

DECLARATION OF COVENANTS AND RESTRICTIONS OF
GRAPETREE AREA PROPERTY OWNERS' ASSOCIATION, INC.

DECLARATION made this 3 day of December, 1986 by Grapetree Area Property Owners' Association, Inc., a non-profit corporation of the Virgin Islands of the U. S. (herein "Association"):

WITNESSETH:

WHEREAS, Association is a non-profit corporation of the Virgin Islands of the United States organized and existing to promote the general welfare and mutual interests of its members, owners of real property located within Estate North Slob, Estate South Slob, Estate Turner Hole, Estate North Grapetree Bay and Estate South Grapetree Bay, all of East End Quarter "B", St. Croix (herein "Estate"); and

WHEREAS, Association desires to develop a uniform set of covenants and restrictions recognizing existing covenants, restrictions, conditions and reservations within the Estates to be consistently applicable to all lands owned by members of the corporation within the Estates which have been subdivided for residential use as set forth hereinbelow.

NOW, THEREFORE, in consideration of the premises, Association does hereby declare the following restrictions, covenants, conditions and reservations to which all property covered by this declaration and owned by members shall be subject:

1. PROPERTY SUBJECT TO THIS DECLARATION.

All real property owned by members of the Association located within the Estates which have been subdivided into plots of no more than two acres in area and are zoned for residential use.

2. RESIDENTIAL USE.

The plots shall be used for private residential purposes and shall not be used for commercial activity. This shall not be construed to prevent the renting of the main dwelling or apartment or guest house, or the conduct of activities on the property permissible under zoning laws which are secondary to the residential use of the property.

3. SINGLE FAMILY DWELLINGS.

There shall not be constructed, erected or placed upon any one plot more than one two-story maximum single family private dwelling with one kitchen. There may be a separate garage or separate guest house of not more than two bedrooms and one kitchen or an apartment of not more than two bedrooms and one kitchen incorporated into the main dwelling structure in lieu of a separate garage or guest house. There shall be no duplexes and any permissible secondard structures shall be minor in relationship to the main structure.

No tent, trailer or other temporary structure shall be used for residential purposes prior to or during the construction of the main dwelling, nor may any separate garage or guest house be constructed prior to construction of the main dwelling.

4. CONSTRUCTION.

No residential building or structure shall be constructed within 20' from any boundary line except in the case of R-3 zoning where the building setback lines shall be no more than 10'. Where two or more adjacent plots are combined as a single unit under single ownership, the reference to boundary lines shall be deemed to refer to the perimeter boundaries of the combined unit.

All main dwellings must be of such value, size and design as would conform to the general values, sizes and designs of other residential dwellings existing or to be constructed within the Estates. All main dwellings must consist of a minimum of 1,250 square feet enclosed and under the roof of this structure, excluding apartment, garage, storage, utility areas and the like.

No plot shall be graded in such manner as to divert storm water or sea water onto the property of others or so as to interfere with existing roads (public or private), culverts or drainage patterns. No spoilage or the results, remnants or residue of any land clearing, cutting or excavation shall be deposited or permitted to fall upon any adjacent property.

5. RE-SUBDIVISION.

No plots shall be re-subdivided into two or more sub-plots except in the case of plots containing more than 2.0 acres in land area.

6. PROPERTY CONDITION AND APPEARANCE.

No structure shall be permitted to fall into disrepair and at all times all improved and unimproved properties shall be kept in good condition and neat appearance or left in their natural state. The construction of any structure commenced must be performed diligently and consistently until fully completed.

7. ANIMALS/NUISANCE.

No animals, other than domestic pets normally permitted within residential buildings may be kept on any plot. No activity shall be conducted upon any plot which constitutes a nuisance to adjacent property owners and inhabitants of the Estates.

8. ROADWAY AND UTILITY EASEMENTS.

Members of Association and owners within the Estates have been granted easements for the use of and for passing over private roadways within the Estates. Also, members and property owners within the Estates have been granted easements for the use of beaches within the Estates 25' back from the low water mark of the sea. Plots shall be subject to easements for the installation of public utility lines and easements for the surface and electrical conduits, water pipelines, irrigation, drainage and sewage disposal lines below the surface as well as other similar service facilities deemed appropriate for the benefit of all owners within the Estates. Such easements shall be restricted to 10' in width across each plot along any side adjacent to roadways and 6' in width along the rear and side plot boundary lines.

9. PROPERTY ASSESSMENTS.

The Association shall be authorized to levy an annual assessment upon each plot of its owners within the Estates and to finance its maintenance work of the upkeep of private roadways within the Estates so that each plot shall share proportionately and fairly with all other property owners the expenses of such maintenance and upkeep. The annual assessment of such limit not exceed \$100 in any twelve-month period per plot shall limit is increased by a two-thirds affirmative vote of the members of the Association.

10. REMEDY.

No right of forfeiture for the violation of any of these covenants is reserved. The Association or any of its members or any owner of property within the Estates shall be entitled to

apply for a decree of injunction against any threatened or continued violation of any of these covenants and to a judgment for any damages resulting from such violation, including costs and reasonable attorneys' fees.

11. FAILURE TO ENFORCE.

The failure on the part of the Association, any of its members or any property owner within the Estates to enforce any of the covenants and conditions contained herein shall not be deemed a waiver of such covenants and conditions as to existing, continuing or future violations.

12. SURVIVAL AND VALIDITY OF TERMS.

These covenants shall be binding upon and inure to the benefit of the Association, its members and all subsequent land owners who become members of the Association and their successors and assigns. The invalidation of any of these covenants by judgment, decree or order of any court shall not affect the validity of any of the remainder of said covenants, but the same shall remain in full force and effect as herein provided.

These covenants shall be effective and run with the land for a period of 15 years from the date hereof at which time said covenants shall be automatically extended for successive periods of 10 years each until revoked by option of the Association and its members.

IN WITNESS WHEREOF, Grapetree Area Property Owners' Association, Inc., by its duly authorized officer, has caused this declaration to be executed as of the day and year first above written.

GRAPETREE AREA PROPERTY OWNERS' ASSOCIATION, INC.

BY: [Signature]
President

ATTEST: [Signature]
Secretary

ACKNOWLEDGEMENT

TERRITORY OF THE VIRGIN ISLANDS)
DIVISION OF ST. CROIX) SS:

On this 3rd day of December, 1986, before me, the undersigned officer, personally appeared ROBERT BIDERSPACHER who acknowledged himself to be the President of GRAPETREE AREA PROPERTY OWNERS' ASSOCIATION, INC., a corporation, and that he, as such representative, being authorized so to do, executed the foregoing instrument for the uses and purposes therein contained, by signing the name of the corporation by himself as President.

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

[Signature]
Notary Public

Received for recording on the 4th day of Dec 1986 at 3:43 o'clock P. M. ar
Recorded and Entered in Recorder's Book for the District of St. Croix, Virgin Islands of the U.S.A. p
Photo copy 586-17 Page _____
No. 662786 and noted in Real Property Register
Page _____

[Signature] Recorder
550

2007

copy 7 + B

February 5, 1988

NOTICE OF APPLICABILITY OF
DECLARATION OF COVENANTS AND RESTRICTIONS

No. 793 /1988

All persons please take notice that by Affirmation of the owners of the below-described properties, members of the Grapetree Area Property Owners Association, Inc., the following properties are subject to and governed by that certain Declaration of Covenants and Restrictions of Grapetree Area Property Owners Association, Inc., dated December 3, 1986 and recorded on December 4, 1986 in Photocopy 380M, Page 305 as Document No. 6602/86:

Estate North Grapetree Bay

- Plot 2AA
- Plot 2AC
- Plot 8
- Plot 9
- Plot 13
- Plot 14
- Plot 15
- Plot 22
- Plot 28
- Plot 29
- Plot 33
- Plot 34
- Plot 42
- Plot 43
- Plot 44
- Plot 46
- Plot 49
- Plot 50
- Plot 54
- Plot 55
- Plot 56
- Plot 59
- Plot 60
- Plot 61
- Plot 62
- Plot 64
- Plot 68
- Plot 69
- Plot 70
- Plot 71

REC FEB -5 PM 2:53

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Notice of Applicability of
Declaration of Covenants and Restrictions
Page 2

Estate South Grapetree Bay

Plot 1
Plot 13
Plot 15
Plot 17
Plot 18
Plot 21
Plot 22
Plot 23
Plot 24
Plot 25
Plot 31
Plot 47
Plot 49
Plot 50
Plot 51A
Plot 63
Plot 66
Plot 68
Plot 73
Plot 72
Plot 76
Plot 85A
Plot 86
Plot 89

Estate North Slob

Plot 5
Plot 10

Estate South Slob

Plot 13
Plot 18
Plot 19
Plot 20
Plot 21
Plot 22
Plot 24
Plot 25
Plot 26
Plot 27
Plot 28
Plot 29
Plot 29E
Plot 33A
Plot 34
Plot 35

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Notice of Applicability of
Declaration of Covenants and Restrictions
--page 3

Estate South Slob (Continued)

Plot 39
Plot 40
Plot 41
Plot 41A
Plot 42
Plot 49
Plot 50
Plot 53C
Plot 55
Plot 56
Plot 57A
Plot 61
Plot 61A
Plot 67
Plot 70
Plot 73
Plot 74
Plot 75
Plot 77
Plot 77A
Plot 78
Plot 80
Plot 81
Plot 82
Plot 84

Estate Turner Hole

Plot 12
Plot 13
Plot 18
Plot 19
Plot 24
Plot 36
Plot 43
Plot 45
Plot 50
Plot 53
Plot 54
Plot 56
Plot 58
Plot 59
Plot 61
Plot 63

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This list includes those properties subject to said
Declaration as of January 31, 1988 and is subject to supplement-
ation from time to time as other property owners become members
of Grapetree Area Property Owners Association, Inc.

Dated: 2/4/88

GRAPETREE AREA PROPERTY OWNERS
ASSOCIATION, INC.

By: *[Signature]*
Robert Bidelspacher, President

ACKNOWLEDGEMENT

TERRITORY OF THE VIRGIN ISLANDS)
DIVISION OF ST. CROIX) ss:

On this 4 day of February, 1988, before me, the
undersigned officer, personally appeared ROBERT BIDELESPACHER
who acknowledged himself to be the President of GRAPETREE AREA
PROPERTY OWNERS ASSOCIATION, INC., a non-profit corporation,
and that he, as such representative, being authorized so to do,
executed the foregoing instrument for the uses and purposes
therein contained, by signing the name of the corporation by
himself as President.

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

[Signature]
Notary Public

Subscribed to and sworn to on this 5th day of Feb M. and
1988 at St. Croix District of St. Croix, Virgin Islands of the U.S.A. at
Photo-copy Page 3
No. 198/195 and noted in Real Property Register
Page

[Signature]
REI 4100

May 2, 1988

No. 2723 /1988

NOTICE OF APPLICABILITY OF
DECLARATION OF COVENANTS AND RESTRICTIONS

All persons please take notice that by Affirmation of the owners of the below-described properties, members of the Grapetree Area Property Owners Association, Inc., the following properties are subject to and governed by that certain Declaration of Covenants and Restrictions of Grapetree Area Property Owners Association, Inc., dated December 3, 1986 and recorded on December 4, 1986 in Photocopy 380M, Page 305 as Document No. 6602/86:
James Gallagher
Plot No. 76 Estate South Grapetree Bay
East End Quarter "B", St. Croix, V.I.
Joseph Honer, Daniel Sutton, James Gallagher, William Hamre
Plot No. 79 Estate South Slob
East End Quarter "B", St. Croix, V.I.

GRAPETREE AREA PROPERTY OWNERS
ASSOCIATION, INC

By: Robert Bidelspacher
Robert Bidelspacher, President

ACKNOWLEDGEMENT

TERRITORY OF THE VIRGIN ISLANDS)
DIVISION OF ST. CROIX) ss:

On this 27 day of April, 1988, before me, the undersigned officer, personally appeared ROBERT BIDEISPACHER, who acknowledged himself to be the President of GRAPETREE AREA PROPERTY OWNERS ASSOCIATION, INC. a non-profit corporation, and that he, as President, being authorized so to do, executed the foregoing instrument for the uses and purposes therein contained, by signing the name of the corporation by himself as President.

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

Robert Bidelspacher
Notary Public

Exp Oct 5, 91

June 3, 1988

**NOTICE OF APPLICABILITY OF
DECLARATION OF COVENANTS AND RESTRICTIONS**

No. 3647 /1988

All persons please take notice that by Affirmation of the owners of the below-described properties, members of the Grapetree Area Property Owners Association, Inc., the following properties are subject to and governed by that certain Declaration of Covenants and Restrictions of Grapetree Area Property Owners Association, Inc., dated December 3, 1986 and recorded on December 4, 1986 in Photocopy 380M, Page 305 as Document No. 6602/86:

Plot No. 41 Estate North Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Paul V. & Anna D. Stapleton

Plot No. 53 Estate North Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Steven M. Williamson

Plot No. 64 Estate North Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Albert & Richard Bartzick

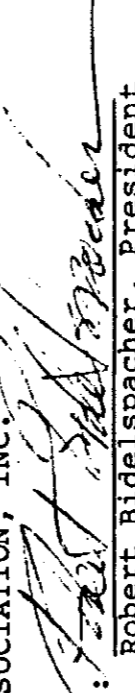
Plot No. 58 Estate South Grapetree Bay
East End Quarter "B", St. Croix, USVI
Equitable owner by way of recorded standard
land contract -- Irene Welser

Plot No. 67 Estate South Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Ronald N. & Paulette M. Ramirez

Plot No. 17 Estate South Slob
East End Quarter "B", St. Croix, USVI
Title holder -- Stanley G. & Mary Jane Krempp

Plot No. 72 Estate South Slob
East End Quarter "B", St. Croix, USVI
Title holder -- Robert R. & Beth M. Faucett

GRAPETREE AREA PROPERTY OWNERS
ASSOCIATION, INC.

by: 
Robert Bidelspacher, President

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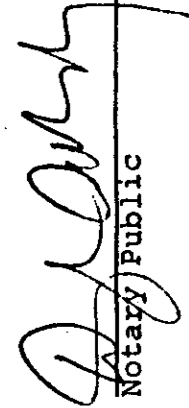
ACKNOWLEDGEMENT

TERRITORY OF THE VIRGIN ISLANDS)
DIVISION OF ST. CROIX) ss:

On this 24 day of May, 1988, before me, the undersigned officer, personally appeared ROBERT BIDELSPACHER, who acknowledged himself to be the president of GRAPETREE AREA PROPERTY OWNERS ASSOCIATION, INC., a non-profit organization, and that he, as President, being authorized to do so, executed the foregoing instrument for the uses and purposes therein contained, by signing the name of the corporation by himself as President.

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

Witness my giving on this 24 day of May 1988 at St. Croix o'clock P. M. and Recorded and Entered in Recorder's Book for the District of St. Croix, Virgin Islands of the U.S.A. at Photo-copy 1118 Page 1 No. 3647 and noted in Real Property Register


Notary Public


Page _____

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June 17, 1988

NOTICE OF APPLICABILITY OF
DECLARATION OF COVENANTS AND RESTRICTIONS

No. 403(88

All persons please take notice that by Affirmation of the owners of the below-described properties, members of the Grapetree Area Property Owners Association, Inc., the following properties are subject to and governed by that certain Declaration of Covenants and Restrictions of Grapetree Area Property Owners Association, Inc., dated December 3, 1986 and recorded on December 4, 1986 in Photocopy 380 M, Page 305 as

Document No. 6602/86:

Plot No. 62 Estate South Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Joanie Griffin Herdliska

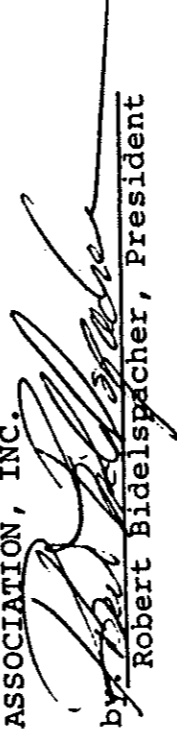
Plot No. 66 Estate South Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Inge & Walter Spitznagel

Plots Nos. 20, 2B, 21, 23, & 35 Estate North Slob
East End Quarter "B", St. Croix, USVI
Title holder -- Stephen & Elsie Kriso

Plot No. 63 Estate South Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Robert Warner & Isabel Downs

Plot No. 76 Estate South Slob,
East End Quarter "B", St. Croix, USVI
Title holder -- John & Sarena Vallis

GRAPETREE AREA PROPERTY OWNERS
ASSOCIATION, INC.


Robert Bidelspacher, President

ACKNOWLEDGEMENT

TERRITORY OF THE VIRGIN ISLANDS)
DIVISION OF ST. CROIX) ss:

On this 13 day of June, 1988, before me, the undersigned officer, personally appeared ROBERT BIDEISPACHER, who acknowledged himself to be the President of GRAPETREE AREA PROPERTY OWNERS ASSOCIATION, INC., a non-profit organization, and that he, as President, being authorized to do so, executed the foregoing instrument for the uses and purposes therein contained, by signing the name of the corporation by himself as President.

In WITNESS WHEREOF, I hereunto set my hand and official seal.


Notary Public

Recorded on the 17th day of June 1988 at 10/5/91 M. and

Recorded and Entered in Recorder's Book for the District of St. Croix, Virgin Islands of the U.S.A. at Page 391
No. 4430/88 and noted in Real Property Register

Page



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September 11, 1988

NOTICE OF APPLICABILITY OF
DECLARATION OF COVENANTS AND RESTRICTIONS

No. 6192/1988

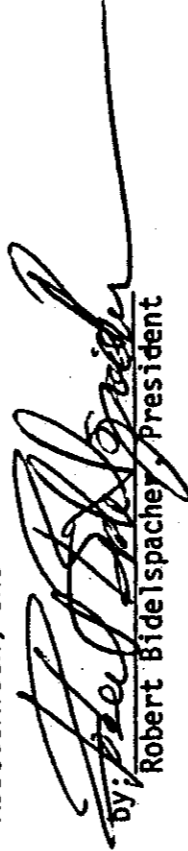
J.R.
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All persons please take notice that by Affirmation of the owners of the below-described properties, members of the Grapetree Area Property Owners Association, Inc., the following properties are subject to and governed by that certain Declaration of Covenants and Restrictions of Grapetree Area Property Owners Association, Inc., dated December 3, 1986 and recorded on December 4, 1986 in Photocopy 380 M, Page 305 as

Document No. 6602/86:

- Plot No. 39 Estate North Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- W.J. Groeschel & R.J. Dallas
- Plot No. 46 Estate North Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- James Gallagher & Daniel Sutton & Joseph Honer
- Plot No. 26 Estate South Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- Karen & Richard Van Heckman
- Plot No. 45 Estate South Slob
East End Quarter "B", St. Croix, USVI
Title holder -- Paula & Dennis Lochmandy
- Plot No. 54A Estate South Slob
East End Quarter "B", St. Croix, USVI
Title holder -- Howard & Elaine Dewey
- Plot Nos. 51 & 52 Estate Turner Hole
East End Quarter "B", St. Croix, USVI
Title holder -- James & Mary Lou Broderick

GRAPETREE AREA PROPERTY OWNERS
ASSOCIATION, INC

by: 
Robert Bideispacher, President

ACKNOWLEDGEMENT

TERRITORY OF THE VIRGIN ISLANDS)
DIVISION OF ST. CROIX) ss:

On this 19 day of September, 1988, before me, the undersigned officer, personally appeared ROBERT BIDEISPACHER, who acknowledged himself to be the President of GRAPETREE AREA PROPERTY OWNERS ASSOCIATION, INC., a non-profit organization, and that he, as president, being authorized to do so, executed the foregoing instrument for the uses and purposes therein contained, by signing the name of the corporation by himself as President.

In WITNESS WHEREOF, I hereunto set my hand and official seal.

Recorded by me on this 11th day of Sept 1988 at 11:15 o'clock A.M. and recorded and Entered in Recorder's Book for the District of St. Croix, Virgin Islands of the U.S.A. Notary Public
Photo-copy No. 6192/88 and noted in Real Property Register Page




4-50

NOTICE OF APPLICABILITY OF
DECLARATION OF COVENANTS AND RESTRICTIONS

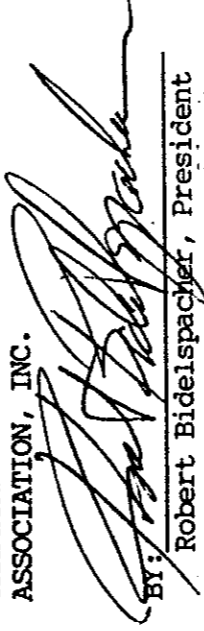
All persons please take notice that by Affirmation of the owners of the below-described properties, members of the Grapetree Area Property Owners Association, Inc., the following properties are subject to and governed by that certain Declaration of Covenants and Restrictions of Grapetree Area Property Owners Association, Inc., dated December 3, 1986 and recorded on December 4, 1986 in Photocopy 380 M, Page 305 as Document No. 6602/86:

Plot No. 74 Estate South Grapetree Bay
East End Quarter "B", St. Croix, USVI
Title holder -- J & M Realty Co., Inc.

Plot No. 23 Estate South Slob
East End Quarter "B", St. Croix, USVI
Title holder -- James Barnes & Ron Reed

Plot No. 70 Estate Turner Hole
East End Quarter "B", St. Croix, USVI
Title holder -- Margaret M. Phelan

GRAPETREE AREA PROPERTY OWNERS
ASSOCIATION, INC.

BY: 
Robert Bidelspacher, President

LETTERHEAD OF NOTARY PUBLIC
ST. CROIX


ACKNOWLEDGMENT

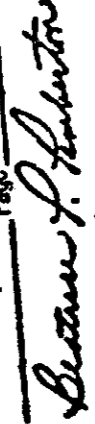
TERRITORY OF THE VIRGIN ISLANDS)
DIVISION OF ST. CROIX) SS:

On this 3 day of March, 1989, before me, the undersigned officer, personally appeared ROBERT BIDEISPACHER, who acknowledged himself to be the President of GRAPETREE AREA PROPERTY OWNERS ASSOCIATION, INC., a non-profit organization, and that he, as president, being authorized to do so, executed the foregoing instrument for the uses and purposes therein contained, by signing the name of the corporation by himself as President.

In WITNESS WHEREOF, I hereunto set my hand and official seal.

Received for recording on this 15th day of May
19 89 at 11:16 o'clock A.M. and
Recorded and Entered in Recorder's Book for the
District of St. Croix, Virgin Islands of the U.S.A. at
Photocopy No. 311 Page 104
No. 1562/89 and noted in Real Property Register
Page _____


Notary Public
Exp 10/5/91



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