

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 1,  
AKA REGATTA POINT VILLAS SECTION 1  
HOMEOWNERS' ASSOCIATION

William Parker  
William Parker, President

WITNESSES:

Michelle D. McQueen  
Josi Davis

On this, the 21<sup>st</sup> day of August, 2004, before me, the undersigned officer, personally came and appeared William Parker, 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 1, AKA Regatta Point Villas Section 1 Homeowners Association, a Virgin Islands Association of Condominium 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.

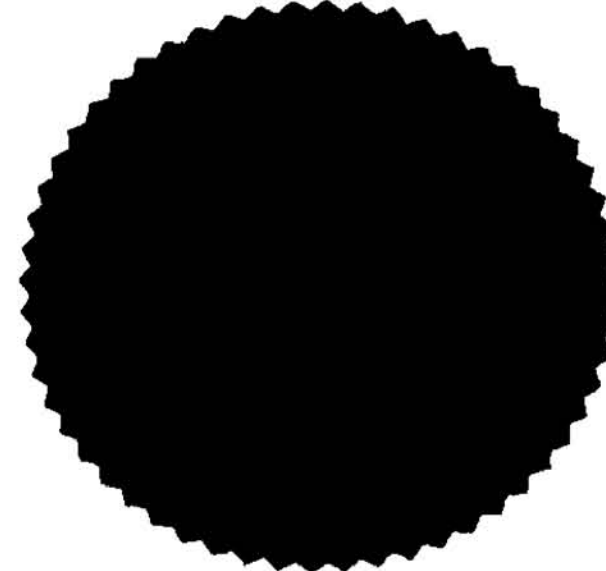
Edward D. Lee  
NOTARY  
NP-091-03

Comm Exp 7/9/17  
Subscribed and sworn to before me on  
this 21<sup>st</sup> day of August, 2004.

Book:  
Pages:  
Doc# 2004008386  
Filed & Recorded  
09/23/2004 9:04AM  
WILMA O. HART SMITH  
RECORDER OF DEEDS  
ST THOMAS/ST JOHN  
PER PAGE FEE \$ 3.00  
RECORDING FEE \$ 25.00

Doc# 2004008386

9:25AM



CONSENT TO AMENDMENTS TO THE DECLARATION

ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PART OF PARCELS NO. 56 AND 59, 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 1, AKA Regatta Point Villas Section 1 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 1;

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.

FIRSTBANK of the VIRGIN ISLANDS

By: Paul W. Hounnup  
TITLE: VICE PRESIDENT  
DATE: 09/04/04

WITNESSES:

Julia Wallace  
Yudana Jamison

Subscribed and sworn to before me this  
14th day of September, 2004.

Eloise H. Rabsatt-Maynard  
NOTARY ELIOISE H. RABSATT-MAYNARD  
St. Thomas, USVI Notary Public  
St. Thomas/St. John U.S. Virgin Islands  
My Commission Expires: May 1, 2006  
NP - 047-02

ARRIVED FOR RECORDING AT THE RECORDER'S OFFICE  
THE 23rd DAY OF Sept 2004 AT 9:25  
CLOCK AM  
AD 0089

Doc# 2004008386

177-178

FIRST AMENDMENT TO DECLARATION ESTABLISHING A PLAN FOR  
CONDOMINIUM OWNERSHIP OF PART OF PARCELS NO. 56 & 59,  
NO. 3 FRENCHMAN'S BAY QUARTER, ESTATE BOLONGO BAY  
ST. THOMAS, VIRGIN ISLANDS  
known as  
WATERGATE VILLAS, SECTION 1

77  
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 January 18, 1973, and recorded with the Recorder of Deeds for St. Thomas and St. John, US Virgin Islands, on January 22, 1973, in Book 14G, Page 17, No. 12, and noted in Aux. No. 21(a), established a plan for condominium ownership; and,

WHEREAS, the unit owners of Watergate Villas, Section 1 unit owners' association now desire to amend said Declaration as hereafter stated; and,

WHEREAS, pursuant to paragraph 18 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 December 14, 1994, and by a majority of the Board of Directors; and,

WHEREAS, upon review of the records of the condominium and inquiry of all owners, there are no mortgagees who are holders 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:

25. FIRST AMENDMENT.

Article V Section 18 of the By-Laws of Watergate Villas, Section 1 has been amended by vote of the owners on December 14, 1994.

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

177



IN WITNESS WHEREOF, Watergate Villas, Section 1 Unit Owners' Association has caused this Amendment to the Declaration to be signed on its behalf by its duly authorized President, this 30 day of January, 1995.

WITNESSES:

*Charles C. [Signature]*  
*[Signature]*

WATERGATE VILLAS, SECTION 1  
UNIT OWNERS' ASSOCIATION

*[Signature]*  
Jan Beuker, President

On this, the 30 day of JANUARY, 1995, before me, the undersigned officer, personally came and appeared JAN BEUKER, 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 1 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

*Devinne Francis*  
NOTARY  
Territory of the Virgin Islands

My commission expires: 8-19-98

RECORDED        IN THE RECORDER'S OFFICE FOR THE DISTRICT  
OF ST. THOMAS AND ST. JOHN, VIRGIN ISLANDS OF THE U.S.A.  
BOOK 442 PAGE 177 SUB NO. 77 AND ENTERED IN  
THE REAL (PERSONAL) PROPERTY REGISTER FOR  
QUARTER NO. 21 (A) (AUXILIARY)  
PAGE 264  
DATE: Jan. 30 19 95  
*[Signature]*  
DISTRICT RECORDER OF DEEDS

Page 2

178

174-180

174-180

FIRST AMENDMENT TO BYLAWS OF WATERGATE VILLAS,  
SET FORTH AS EXHIBIT C TO DECLARATION ESTABLISHING A PLAN  
FOR CONDOMINIUM OWNERSHIP OF PART OF PARCELS NO. 56 & 59,  
NO. 3 FRENCHMAN'S BAY QUARTER, ESTATE BOLONGO BAY  
ST. THOMAS, VIRGIN ISLANDS  
known as  
WATERGATE VILLAS, SECTION 1

78  
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 January 22, 1973, in Book 14, Page 17, No. 12, and noted in Aux. No. 21(a), established a plan for condominium ownership; and,

WHEREAS, said Declaration contained as EXHIBIT C, the BY-LAWS OF WATERGATE VILLAS, recorded simultaneously; and,

WHEREAS, the unit owners of Watergate Villas, Section 1 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 December 14, 1994, and by a majority of the Board of Directors; and,

WHEREAS, upon review of the records of the condominium and inquiry of all owners, there are no mortgagees who are holders 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 read 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 the recreational pavilion located in Building 5-A, which may be permitted to use gas for normal purposes, or to any unit owner who has received written approval from the Board of Directors to place on the outdoor deck or

179

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 1 Unit Owners' Association has caused this Amendment to the By-Laws to be signed on its behalf by its duly authorized President, this 30 day of January, 1995.

WITNESSES:

*Charles C. Livingston*  
*[Signature]*

WATERGATE VILLAS, SECTION 1  
UNIT OWNERS' ASSOCIATION

*[Signature]*  
Jan Beuker, President

On this, the 30 day of JANUARY, 1995, before me, the undersigned officer, personally came and appeared JAN BEUKER, 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 1 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.

*[Signature]*  
NOTARY

Territory of the Virgin Islands

My commission expires: 8-19-98

180

RECORDED IN THE RECORDER'S OFFICE FOR THE  
 OF ST. THOMAS AND ST. JOHN, VIRGIN ISLANDS OF THE U.S.A.  
 BOOK 179 PAGE 78 SUB NO. 78 AND ENTERED IN  
 THE REAL PERSONAL PROPERTY REGISTER FOR (AUXILIARY)  
 QUARTER NO. 264  
 DATE: Jan 30 1995  
 BY [Signature]  
 DEPUTY RECORDER OF DEEDS

95 JAN 30 AM 10:50  
 OFFICE OF THE RECORDER OF DEEDS  
 ST. THOMAS/ST. JOHN V.I.

180(A)



AMENDMENT TO BYLAWS OF WATERGATE VILLAS, SECTION 1, AKA REGATTA  
POINT VILLAS, SECTION 1, SET FORTH AS EXHIBIT C TO DECLARATION  
ESTABLISHING A PLAN FOR CONDOMINIUM  
OWNERSHIP OF PART OF PARCELS NOS. 56 AND 59,  
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 1, recorded simultaneously on April 29, 1974, in Book 15-0, page 329, No. 117©); and,

WHEREAS, the unit owners of Watergate Villas, Section 1 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