on or towards the South/South-East by lands of Turtle Beach Development (line bearing 240°32') 227.82 feet and (line bearing 255°49') 213.72 feet, thence on or towards the East/North-East by lands of Turtle Beach Development (line bearing 165°32') 301.79 feet, thence on or towards the South by lands of Turtle Beach Development (line bearing 261°47') 23.25 feet and (by line bearing 280°38') 39.38 feet, and (by line bearing 289°20') 96.01 feet and (by line bearing 275°41') 155.22 feet and (by line bearing 264°05') 167.49 feet, on or towards the East by lands of Turtle Beach Development (line bearing 179°56') 52.87 feet; thence on or towards the North/North-East by lands of Turtle Beach Development (by line bearing 101°26') 89.74 feet, thence on or towards the East/South-East by lands of Turtle Beach Development (line bearing 192°29') 96.23 feet, thence on or towards the South/South-East by lands of Turtle Beach Development (by line bearing 257°03') 94.24 feet, and (line bearing 249°15') 49.10 feet, and (line bearing 240°46') 63.92 feet and (by line bearing 246°06') 51.20 feet, thence on or towards the North/North-East by lands of Turtle Beach Development (by line bearing 112°43') 882.17 feet and (by line bearing 101°47') 189.46 feet, thence on or towards the East/South-East by lands of Turtle Beach Development (by line bearing 199°40') 312.71 feet; thence on or towards the North-East by lands of Turtle Beach Development (by line bearing 132°05') 217.86 feet, thence on or towards the North/North-East by a Development Road (by line bearing 109°00') 285.83 feet and (by line bearing 96°33') 187.70 feet and (by line bearing 94°29') 145.61 feet, thence on or towards the East/South-East by a Development Road (by line bearing 195°44') 55.95 feet, thence on or towards the North/North-East by a Development Road (line bearing 116°48') 61.30 feet, thence on or towards the West/North-West by a Development Road (line bearing 12°45') 67.30 feet, thence on or towards the North-West by a Development Road (line bearing 44°02') 36.33 feet, thence on or towards the North-East by lands of Turtle Beach Developments (line bearing 140°55') 193.99 feet, thence on or towards the East/South-East by lands of The Caribbean Sea (line bearing 204°59') 226.42 feet, and (line bearing 198°30') 198.49 feet; on or towards the East by the Caribbean Sea (by line bearing 187°51') 239.45 feet, and (line bearing

181°17') 271.28 feet, thence on or towards the East/North-East by the Caribbean Sea (by line bearing 170°18') 220.63 feet, thence on or towards the South/South-West partly by lands of Brian Kassab, St. Michael's Development and the Kennedy Simmonds Highway (by line bearing 290°14') 1893.90 feet, 1223.50 feet and 1308.18 feet, thence on or towards the North-West by lands of Sebastian (line bearing 38°18') 696.21 feet; thence on or towards the West/South-West by lands of Sebastian (by line bearing 340°29') 194.99 feet, thence on or towards the East/North-East by lands of Sebastian (by line bearing 10°57') 80.18 feet; thence on or towards the East/South-East by lands of Sebastian (line bearing 345°22') 320.35 feet, and thence on or towards the East/South-East by partly by the Kennedy Simmonds Highway and partly by lands of Bradshaw (line bearing 324°39') 1023.03 feet, all as the same is shown bounded and described on the plan dated 8th November 2005 made by Calvin R. Esdaille, Licensed Land Surveyor and attached to the aforementioned deed.

SECOND SCHEDULE

An existing right of way contained in a Deed dated the 22nd day of February 2005 and recorded as Deed Number 13,967 in Liber X Volume 7 at folios 1125 to 1134, all as the same is shown marked "RIGHT OF WAY" in the vicinity of point 17 on the plan dated 8th November 2005 made by Calvin R. Esdaille Licensed Land Surveyor.

THIRD SCHEDULE

There are Reserved in fee simple to the Vendors their successors in title and the various persons specified hereinbelow the following easements, all of which are hereby granted and retained solely for permitted residential and tourism purposes and uses.

- (a) Full right and liberty for the Vendors in respect of lands now owned by said Vendors, the respective owners of the lands in the Turtle Beach Estates Phases I, II and III and other owners of land in the Northern Turtle Beach area (including but not limited to Gary Pereira, Campbell Evelyn, Adventure Capital Limited, and the William V. Herbert Estate) and their respective successors in title, servants and licensees, (in common with the Purchaser and all others having a like right) to pass and re-pass by day or night with or without motor vehicles over the unpaved road leading from the Kennedy Simmonds Highway to Turtle Beach Estates at an area marked by joining points 65 and 66 as shown on the plan dated 8th November 2005 made by Calvin R. Esdaille. This Road shall at all times be maintained by the Purchaser.
- (b) Full right and liberty for the Vendors in respect of lands now owned by said Vendors, and each owner of land in the Turtle Beach Estates and their successors in title to run and maintain underground pipes for drainage from Turtle Beach Estates to the section of the pond forming part of the lands hereby conveyed to the Purchaser as shown by a line originating in the area of point 68 and running southwards to the pond on the plan dated 8th November 2005 made by Calvin R. Esdaille together with reasonable access to the said lands hereby conveyed to maintain or replace said pipes.

- (c) Full right and liberty for the Vendors in respect of land now owned by the said Vendors, the respective owners of the lands in Turtle Beach Estates Phases I, II and III and other owners of land in the Northern Turtle Beach area (including but not limited to Gary Pereira, Campbell Evelyn, Adventure Capital Limited, and the William V. Herbert Estate) and their respective successors in title to run and maintain electricity cables and water pipes on the portion of the lands hereby conveyed where they are now located for the provision of electricity and water services from the Kennedy Simmonds Highway to the Turtle Beach Estates and the northern Turtle Beach together with reasonable access to the Government or to the provider from time to time of the public electricity and water services over the lands hereby conveyed for the purpose of maintaining or replacing the electricity cables and water pipes.

DUMEZ LANDS (1041.30 ACRES)

ALL That lot piece or parcel of land containing 1,041.30 acres, more or less, located at the South-East Peninsula of St. Kitts as shown and described in the following three deeds, particulars of which are respectively stated in the Schedule hereto.

SCHEDULE

1. Certificate of Title for 1044.22 acres (less 7.1 acres being the Kennedy A. Simmonds Highway) from Sand Bank Bay Investments Limited and White House Bay Dz Limited to Auberge Firesky Limited dated April 6, 2006 and recorded as Book F3 Folio 192 of the Register of Deeds for the island of St. Christopher, and bounded and measuring as follows, all as the same are delineated and set forth on the Plan thereof by Calvin R. Esdaille, Licensed Surveyor dated July 13, 2005 and attached to the aforementioned deed—

ALL THAT lot piece or parcel of land comprising 1044.22 acres situate at Salt Pond and Grape Tree Bottom Estate on the Southeast Peninsula in the Parish of St. George in the Island of Saint Christopher and bounded and measuring as follows, that is to say: On or towards the North-East by the Caribbean Sea 63.10 feet, 1653.56 feet, 517.30 feet, 376.95 feet, 252.52 feet, 420.84 feet, 549.03 feet, 440.88 feet, 477.46 feet, 624.18 feet, 1459.66 feet, 110.32 feet, 2550.20 feet, and 1400.50 feet; On or towards the South-East by land of Wilkin, Cramer and Pereira 3210.17 feet and by lands of Wilkin, Cramer and Pereira and by lands of Bradshaw, 3249.71 feet and by lands of Bradshaw 61.03 feet, 295.69 feet, 157.54 feet, 179.01 feet and 152.63 feet and by lands of Sebastian 202.66 feet, 332.69 feet, 389.20 feet and 1276.24 feet and by lands of St. Michael's Development 859.72 feet and 1578.11 feet; On or towards the South-West by Parcel C (acquired and described below) 1302.84 feet and 993.36 feet and by lands of Caribe Realities (Canada) Limited 2978.09 feet and by Parcel B (acquired and described below) 10.00 feet, 660.06 feet, 582.16 feet, 1002.01 feet and 10.00 feet and by lands of Caribe Realities (Canada) Limited 366.85 feet and 104.82 feet and by lands of Reginald Kawaja 305.50 feet, 460.20 feet, 923.00 feet and 347.70 feet and by lands of Caribe Realities (Canada) Limited 283.43 feet and by Parcel A (acquired and described below) 339.93 feet, 71.10 feet and

16.48 feet and by Whitehouse Bay 382.80 feet and 184.58 feet; and On or towards the North-West by lands of Reginald Kawaja 251.43 feet. 60.00 feet and 4436.89 feet, but excluding there from the lands containing 7.1 acres shown on the said plan prepared by Calvin R. Esdaille as comprising the Kennedy Simmonds Highway.

2. Indenture of Conveyance for 37,311 square feet of land (0.8565 acres) (identified as Parcel "A" on the above referenced plan prepared by Calvin R. Esdaille), from Sand Bank Bay Investments Limited and White House Bay Dz Limited to Auberge Firesky Limited dated March 28, 2006 and recorded as Deed Number 14573 in Liber Y Volume 7 at Folios 1238–1247 of the Register of Deeds for the island of St. Christopher, and bounded and measuring as follows, all as the same are delineated and set forth on the Plan thereof by Calvin R. Esdaille, Licensed Surveyor dated June 30, 2005 and attached to the aforementioned deed—

ALL THAT lot piece or parcel of land situate at Salt Pond and Grape Tree Bottom Estate on the Southeast Peninsula in the Parish of St. George in the Island of Saint Christopher comprising 37,311 square feet and bounded and measuring as follows, that is to say, On or towards the North-East by lands currently owned by Auberge Firesky Limited 71.10 feet and 339.93 feet; On or towards the South-West by other lands of Auberge Firesky Limited 203.01 feet; On or towards the North-West by the Caribbean Sea 121.52 feet and 148.16 feet and by other lands of Auberge Firesky Limited 16.48 feet.

3. Indenture of Conveyance for 0.5155 acres (identified as Parcel "B" on the above referenced plan prepared by Calvin R. Esdaille), from Sand Bank Bay Investments Limited and White House Bay Dz Limited to Auberge Firesky Limited dated March 28, 2006 and recorded as Deed Number 14574 in Liber Y Volume 7 at Folios 1248–1257 of the Register of Deeds for the island of St. Christopher, and bounded and measuring as follows, all as the same are delineated and set forth on the Plan thereof by Calvin R. Esdaille, Licensed Surveyor dated June 30, 2005 and attached to the aforementioned deed—

ALL THAT lot piece or parcel of land situate at Salt Pond and Grape Tree Bottom Estate on the Southeast Peninsula in the Parish of St. George in the Island of Saint Christopher comprising 0.5155 acres and bounded and measuring as follows, that is to say, On or towards the North-East by lands currently owned by Auberge Firesky Limited 1002.88 feet, 583.31 feet and 660.06 feet; On or towards the South-East by lands currently owned by Auberge Firesky Limited 10.00 feet; On or towards the South-West by an old estate road 660.06 feet, 582.16 feet and 1002.01 feet; On or towards the North-West by other lands of Auberge Firesky Limited 10.00 feet.

4. Indenture of Conveyance for 2.8064 acres (identified as Parcel "C" on the above referenced plan prepared by Calvin R. Esdaille), from Sand Bank Bay Investments Limited and White House Bay Dz Limited to Auberge Firesky Limited dated March 28, 2006 and recorded as Deed Number 14571 in Liber Y Volume 7 at Folios 1224–1231 of the Register of Deeds for the island of St. Christopher, and bounded and measuring as follows, all as the same are delineated and set forth on the Plan thereof by Calvin R. Esdaille, Licensed Surveyor dated June 30, 2005 and attached to the aforementioned deed:

ALL THAT lot piece or parcel of land situate at Salt Pond and Grape Tree Bottom Estate on the Southeast Peninsula in the Parish of St. George in the Island of Saint Christopher comprising 2.8064 acres and bounded and measuring as follows, that is to say, On or towards the North-East by lands

currently owned by Auberge Firesky Limited 1302.84 feet; On or towards the South-West by lands Caribe Realities (Canada) Limited 1312.00 feet and 940.19 feet; and On or towards the North-West by other lands of Auberge Firesky Limited 993.36 feet.

ACQUISITION LAND (852 ACRES)

(Black Coral Tract, Priddie's Plateau And Major's Bay)

All that lot piece or parcel of land situate at Salt Pond Estate in the parish of St. George, in the Island of St. Christopher comprising 852.355 acres of the said land bounded and measuring as follows, that is to say, On or towards the North/North-East by lands of Auberge Firesky Ltd. along line bearing 296° 50', 203.02 feet; On or towards the East by lands of Auberge Firesky Ltd., along line bearing 353° 47', 283.42 feet; On or towards East by lands of Reginald Kawaja along line bearing 349° 32', 216.46 feet; On or towards the East/North-East by lands of Reginald Kawaja along line bearing 343° 33', 341.35 feet; On or towards the East/North-East by lands of Reginald Kawaja along line bearing 337° 35', 171.59 feet; On or towards the East/North-East by lands of Auberge Firesky Ltd. along line bearing 337° 31', 104.82 feet; On or towards the East/North-East by lands of Auberge Firesky Ltd. along line bearing 328° 52', 361.07 feet; On or towards East/North-East by lands of Auberge Firesky Ltd. and Great Salt Pond along line bearing 324° 15', 1007.74 feet; On or towards the East/North-East by Great Salt Pond along line bearing 334° 07', 582.15 feet; On or towards the East/North-East by Great Salt Pond along line bearing 336° 27', 630.29 feet; On or towards the East by lands of Auberge Firesky Ltd. along line bearing 355° 53', 3009.53 feet; On or towards the North by lands of Auberge Firesky along line bearing 269° 52', 940.18 feet; On or towards the North-East by lands of Auberge Firesky Ltd. along line bearing 287° 47', 1309.88 feet; On or towards the North-East by lands of Auberge Firesky Ltd. along line bearing 287° 37', 1196.78 feet; On or towards the North-East by lands of Franklyn Halbert along line bearing 287° 29', 126.92 feet; On or towards the East/South-East by lands of Auberge Firesky Ltd. along line bearing 17° 52', 466.95 feet; On or towards the South/South-West by lands of Simon Wittes along line bearing 106° 54', 399.99 feet; On or towards East/South-East by lands of Simon Wittes along line bearing 14° 40', 342.79 feet; On or towards East/North-East by lands of Auberge Firesky Ltd. along line bearing 343° 28', 735.53 feet; On or towards the South/South-East by lands of Jane Elliot along line bearing 72° 08', 350.15 feet; On or towards the South-East by lands of Steven Cavanaugh along line bearing 47°11', 424.81 feet; On or towards the West/South-West by Major's Bay along line bearing 153°52', 641.97 feet; On or towards the North-West by lands of Leeward Island Trust Company Ltd. along line bearing 238° 00', 434.17 feet; On or towards the West/South-West by lands of Leeward Island Trust Company Ltd. along line bearing 150° 27', 211.00 feet; On or towards the West/North-West by lands of Leeward Island Trust Company Ltd. along line bearing 232° 09', 417.99 feet; On or towards the South-West by lands of Leeward Island Trust Company Ltd. along line bearing 132° 32', 251.39 feet; On or towards the South-East by lands of Leeward Island Trust Company Ltd. along line bearing 42°31', 407.50 feet; On or towards the South-West by lands of Leeward Island Trust Company Ltd. along line bearing 131° 47', 161.09 feet; On or towards the South/South-West by lands of Leeward Island Trust Company Ltd. along line bearing 120° 01', 130.82 feet; On or towards the South/South-West by lands of Leeward Island Trust Company Ltd. along line bearing 107° 56', 119.14 feet; On or towards the East/South-East by lands of Leeward Island Trust Company Ltd. along line bearing 13° 10', 461.34 feet; On or towards South/South-West by Major's Bay along

line bearing 107° 15', 86.30 feet; On or towards the South/South-East by Major's Bay along line bearing 86° 18', 22.19 feet; On or towards the South by Major's Bay along line bearing 86° 18', 551.54 feet; On or towards the South/South-East by Major's Bay along line bearing 73° 26', 449.10 feet; On or towards the South-East by Major's Bay along line bearing 57° 47', 746.55 feet; On or towards the South-East by Major's Bay along line bearing 48°55', 255.10 feet; On or towards the South-West by lands of Arthur Sharpe along line bearing 134° 45', 359.99 feet; On or towards the South-East by lands of Arthur Sharpe along line bearing 44°45', 20 feet; On or towards the East/North-East by lands of Arthur Sharpe along line bearing 350° 01', 323.85 feet; On or towards the North-East by lands of Arthur Sharpe along line bearing 298° 09', 135.13 feet; On or towards the East/South-East by Caribbean Sea along line bearing 25° 24', 167.19 feet, On or towards the East by the Caribbean Sea along line bearing 6° 05', 334.86 feet; On or towards the East by the Caribbean Sea along line bearing 355° 59', 353.25 feet; On or towards the East/North-East by the Caribbean Sea along line bearing 335° 13', 263.49 feet; On or towards the East/South-East by the Caribbean Sea along line bearing 349° 18', 424.78 feet, On or towards the East/South-East by the Caribbean Sea along line bearing 9° 43', 774.42 feet; On or towards the East/South-East by the Caribbean Sea along line bearing 15° 13', 384.93 feet; On or towards the East/North-East by the Caribbean Sea along line bearings 332° 48', and 339° 02', 320.61 feet and 310.03 feet; On or towards the East/North-East by the Caribbean Sea along line bearing 348° 41', 157.43 feet; On or towards the East/South-East by the Caribbean Sea along line bearing 14° 20', 158.82 feet; On or towards the South-East by the Caribbean Sea along line bearings 46° 20' and 57° 53', 334.33 feet and 408.44 feet; On or towards the East/South-East by the Caribbean Sea along line bearing 38° 16', 323.15 feet; On or towards the South/South-East by the Caribbean Sea along line bearing 79° 20', 166.78 feet; On or towards the South by the Caribbean Sea along line bearing 91° 43', 230.48 feet; On or towards the South/South-West by the Caribbean Sea along line bearing 114° 30', 336.61 feet; On or towards the South by the Caribbean Sea along line bearings 93° 42', 90° 30' and 99° 02', 393.84 feet, 151.81 feet and 119.71 feet; On or towards the West/South-West by the Caribbean Sea along line bearing 168° 40', 220.14 feet; On or towards the North-West by the Caribbean Sea along line bearing 228° 09', 104.61 feet; On or towards the South-West by the Caribbean Sea along line bearings 120° 47', 137° 49', 132°07' and 141° 04', 340.91 feet, 316.53 feet, 342.28 feet and 190.48 feet; On or towards the West/North-West by the Caribbean Sea along line bearings 209° 30', 214° 39', 201° 13', 444.94 feet, 534.47 feet and 285.86 feet; On or towards the West/North-West by the Caribbean Sea along line bearing 185° 00', 446.70 feet; On or towards the South-West by the Caribbean Sea along line bearings 137° 49' and 144° 48', 296.47 feet and 228.35 feet; On or towards the West by the Caribbean Sea along line bearing 174° 48', 59.31 feet; On or towards the West/North-West by the Caribbean Sea along line bearing 192° 26', 81.10 feet; On or towards the West/South-West by the Caribbean Sea along line bearing 158° 25', 493.60 feet; On or towards the South by the Caribbean Sea along line bearing 97° 55', 214.31 feet; On or towards the West/South-West by the Caribbean Sea along line bearing 167° 44', 63.19 feet; On or towards the West/North-West by the Caribbean Sea along line bearing 194° 28', 473.43 feet; On or towards the West by the Caribbean Sea along line bearing 175° 43'', 182.30 feet; On or towards the West/South-West by the Caribbean Sea along line bearings 160° 34' and 150° 52', 222.05 feet and 221.23 feet; On or towards the South/South-West by the Caribbean Sea along line bearing 112° 20', 78.27 feet; On or towards the South by the Caribbean Sea along line bearings 80° 09', 95° 07', 56.34 feet and 126.00 feet; On or towards the West/South-West by the Caribbean Sea along line bearing 165° 15', 47.38 feet; On or towards the South-West by the Caribbean Sea along line bearing 141° 44', 120.80 feet; On or towards the

South/South-West by the Caribbean Sea along line bearing $105^{\circ} 37'$, 42.78 feet; On or towards the South-West by the Caribbean Sea along line bearing $124^{\circ} 27'$, 115.11 feet; On or towards the West/North-West by the Caribbean Sea along line bearing $164^{\circ} 24'$, 35.88 feet; On or towards the South by the Caribbean Sea along line bearing $93^{\circ} 49'$, 87.86 feet; On or towards the South/South-West by the Caribbean Sea along line bearing $122^{\circ} 15'$, 54.22 feet; On or towards the South/South-East by the Caribbean Sea along line bearing $79^{\circ} 52'$, 132.97 feet; On or towards the South/South-West by the Caribbean Sea along line bearing $104^{\circ} 08'$, 366.16 feet; On or towards the South-East by the Caribbean Sea along line bearing $38^{\circ} 03'$, 79.61 feet; On or towards the South by the Caribbean Sea along line bearing $87^{\circ} 48'$, 62.79 feet; On or towards the South-West by the Caribbean Sea along line bearing $141^{\circ} 49'$, 57.26 feet; On or towards the West/South-West by the Caribbean Sea along line bearings $166^{\circ} 22'$ and $151^{\circ} 55'$, 382.94 feet and 239.68 feet; On or towards the West/North-West by the Caribbean Sea along line bearing $205^{\circ} 47'$, 103.55 feet; On or towards the West/South-West by the Caribbean Sea along line bearing $164^{\circ} 52'$, 61.62 feet; On or towards the West by the Caribbean Sea along line bearing $180^{\circ} 48'$, 57.07 feet; On or towards the West/North-West by the Caribbean Sea along line bearing $200^{\circ} 11'$, 122.26 feet; On or towards the West/South-West by the Caribbean Sea along line bearing $161^{\circ} 41'$, 102.39 feet; On or towards the West by the Caribbean Sea along line bearing $191^{\circ} 23'$, 54.21 feet; On or towards West/South-West by the Caribbean Sea along line bearing $165^{\circ} 39'$, 79.48 feet; On or towards the West by the Caribbean Sea along line bearing $190^{\circ} 57'$, 85.88 feet; On or towards the West/North-West by the Caribbean Sea along line bearing $209^{\circ} 34'$, 289.63 feet; On or towards the North/North-West by the Caribbean Sea along line bearing $253^{\circ} 51'$, 80.34 feet; On or towards the North/North-West by the Caribbean Sea along line bearing $239^{\circ} 42'$, 214.23 feet; On or towards the North/North-West by the Caribbean Sea along line bearings $246^{\circ} 44'$, 526.28 feet; On or towards the North-West by the Caribbean Sea along line bearings $228^{\circ} 59'$, $221^{\circ} 35'$, $230^{\circ} 54'$ and $236^{\circ} 00'$, 246.33 feet, 405.37 feet 332.80 feet and 281.85 feet; On or towards the North-West by the Caribbean Sea along line bearing $215^{\circ} 12'$, 238.87 feet; On or towards the West/North-West by the Caribbean Sea along line bearings $198^{\circ} 11''$ and $201^{\circ} 54'$, 519.27 feet and 188.70 feet; On or towards the West/South-West by the Caribbean Sea along line bearing $174^{\circ} 10'$, 297.95 feet; On or towards the North-East by lands of Leeward Island Trust Company Ltd. along line bearing $322^{\circ} 25'$, 211.06 feet; On or towards the North by lands of Leeward Island Trust Company Ltd. along line bearing $271^{\circ} 45'$, 310.05 feet; On or towards the West/North-West by lands of Leeward Island Trust Company Ltd. along line bearing $206^{\circ} 39'$, 786.93 feet; On or towards the South by lands of Leeward Island Trust Company Ltd. along line bearing $95^{\circ} 23'$, 330.55 feet and 24.45 feet; On or towards the West by the Caribbean Sea along line bearing $175^{\circ} 23'$, 249.59 feet; On or towards the West/South-West by the Caribbean Sea along line bearings $164^{\circ} 30'$, $159^{\circ} 06'$ and $155^{\circ} 18'$, 214.04 feet, 365.79 feet and 330.90 feet; On or towards the West/North-West by lands of Auberge Firesky Ltd. along line bearing $202^{\circ} 44'$, 34.32 feet; On or towards the North by lands of Auberge Firesky Ltd. along line bearing $265^{\circ} 16'$, 88.93 feet and 62.44 feet; On or towards the South-West by lands of Auberge Firesky Ltd. along line bearings $138^{\circ} 10'$ and $131^{\circ} 20'$, 488.27' and 303.36 feet; On or towards the North/North-West by lands of Auberge Firesky Ltd. along line bearing $254^{\circ} 48'$, 209.47 feet; On or towards the North-West by lands of Auberge Firesky Ltd. along line bearing $229^{\circ} 46'$, 61.44 feet; On or towards the West/North-West by lands of Auberge Firesky Ltd. along line bearings $208^{\circ} 05'$ and $192^{\circ} 01'$, 417.98 feet and 270.95 feet; On or towards the West by lands of Auberge Firesky Ltd. along line bearing $175^{\circ} 41'$, 113.85 feet; On or towards the West/North-West by lands of Auberge Firesky Ltd. along line bearing $191^{\circ} 15'$ and $207^{\circ} 28'$, 122.83 feet and 97.53 feet; On or towards the South/South-

West by lands of Auberge Firesky Ltd. along line bearing $115^{\circ} 10'$, 275.24 feet; On or towards the west by White House Bay along line bearing $179^{\circ} 20''$, 71.85 feet; On or towards the West/North-West by White House Bay along line bearing $207^{\circ} 49''$, 96.85 feet; On or towards the North-West by White House Bay along line bearing $225^{\circ} 40'$, 47.62 feet; On or towards the North/North-West by White House Bay along line bearing $241^{\circ} 19'$, 288.01 feet; all as the same is delineated on a plan of Calvin R. Esdaille, Licensed Land Surveyor dated 11th May, 2006.

SECOND SCHEDULE

(Regulation 2)

MAP OF ST.KITTS PENINSULA RESORT DISTRICT

ST. KITTS ISLAND RESORT

[MAP TO COME]
