



THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
Charlotte Amalie, V.I. 00802
340-774-0001

April 20, 2015

OFFICE OF THE
SENATE PRESIDENT
15 APR 20 PM 4: 03
SENATOR
NEVILLE A. JAMES

Honorable Neville James
Senate President
Thirty First Legislature of the U.S. Virgin Islands
Capitol Building
St. Thomas, Virgin Islands 00802

Dear Mr. President:

Transmitted herewith in accordance with the provisions of Title 12, §911, Subsection (e) of the Virgin Islands Code are three (3) originals of Minor Coastal Zone Management Permit No. CZT-12-14(W) along with one (1) copy of the exhibits.

Minor Coastal Zone Management Permit No. CZT-12-14(W) allows the Permittee the continued use and occupancy of a fifty (50) x five (5) foot dock structure located seaward of Parcel Nos. 8-5B and 8-6, Estate Nazareth, St. Thomas, Virgin Islands.

Your prompt and favorable consideration of Minor CZM Permit No. CZT-12-14(W) will be greatly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kenneth E. Mapp".

Kenneth E. Mapp
Governor

MINOR COASTAL ZONE MANAGEMENT PERMIT NO. CZT-12-14W

1. **AUTHORITY.** This permit is issued by the Commissioner of the Department of Planning and Natural Resources and is administered and monitored by the Department pursuant to Title 12, Chapter 21, and Virgin Islands Code. As herein, "Permitter" is the **Government of the Virgin Islands** and "Permittee" is **Black Magic Flightops, LLC**.
2. **SCOPE.** This permit allows the continued use and occupancy of a 50' x 5' dock structure located seaward of Parcel No. 8-5B and 8-6, Estate Nazareth, St. Thomas.
3. **TERM.** This permit is effective upon its signing by the Commissioner of the Department of Planning and Natural Resources, approval by the Governor of the Virgin Islands, and approval by the Legislature of the Virgin Islands. As used herein, the "Effective Date" or "the date hereof" means the date of such approval. This permit will expire twenty (20) years after the Effective Date. The Permittee shall have the option to renew the permit within ninety (90) days before the permit expires and the terms are subject to negotiation. This permit is issued for a definite term, twenty (20) years, and shall not constitute a property right. The Permit shall be renewed only if the requirements of Title 12 of the Virgin Islands Code, Section 911, are met. This permit will expire twenty (20) years after its effective date subject to renewal pursuant to Title 12, Chapter 21, Section 911, Part (d), of the Virgin Islands Code.

4. **DOCUMENTS INCORPORATED BY REFERENCE.**

EXHIBIT A – Letter of Application to the Commissioner dated January 24, 2014

EXHIBIT B – Joint Army Corps/DPNR Permit Application dated January 22, 2014

EXHIBIT C - Minor Environmental Assessment Report dated December 26, 2013

EXHIBIT D – Drawings (i.e. location MAP, SITEPLAN, ELEVATION & CROSS SECTION) dated December 17, 2014

5. **GENERAL CONDITIONS.**

- (a) **Liability.** The Permittee agrees to assume full and complete responsibility for all liability to any person or persons, including employees, as a result of its control of the area described in Paragraph 2 of this permit, and all improvements thereon (which area and improvements are herein after referred to as "the premises") and to hold the Permitter free and harmless from civil or other liability of any kind during the time the Permittee is in control of the premises pursuant to this permit.
- (b) **Personal Property and Damage.** All personal property of any kind or description

whatsoever, located on the premises will be there at the Permittee's sole risk.

- (c) Assignments or Transfer. This permit may not be transferred or assigned except as provided in Section 910-15 of the Regulations of the Coastal Zone Management Act.
- (d) Permit to be displayed. A placard evidencing the permit shall be posted in a conspicuous place at the project site during the entire period of work.
- (e) Reliance on Information and Data. The Permittee affirms that the information, and data which he/she provided in connection with his/her permit application is true and accurate, and acknowledges that if subsequent to the effective date of this permit such information and data proves to be false or inaccurate, the permit may be modified, suspended or revoked in whole or in part, and that the Commissioner may, in addition, institute appropriate legal action.
- (f) Development to be Commenced. Any and all development approved by this Coastal Zone Management Permit shall be commenced within twelve (12) months from the date this permit becomes effective. Failure to perform substantial work within such period and thereafter until completion of construction will cause the permit to lapse and render it null and void unless an extension is granted by the Commissioner.
- (g) Notification of Completion. Upon completion of any activity authorized or required by this Coastal Zone Management Permit, the Permittee shall promptly so notify the Director of the Division of CZM ("The Director") and where the service of a professional engineer were required in undertaking the activity, a certification of compliance provided by the project engineer that the plans and specifications of the project and all applicable Virgin Islands Code requirements have been met, shall be filed with the Director.
- (h) Inspection. The Commissioner or his authorized agents or representatives shall have the power to enter at reasonable time during projects working hours upon any lands or waters for which a Coastal Zone Permit has been issued. The Permittee shall permit such entry for the purpose of inspection and ascertaining compliance with the terms and conditions of said Coastal Zone Management Permit. The Permittee shall provide access to such records as the Commissioner in the performance of his duties under the Act may require the Permittee to maintain. Such records may be examined and copies shall be submitted to the Commissioner upon request.
- (i) Conditions of premises. The development authorized by this permit shall be maintained in a safe, attractive and satisfactory condition and in accordance with the description, plans or drawings approved by the Commissioner.
- (j) Public Access to Shoreline. The development shall be operated so as to assure

optimum public access to any recreational opportunities of the shoreline.

- (k) Restoration of Area. The Permittee, upon revocation or expiration of the permit, shall upon order of the Commissioner, and his sole discretion, remove all structures authorized by the permit and restore the area to its original condition, and/or modify such structures, and/or comply with any directive of the Commissioner in satisfying the original permit condition in such time and manner as the Commissioner may direct.
- (l) Notices. All notices sent or required to be sent hereunder must be certified mail, return receipt requested. If addressed to the Permitter, same shall be sent to the Commissioner of the Department of Planning and Natural Resources, 8100 Lindberg Bay, Suite 61 Cyril E. King Airport, Second Floor, St. Thomas, VI 00802 or to such place as the Permitter may herein after designate by certified mail. If addressed to the Permittee, same shall be sent to Black Magic Flightops, LLC, P.O. Box 6254, San Juan, Puerto Rico, 00914 or to such place as the Permittee may hereinafter designate by certified mail, return receipt requested.
- (m) Nonwaiver. One or more waivers by the Permitter of any covenant or condition of this permit shall not be construed as a waiver or breach of the covenant or condition, and the consent or approval of the Permitter to or of any acts by the Permittee requiring the Permitter's consent or approval shall not be construed as approval of any subsequent similar act by the Permittee.
- (n) Revocation. It is specifically understood that all foregoing covenants and agreements, as well as other terms and special conditions hereby agreed to by Permittee, are to be well and faithfully kept by Permittee and that any failure by Permittee to keep same will result in revocation of this permit.
- (o) Other Approval. If the development covered under this permit requires separate and distinct approval from the United States Government or any agency, department, commission or bureau thereof, then no development or occupancy is allowed under this permit until such permits or approvals have been obtained.
- (p) Abandonment. If the Permittee abandons, deserts or vacates the premises or discontinues its operations at the premises for a period totaling six (6) consecutive months, then the permit will terminate automatically and be rendered null and void.
- (q) Damage and Repair of Premises Described in Paragraph 2.
 - (i) In the event of damage to or destruction of the premises described in Paragraph 2 hereof, repair work may be done only after a request to do so has been submitted in writing to the Department and permission in writing has been granted. Repair must duplicate the original work, and must be in accordance with applicable law, rules and regulations.

- (ii) General maintenance or repair resulting from normal wear and tear of operations may be carried out as a matter of right under this permit, but must be limited to the nonstructural portions of the premises.

- (r) Signatures on the Permit Document. The applicant shall sign and return the permit document to the Department within sixty (60) days of receipt thereof. Failure to return the signed permit within the time period specified herein will be considered a rejection of the terms and conditions of the permit and will render the offer of the permit null and void, unless a written extension is requested and granted.

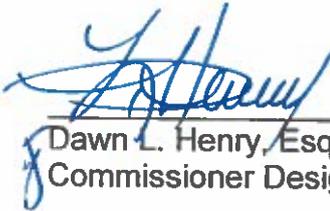
6. **SPECIAL CONDITIONS.**

- A. This structure is approved for private use only. No commercial activity or rental of slips at this facility is permitted.
- B. No handling of petroleum products is allowed at this facility.
- C. The use of boat propellers for channel clearance is strictly prohibited.
- D. No person shall live aboard any vessel while docked at this facility.
- E. No boat scrapings, waste, debris, petroleum products or other pollution matter shall be deposited in the waters, or on the shoreline which could cause pollution of the water. All such waste shall be disposed of in an environmentally acceptable manner.
- F. No dredging is permitted.
- G. The CZM permit number shall be conspicuously placed on the dock at all time

7. **FEES** The rental fees for the use and occupancy of the submerged and/or filled submerged lands as described in "SCOPE" are assessed pursuant to 12 VIC §911(f) and have been negotiated with the Permittee pursuant to 12 VIRR §910-5(e). The initial payment under this permit is due upon receipt of the effective permit, and subsequent payments are due on the anniversary of the effective date. Payments are to be made to the Department of Planning and Natural Resources.
- A. A rental fee of One Thousand Dollars (\$1,000.00) per year, payable annually in advance, shall be charged for the dock structure covered under this permit occupying the submerged lands area.
 - B. The rental fees payable under this permit shall be adjusted after the first five years of the permit in accordance with the increase of the Consumer Price Index as established by the United States Department of Labor, Bureau of Labor Statistics, for "All Items, All Urban Consumers (1984-100 percent)" (the "CPI"), as follows:
 - i. The CPI as of the first month of the initial five-year period of the permit shall be the base price index and the CPI as of the month immediately preceding the commencement of the adjustment year of the permit term shall be the current price index.
 - ii. The current price index shall be divided by the base price index and the quotient thereof shall be multiplied by the sum of the annual rent of the prior year.
 - iii. The resulting product shall be the annual base rental for the current year.
 - iv. In no event shall any rent determined in the manner above be reduced below the annual rent of \$1,000.00.
 - C. Prior to the commencement of the eleventh (11th) year of the permit term, the Permittee shall renegotiate the rental fees with the Permitter pursuant to 12 VIRR §910-5(e). Failure by the Permittee to negotiate the fees will result in the automatic adjustment of the fees by twenty-five percent (25%).
 - D. In the event of an assignment or transfer of this permit pursuant to 12 VIRR § 910-15, the Assignee will be required to negotiate the fees with the Division of CZM pursuant to the provisions of 12 VIRR § 910-5.
8. **IT IS EXPRESSLY UNDERSTOOD** by the parties hereto that the title to all submerged lands or filled land which is altered or occupied on the basis of this permit is in the Government of the Virgin Islands, and the Permittee shall have no right or interest therein, of any kind whatsoever, other than such rights as are expressly set forth herein, and that this instrument is not a lease.

IN TESTIMONY WHEREOF, the parties herein have hereunto set their hands and seals on the days and years appearing herein below.

**DEPARTMENT OF PLANNING AND NATURAL RESOURCES
PERMITTOR**



Dawn L. Henry, Esq.
Commissioner Designee

4/9/15
Date

PERMITTEE



Maria Tankenson Hodge, Attorney-in-fact
Black Magic Flightops, LLC.

4/7/15
Date

APPROVED



The Honorable Kenneth E. Mapp
Governor of the U.S. Virgin Islands

04-17-15
Date

**APPROVED
Legislature of the Virgin Islands**

The Honorable Neville James
President, 31st Legislature

Date



MINOR COASTAL ZONE MANAGEMENT PERMIT NO. CZT-12-14W

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IN TESTIMONY WHEREOF, the parties herein have hereunto set their hands and seals on the days and years appearing herein below.

DEPARTMENT OF PLANNING AND NATURAL RESOURCES
PERMITTOR



Dawn L. Henry, Esq.
Commissioner Designee

4/9/15
Date

PERMITTEE



Maria Tankenson Hodge, Attorney-in-fact
Black Magic Flightops, LLC.

4/7/15
Date

APPROVED



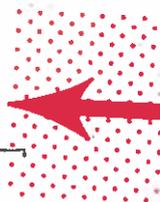
The Honorable Kenneth E. Mapp
Governor of the U.S. Virgin Islands

04-17-15
Date

APPROVED
Legislature of the Virgin Islands

The Honorable Neville James
President, 31st Legislature

Date



HODGE & HODGE

January 24, 2014

VIA HAND DELIVERY

Alicia Barnes, Commissioner and
Division of Coastal Zone Management
Department of Planning and Natural Resources
Cyril E. King Airport, Second Floor
St. Thomas, USVI, 00802

OFFICE OF THE
SENATE PRESIDENT
15 APR 20 PM 4:03
SENATOR
NEVILLE A. JAMES

Re: Application for Minor Water Permit for Continued Maintenance of
Existing Dock By Partial Renewal of CZT-53-93W

Dear Commissioner Barnes:

On behalf of our client, Black Magic Flightops, LLC, as authorized by its sole member, Luis Bared, and in response to telephone message received from Mr. Anthony Richards, we herewith submit new originals of the following documents:

- Joint Application for Activities in Waters of the Virgin Islands of the United States;
- Development Permit Application (Form L&WD-2);
- Environmental Assessment Report for Minor Projects in Coastal Waters;
- Information Needed on Affidavit of Ownership or Control; and,
- Proof of Legal Interest (Form L&WD-5).

Also enclosed is original Power of Attorney appointing Maria Tankenson Hodge, Esquire as Attorney-In-Fact for Luis Bared.

We also rely on documents and Applications, etc. submitted to your Offices on December 30, 2013. Thank you.

Sincerely,



Maria Tankenson Hodge, Esq.
Attorney for Magic Flightops, LLC/Luis Bared
Attorney-in-Fact for Luis Bared

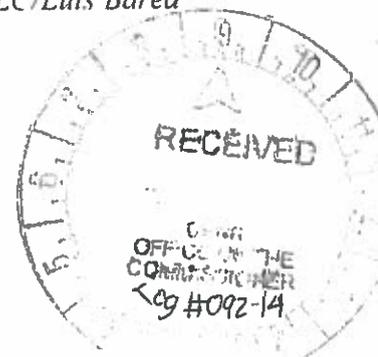
Encls.

cc: Luis Bared

Anthony Richards, Division of
CZM

ATTORNEYS AT LAW

1340 TAARNEBERG, ST. THOMAS, VIRGIN ISLANDS
PHONE: 340-774-6845 FAX: 340-776-8900
EMAIL: MARIA@HODGELAWVI.COM



HODGE & HODGE

December 30, 2013

VIA HAND DELIVERY

Alicia Barnes, Commissioner
Division of Coastal Zone Management
Department of Planning and Natural Resources
Cyril E. King Airport, Second Floor
St. Thomas, VI 00802

Re: Application for Minor Water Permit for Continued Maintenance of Existing Dock
By Partial Renewal of CZT-53-93W

Dear Commissioner Barnes:

On behalf of our client, Black Magic Flightops, LLC, as authorized by its sole member, Luis Bared, we enclose for your review an application to the Virgin Islands Government and the Secretary of the Army for a CZM minor water development permit, seeking to allow the continued maintenance of a small dock adjacent to Parcels 8-5B and 8-6 Estate Nazareth. This letter, along with the enclosed forms, is meant to provide a summary of the proposed activity, in conformity with your department's requirements.

The existing permit for the dock, referenced above, will expire on January 31, 2014, and the property owner wishes to renew the permit, subject, however, to a reduction in the length of the permitted dock to conform to the length of the original and existing dock – namely 50' long x 5' wide – and to eliminate the unused authorization to extend the original dock from its existing length by an additional 30", and also to eliminate the authority to add an "L" shaped section 20' long by 5' wide. The existing permit is attached for your reference.

In substance, the request is to issue a renewed permit for the maintenance of the existing dock that has been in place for over 20 years, without any extension, expansion or additional construction requested.

As your agency is aware, though authorized to extend the dock by permit CZT-53-93W, the property owner never did so, for various reasons. Therefore, the dock remains at the length it had when the now expiring permit was first granted in 1993. No new work, and no extension is now sought, and the authority to add to the length and to add an L-shaped addition, would be deleted, if this application for renewal is granted. Thus, we emphasize that no new construction or development of any kind is sought or proposed.

ATTORNEYS AT LAW
1340 TAARNEBERG, ST. THOMAS, VIRGIN ISLANDS
PHONE: 340-774-6845 FAX: 340-776-8900
EMAIL: MARIA@HODGELAWVI.COM

The purpose of the application is to allow the homeowner to continue to use his dock for access to his home by his motor boat, or by visiting guests who might arrive by boat. As no new construction is proposed, no discussion of construction methods, site disturbance, sedimentation control, construction schedule, and the like, is presented in the enclosed application. The owner simply seeks to continue the existing use which will not cause any disturbance to the environment, and which will, in fact, prevent the disturbance associated with any effort to physically remove the long-standing dock from its location.

It is understood that your approval of permitted retention of the existing dock must first be obtained by virtue of the authority vested in you by Act No. 4248 of the Virgin Islands Code. Your favorable endorsement is, therefore, respectfully requested.

It is further requested that this letter be considered as an application for the Department of the Army Permit and that it be forwarded with your endorsement thereon to the area Engineer, San Juan Area, US Army Corps of Engineers, 400 Fernandez Juncos Avenue, San Juan, Puerto Rico 00901, for consideration. (We note that the ACOE had also approved the expiring permit, and a copy of their approval is enclosed.)

We enclose the joint application form, proof of legal interest, a copy of the date stamped DPNR form requesting a tax clearance letter (with the clearance letter to be provided promptly upon receipt), copy of the deed, application fee, names of adjoining property owners on the Joint Application, abbreviated forms J, k, and l, in light of the fact that no construction is proposed, and no revenue will result, and an environmental assessment report for minor projects in coastal waters. We also enclose proof of payment of all fees and assessments for the expiring permit.

Please let us know if there is anything further you require to review this request.

Please advise concerning your decision and also concerning the decision of the Department of the Army in the matter.

Sincerely,



Maria Tankenson Hodge

Attorney for Magic Flightops, LLC/Luis Bared

Encls.

Cc: Luis Bared

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES
DEPARTMENT OF PLANNING AND NATURAL RESOURCES
DEVELOPMENT PERMIT APPLICATION

FORM L&WD-2
PERMIT APPLICATION

Date Received: Dec. 30, 2014

Date Declared Complete: _____

Permit No. CZT-12-14L

Application is hereby made for a Earth Change/Coastal Zone Permit

1. Name, mailing address and telephone number of applicant.
Black Magic Flightops, LLC
P.O. Box 6254
San Juan, Puerto Rico, 00914

2. Name, title, mailing address and telephone number of owner of property and of developer.

<u>Owner</u>	<u>Developer</u>
<u>Same</u>	

3. Location of activity. Plot No. 8-5B and 8-6
Estate Nazareth Island St. Thomas

4. Zoning District _____

5. Name, mailing address and telephone number of project designer.
N/A

6. Name, mailing address and telephone number of principal earthwork contractor.
N/A

7. Summary of proposed activity. Include all incidental improvements such as utilities, roads, etc. (Use additional sheets if necessary).
Maintain existing permitted dock without expansion or any additional development.

- 7a. State type of Land Uses as specified in the VI Zoning Law, which are applied for e.g., restaurant, hotel, single dwelling, etc.

FORM L&WD-2/PERMIT APPLICATION
CONT'D

8. Date activity is proposed to start Existing permitted use with no new activity will be completed continue.

9. Classification of minor or major permit. Check one:

Minor Permit Application

Major Permit Application

State below which criterion applies in making above check.

C2M ~~CAP~~ Regulation 910-1(b)(4) Small Private Pier

MSA
10. Application is hereby made for a permit to authorize the activities described herein. I agree to provide any additional information/date that may be necessary to provide reasonable assurance or evidence to show that proposed project will comply with the applicable territorial water quality standard or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making preliminary analysis application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of Applicant or Agent

Date

Signature of Owner (Where Applicant or Agent is not Owner)

*Wes Bared, by his attorney in fact, Maura J King
for Black Magic Flightops, LLC*

1/22/14

FOR DEPARTMENT USE ONLY
Inspector Record

Date Inspected: _____

Permit Approved

Permit Disapproved

Inspector's Remarks: _____

Inspector

Date

Commissioner, Planning & Natural Resources

Date

COPY

NO. 029360

QUITCLAIM DEED

THIS INDENTURE made this 7 day of February, 2013 by and between Luis Bared, Trustee, f/b/o Luis Bared Revocable Trust w/d/t dated October 24, 1989 ("Grantor") and BLACK MAGIC FLIGHTOPS, LLC, a U. S. Virgin Islands limited liability company with a mailing address of P. O. Box 6254, San Juan, PR 00914 (hereinafter referred to as "Grantee").

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does by these presents grant, assign, release and quitclaim unto the Grantee, the successors and assigns of Grantee, all of Grantor's right title and interest in the real property described as follows:

AO Parcel No. 8-5B Estate Nazareth
No. 1 Red Hook Quarter
St. Thomas, U. S. Virgin Islands
consisting of 0.06 U.S. acres, more or less,
as shown on P.W.D. No. F9-1957-T67 and

AO Parcel No. 8-6 Estate Nazareth
No. 1 Red Hook Quarter
St. Thomas, U. S. Virgin Islands
consisting of 0.55 U.S. acres, more or less,
as shown on P.W.D. No. D9-466-T65

TOGETHER WITH any improvements thereon, and all of the estate, right, title and interest of the Grantor, its heirs, successors and assigns, in and to the said premises, and all privileges and appurtenances belonging thereto;

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, its successors and assigns, in fee simple forever.

SUBJECT to restrictions, covenants, easements, and agreements of record.

Quitclaim Deed
St. Thomas, U.S. Virgin Islands

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Witnesses (2):

M. Munoz
Maria Cristina Munoz
Alexandro Prieto Reja
Alexandro Prieto Reja

Grantor:

[Signature]
Luis Bared, Trustee, f/b/o Luis Bared
Revocable Trust w/d/t dated October 24,
1989

TERRITORY)
STATE OF VIRGIN ISLANDS)
(DF) DISTRICT)
COUNTY OF ST THOMAS/ST JOHN)
(DF)

ss:

The foregoing instrument was acknowledged before me this 7th day of February, 2013 by Luis Bared, Trustee, f/b/o Luis Bared Revocable Trust w/d/t dated October 24, 1989.

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

Denise Francois
Notary Public
My Commission expires: 8-26-2015

Denise J. Francois
My Commission Expires: August 26, 2015
LNP-011-11

ATTEST:

It is hereby certified that the above mentioned property/s which, according to QUITCLAIM DEED dated February 7, 2013 belongs to: BLACK MAGIC FLIGHTOPS, LLC, (GRANTEE)

NOTED IN THE CADASTRAL RECORDS FOR COUNTRY/TOWN PROPERTY, BOOK FOR ESTATE NAZARETH

has not, according to the Records of this office, undergone any changes as to boundaries and area.

NO. 1 RED HOOK QUARTER

ST. THOMAS, VIRGIN ISLANDS

Cadastral Survey/Tax Assessor Offices
St. Thomas, V.I. Dated: February 12, 2013
[Signature]
Wayne D. Callwood/Public Surveyor

Cadastral Survey/Tax Assessor Offices
St. Thomas, V.I. Dated: February 12, 2013
[Signature]
Wayne D. Callwood/Public Surveyor

Office of the Lieutenant Governor

Office of the Lieutenant Governor

AFFIDAVIT

DENISE FRANCOIS, after being duly sworn, deposes and says:

1. That she is an adult resident of St. Thomas, VI, licensed to practice law in the United States Virgin Islands, and she has personal knowledge of the matters set forth herein.
2. That by Quitclaim Deed dated February 7, 2013, Luis Bared, Trustee, f/b/o Luis Bared Revocable Trust u/d/t dated October 24, 1989 conveyed all of its interest in Parcels No. 8-5B and 8-6 Estate Nazareth, St. Thomas, VI to Black Magic Flightops, LLC, a Virgin Islands limited liability company.
3. That for recording and stamp tax purposes the value of the property being conveyed herein is \$290,000.00, which is the V. I. Tax Assessor's most recent valuation of the property.

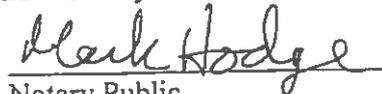
FURTHER AFFIANT SAYETH NOT.


Denise Francois

TERRITORY OF THE VIRGIN ISLANDS)
DISTRICT OF ST. THOMAS/ST. JOHN) ss:

The foregoing affidavit was acknowledged before me this 17th day of May, 2013 by Denise Francois.

IN WITNESS WHEREOF, I have set my hand and seal.


Notary Public
My Commission Expires:

NOTARY PUBLIC
Name: *Mark D. Hodge*
My Commission Exp: May 19, 2016
NP Commission #: LNP-07-12
St. Thomas/St. John, USVI District



GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS

**OFFICE OF THE LIEUTENANT GOVERNOR
DIVISION OF REAL PROPERTY TAX**

1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.773.0330
18 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.774.2991 • Fax 340.774.6953

REAL PROPERTY TAX CLEARANCE LETTER

TO: Recorder Of Deeds
FROM: Office of the Tax Collector

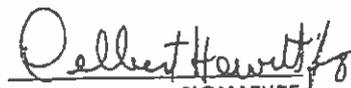
In accordance with Title 28, Section 121, as amended, this shall certify that there are no outstanding Real Property Tax obligations for the following:

PARCEL NUMBER	1-09701-0115-00
LEGAL DESCRIPTION	8-5B&8-6 ESTATE NAZARETH RED HOOK QTR
OWNER'S NAME	BARED, LUIS

Taxes have been researched up to and including 2010.

CERTIFIED TRUE AND CORRECT BY

Valencio Jackson
Tax Collector


SIGNATURE

2/13/2013

DATE

QUITCLAIM DEED

THIS INDENTURE, made this 27th day of July, 1995, by and between LUIS BARED of St. Thomas, U.S. Virgin Islands (hereinafter referred to as "Grantor") and LUIS BARED, TRUSTEE, f/b/o LUIS BARED REVOCABLE TRUST u/d/t dated October 24, 1989, whose mailing address is P.O. Box 300, St. Thomas, U.S. Virgin Islands 00804 (hereinafter referred to as "Grantee"),

W I T N E S S E T H:

That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged,

THE GRANTOR HEREBY GRANTS AND CONVEYS to the said Grantee, of Grantor's right, title and interest in the real property described as follows:

Parcel No. 8-5B Estate Nazareth
No. 1 Red Hook Quarter
St. Thomas, U.S. Virgin Islands,
consisting of 0.06 U.S. acres, more
or less as shown on FWD No. F9-1957-T67

and

Parcel No. 8-6 Estate Nazareth
No. 1 Red Hook Quarter
St. Thomas, U.S. Virgin Islands,
consisting of 0.55 U.S. acres, more
or less and as more fully shown on
PWD No. D9-466-T65

both being the same real property conveyed to Luis Bared by Marshal's Deed dated July 19, 1993, and recorded on September 17, 1993 at the Recorder of Deeds for the District of St. Thomas and St. John in Book 41-U, Page 342, No. 4582, and at Auxiliary 14, Page 130.

TOGETHER WITH all the improvements thereon and the rights, privileges and appurtenances belonging thereto.

RECORDED
JUL 28 1995
ST. THOMAS

Quitclaim Deed Between Luis Bared and
Luis Bared Trustee [f/b/o/ Luis Bared Revocable Trust
Page 7

TO HAVE AND TO HOLD the premises conveyed hereby unto Grantee,
its successors and assigns, in fee simple absolute forever.

SUBJECT, HOWEVER, to U.S. Virgin Islands zoning regulations;
to covenants, restrictions and easements of record.

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim
Deed the date first written above.

WITNESSES:

[Signature]

[Signature]

[Signature]

LUIS BARED

TERRITORY OF THE VIRGIN ISLANDS)
DISTRICT OF ST. THOMAS AND ST. JOHN)

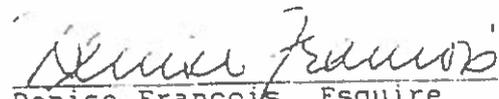
Before me the subscriber, a Notary Public, on this 27 day of
July, 1995, personally appeared the above named LUIS
BARED, who acknowledged the above to be his free and voluntary act
for the uses and purposes therein stated.

[Signature]
NOTARY PUBLIC

Quitclaim Deed between Luis Bared and
Luis Bared Trustee f/b/o/ Luis Bared Revocable Trust
Page 3

I HEREBY CERTIFY that this Quitclaim Deed represents a transfer of title by Luis Bared, as Grantor, to Luis Bared Revocable Trust, which Trust was established by and for Luis Bared, his wife Ana Bared, and his sons, Luis Felix Bared and Jorge Luis Bared, and is therefore exempt from stamp taxes, all in accordance with Title 33 V.I.C. § 128(8), and

I HEREBY CERTIFY that for recording purposes the value of the property conveyed herein is \$550,000.00.



Denise François, Esquire
HODGE & FRANCOIS
1340 Taarneberg
St. Thomas, VI 00802
(809) 774-6845

GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES
CHARLOTTE AMALIE, ST. THOMAS, V.I. 00801
DEPARTMENT OF FINANCE
TREASURY DIVISION

TO: THE RECORDER OF DEEDS

FROM: THE TREASURY DIVISION

IN ACCORDANCE WITH SECTION 17, SECTION 18 AS AMENDED,

THIS IS CERTIFICATION THAT THERE ARE NO REAL PROPERTIES

TAXES OUTSTANDING FOR BARED, 1995

B-1-7 KAZARITH
B-5-D & B-6 Nuzarech
Red Hook Qu.

SEARCHED INDEXED SERIALIZED FILED
AUG 17 1995
FBI - CHARLOTTE AMALIE

RECORDED

FILED

INDEXED

SEARCHED

FILED

INDEXED

SEARCHED

[Signature]
Robert A. Penn

Enforcement Officer III

August 17, 1995

[Signature]
Charles Sebastian
Land in Amalie

Teller II

August 11, 1995

MINOR COASTAL ZONE PERMIT NO. CZT-53-93W

1. AUTHORITY. This permit is issued by the Department of Planning and Natural Resources of the Government of the Virgin Islands (hereinafter "The Department") pursuant to Title 12, Chapter 21, Virgin Islands Code. As herein, "Permittor" is the Government of the Virgin Islands and "Permittee" is Luis Bared.

2. SCOPE. This permit legalizes the existing fifty (50) foot dock structure and allows the permittee to construct an additional thirty (30) feet in length by five (5) feet wide with an "L" section, twenty (20) feet long by five (5) feet wide. This development will be located seaward of parcel #8-5B and 8-6, Estate Nazareth St. Thomas.

3. TERM. This permit is effective upon its approval by the Commissioner of the Department of Planning and Natural Resources, the Governor, and ratification by the Legislature of the Virgin Islands or by the Committee on Planning and Environmental Protection if the Legislature is not in session, pursuant to Title 12, Chapter 21, Virgin Islands Code.

This permit shall expire twenty (20) years after its effective date subject to renewal pursuant to Title 12, Chapter 21, Section 911, Part (d), of the Virgin Islands Code.

4. DOCUMENTS INCORPORATED BY REFERENCE.

Exhibit A - Letter of Application to the Commissioner, dated September 13, 1993.

Exhibit B - Joint Army Corps/DPNR Permit Application dated September 13, 1993.

Exhibit C - Minor EAR dated September 13, 1993.

Exhibit D - Drawings (i.e. LOCATION MAP, SITEPLAN, ELEVATION & CROSS SECTION) dated September 22, 1993.

5. GENERAL CONDITIONS.

(a) Liability. The Permittee agrees to assume full and complete responsibility for all liability to any person or persons, including employees, as a result of its control of the area described in Paragraph 2 of this permit, and all improvements thereon (which area and improvements are hereinafter referred to as "the premises") and to hold the Permittor free and harmless from civil or other liability of any kind during the time the Permittee is in control of the premises pursuant to this permit.

- (b) Personal Property and Damage. All personal property of any kind or description whatsoever located on the premises shall be there at the Permittee's sole risk.
- (c) Assignment Transfer. This permit may not be transferred or assigned except as provided in Section 910-15 of the Regulations of the Coastal Zone Management Act.
- (d) Permit to be displayed. A placard evidencing the permit shall be posted in a conspicuous place at the project site during the entire period of work.
- (e) Reliance on Information and Data. The Permittee affirms that the information and data which is provided in connection with its permit application is true and accurate, and acknowledges that if subsequent to the effective date of this permit such information and data proves to be false or inaccurate, the permit may be modified, suspended or revoked in whole or in part, and that the Commissioner may, in addition, institute appropriate legal action.
- f) Development to be Commenced. Any and all development approved by this Coastal Zone Management Permit shall commence within twelve (12) months from the date this permit becomes effective. Failure to perform substantial work within such period and thereafter until completion of construction, shall cause the permit to lapse and render it null and void unless an extension is granted by the Commissioner.
- (g) Notification of Completion. Upon completion of any activity authorized or required by this Coastal Zone Management Permit, the permittee shall promptly so notify the Director of the Division of Permits ("The Director") and, where the services of a professional engineer were required in undertaking the activity, a certification of compliance provided by the project engineer that the plans and specifications of the project and all applicable Virgin Islands Code requirements have been met, shall be filed with the Director.
- (h) Inspection. The Commissioner or his authorized agents or representatives shall have the power to enter at reasonable times upon any lands or waters in the coastal zone for which this coastal zone permit has been issued. The permittee shall permit such entry for the purpose of inspection and ascertaining compliance with the terms and conditions of said Coastal Zone Management Permit.

The permittee shall provide access to such records as the Commissioner in the performance of his duties under the Act may require the Permittee to maintain. Such records may be examined and copies shall be submitted to the Commissioner upon request.

- (i) Conditions of Premises. The development authorized by this permit shall be maintained in a safe, attractive and satisfactory condition and in accordance with the description, plans or drawings approved by the Commissioner.
- (j) Public Access to Shoreline. The development shall be operated so as to assure optimum public access to any recreational opportunities of the shoreline.
- (k) Restoration of Area. The Permittee, upon revocation or expiration of the permit, shall upon order of the Commissioner, and in his sole discretion, remove all structures authorized by the permit and restore the area to its original condition, and/or modify such structures, and/or comply with any directive of the Commissioner in satisfying the original permit conditions in such time and manner as the Commissioner may direct.
- (l) Notices. All notices sent or required to be sent hereunto must be by certified mail, return receipt requested. If addressed to the permittor same shall be sent to the Commissioner of the Department of Planning and Natural Resources, Suite 231, Nisky Center, St. Thomas, US Virgin Islands 00802 or to such other place as the Permittor may hereinafter designate by certified mail. If addressed to the Permittee, same shall be sent to Luis Bared P.O. Box 300, Emancipation Garden Station St. Thomas, Virgin Islands 00804 or such place as the Permittee may hereinafter designate by certified mail, return receipt requested.
- (m) Nonwaiver. One or more waivers by the Permittor of any covenant or condition of this permit shall not be construed as a waiver of a further breach of the covenant or condition, and the consent or approval of the permittor to or of any acts by the Permittee requiring the Permittor's consent or approval shall not be construed as approval of any subsequent similar act by the Permittee.
- (n) Revocation. It is specifically understood that all foregoing covenants and agreements, as well as other terms and special conditions hereby agreed to by Permittee, are to be well and faithfully kept by Permittee and that any failure by Permittee to keep same will result in revocation of this permit.

- (o) Other Approval. If the development covered under this permit requires separate and distinct approval from the United States Government or any agency, department, commission or bureau thereof, then no development or occupancy is allowed under this permit until such permits or approvals have been obtained.
- (p) Abandonment. If the Permittee abandons, deserts or vacates the premises or discontinues its operations at the premises for a period totalling six (6) consecutive months, then the permit will terminate automatically and be rendered null or void.
- (q) Damage and Repair of Premises Described in Paragraph 2.
 - (i) In the event of damage to or destruction of the premises described in Paragraph 2 hereof, repair work may be done only after a request to do so has been submitted in writing to the Department and permission in writing has been granted. Repair must duplicate the original work, and must be in accordance with applicable law, rules and regulations.
 - (ii) General maintenance or repair resulting from normal wear and tear of operations may be carried out as a matter of right under this permit, but must be limited to the nonstructural portions of the premises.

6. SPECIAL CONDITIONS.

- (a) All other necessary federal and territorial permits shall be obtained prior to construction.
- (b) This structure is approved for private use only. No commercial activity or rental of slips at this facility is permitted.
- (c) No handling of petroleum products is allowed at this facility.
- (d) The use of boat propellers for channel clearance is strictly prohibited.
- (e) No person shall live aboard any vessel while docked at this facility.

- (f) No boat scrapings, waste, debris, petroleum products or other pollution matter shall be deposited in the waters, or on the shorelands which could cause pollution of the water. All such waste shall be disposed of in an environmentally acceptable manner.
- (g) The Permittee shall notify the Division of Permits and the Division of Environmental Enforcement forty-eight (48) hours prior to commencement of construction activities and again upon completion.
- (h) No dredging is permitted under this permit.
- (i) The Permittee shall obtain a long-term occupancy and development lease pursuant to section 911 of Title 12, Virgin Islands Code, prior to the expiration of this permit.
- (j) The CZM permit number shall be conspicuously placed on the dock at all times.

7. FEES.

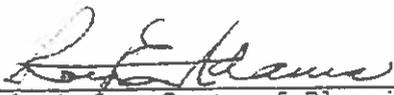
- (a) A fee of \$1000.00 per year payable in advance shall be charged for the use and occupancy of the submerged lands under this permit. Said fee is \$500.00 for the structure occupying the submerged lands and \$500.00 for the mooring area around this structure. These fees are assessed pursuant to Section 910-5 of the Rules and Regulations of the Coastal Zone Management Act.
- (b) The first payment of the fees required in Paragraph (a) above shall become due and payable within thirty (30) days from the date when this permit is approved.
- (c) On each fifth anniversary of the effective date of this permit the rental fees established herein shall be renegotiated by the Permitter and the Permittee. Any increase in the amount of the rental fees shall be reasonable, but in any event shall not exceed twenty-five percent (25%) of the fee for the preceding five (5) year period.
- (d) All fees payable under this permit shall be paid to the Permitter regardless as to whether Permittee actually occupies or uses the submerged land described herein, provided, however, that if the permit is modified to decrease/increase the submerged lands so occupied, then the fee shall also be decreased/increased consistent therewith.

3. IT IS EXPRESSLY UNDERSTOOD by the parties hereto that the title to all submerged or filled land which is altered or occupied on the basis of this permit is in the Government of the Virgin Islands, and the Permittee shall have no right or interest therein, of any kind whatsoever, other than such rights as are expressly set forth herein, and that this instrument is not a lease.

IN TESTIMONY WHEREOF, the parties have hereunto set their hands and seals on the days and years appearing herein below.

GOVERNMENT OF THE VIRGIN ISLANDS

Permittor



Commissioner, Dept. of Planning
and Natural Resources

OCT 12 1993
Date

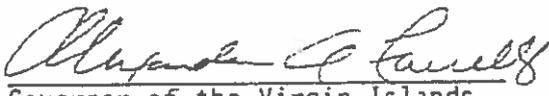
Permittee



LUIS BARED

10/6/93
Date

APPROVED



Governor of the Virgin Islands

11/17/93
Date

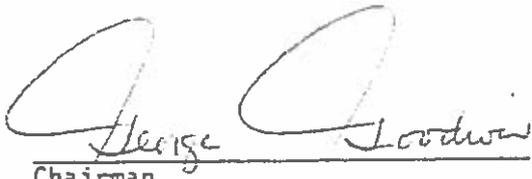
RATIFIED

Legislature of the Virgin Islands

President of the Virgin Islands

Date

or if the Legislature is not in session
the Committee on Planning and Environmental
Protection.



Chairman

2/1/94
Date

JOINT APPLICATION
 DEPARTMENT OF THE ARMY/VIRGIN ISLANDS
 DEPARTMENT OF PLANNING AND NATURAL RESOURCES
 FOR
 ACTIVITIES IN WATERS OF THE VIRGIN ISLANDS OF THE UNITED STATES

Refer to Instruction Pamphlet for explanation of numbered items and attachments required

1. Application number (To be assigned)	2. Date	3. For official use only
	Day Mo. Yr.	

4. Name, address and zip code of applicant
 Black Magic Flightops, LLC
 P.O. Box 6254
 San Juan, Puerto Rico, 00914

Telephone Number c/o (340) 774-6845

5. Name, address, zip code and title of applicant's authorized agent for permit application coordination
 Maria T. Hodge, Esq.
 1340 Taarneberg
 St. Thomas, USVI, 00802
 Telephone Number ~~(340) 774-6845~~

6. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills, or pipe or float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.
 Maintain existing permitted dock -- no new activity proposed.

	Dredged/Excavated	Filled/Deposited	
Volume of Material: N/A	_____ CY	_____ CY	_____ CY
	Waterward of	Landward of	Waterward of
	O.H.W. or M.H.W.	O.H.W. or M.H.W.	O.H.W. or M.H.W.

7. Proposed use
 Private Public () Commerical () Other () Explain in remarks

8. Name and address including zip code of adjoining property owners whose property also adjoins the waterway.
 Jeffrey and Cathleen Chase (8-7 Estate Nazareth)
 P.O. Box 8179, St. Thomas, USVI, 00801

9. Location where proposed activity exist or will occur
 Street address 8-5B and 8-6 Estate Nazareth Island St. Thomas
 Latitude _____ Longitude _____ (If known)

Estate <u>Nazareth</u>	In City or Town <u>NEVILLE A. JAMES</u>	Near City or Town <u>Charlotte Amalie</u>
---------------------------	--	--

10. Name of waterway at location of the activity
Cowpet Bay, St. Thomas

15 APR 20 PM 4:09
 SENATE PRESIDENT
 OFFICE OF THE



11. Date activity is proposed to commence
Date activity is expected to be completed

Dock exists at present and has been permitted for over twenty (20) years. No new activity proposed.

12. Is any portion of the activity for which authorization is sought now complete? Yes (xx) No ()
If answer is "Yes" give reasons in the remarks section. Month and year the activity was completed _____
~~Approximately 20 years ago~~ **Indicate the existing work on the drawings.

13. List all approvals or certifications required by other Federal, interstate, territory or local agencies for any structures, construction, discharges, deposits or other activities described in this application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
N/A				

** 12 (continued): Permit CZT-53-93W and ACOE Approval 12/22/1993 (see attached).
Permit 1993 50174 (LP - JR)

14. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?
Yes () No (xxx) (If Yes" explain in remarks)

15. Remarks (see Instruction Pamphlet for additional information required for certain activities)

16. Application is hereby made for a permit or permits to authorize the activities described herein. I agree to provide any additional information/data that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable territory Water Quality Standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making preliminary analyses of the site and monitoring permitted works, if permit is granted. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that: I possess the authority to undertake the proposed activities.

Black Magic Flightops, LLC, by huss Bared, Member,
by [Signature] _____ 1/22/14
Signature of Applicant Date
attorney in fact

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

The application must be signed by the person who desires to undertake the proposed activity; however, the application may be signed by a duly authorized agent if accompanied by a statement by that person designating the agent and agreeing to furnish upon request, supplemental information in support of the application.

FEE: Attach Checks/Money Orders on front
Payable to Natural Resources Reclamation Fund



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS, ANTILLES OFFICE
400 FERNANDEZ JUNCOS AVENUE
SAN JUAN, PUERTO RICO 00901-3299

REPLY TO
ATTENTION OF

Antilles Office
Regulatory Section
199350174 (LP-JR)

DEC 23 1993

Mr. Luis Bared
P.O. Box 300
Emancipation Garden Station
St. Thomas, U.S. Virgin Islands 00804-0300

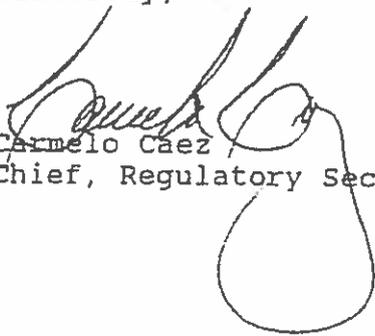
Dear Mr. Bared:

Enclosed is a Notice of Authorization for application number 199350174 (LP-JR) submitted to extend a residential pier from 50' x 5' to 80' x 5' with an "L" section of 20' x 5'. The placard should be prominently displayed at the construction site. You may begin the work authorized by this permit. This permit does not relieve you of your responsibilities for obtaining any other Federal, State or local permit.

The field office supervisor for your area is responsible for subsequent compliance inspections to determine that the permitted work and all conditions are followed. In order to determine compliance with the permit, U.S. Army Corps of Engineers personnel or a contractor may inspect the project site at any time. A copy of the enclosed permit and drawings must be available at the site of work at all times. Please be aware that failure to comply with the permit limits or the conditions may result in enforcement actions to include civil penalties.

If in the future you choose to modify your permitted work, this must be requested in writing, and drawings showing the proposed changes must also be submitted. Any requests for extensions beyond the five year time limit must be requested, in writing, at least one month prior to the expiration date of the permit.

Sincerely,


Carmelo Caez
Chief, Regulatory Section

Enclosures



**This notice of authorization must be
conspicuously displayed at the site of work.**

United States Army Corps of Engineers

DEC 23 1993 19

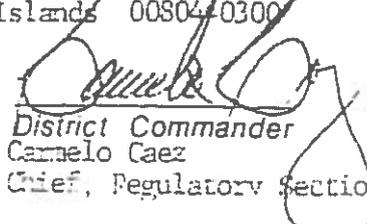
A permit to extend an existing residential pier to measure 80' x 5' with
an "L" section measuring 20' x 5'
at Pea Hook, Estate Nazareth, St. Thomas, US Virgin Islands

has been issued to Mr. Luis Bared on _____ 19____

Address of Permittee P.O. Box 300, Emancipation Garden Station
St. Thomas, US Virgin Islands 00804-0300

Permit Number

199350174 (LP-JR)


District Commander
Carmelo Caez
Chief, Regulatory Section

DEPARTMENT OF PLANNING AND NATURAL RESOURCES
DIVISION COASTAL ZONE MANAGEMENT

ENVIRONMENTAL ASSESSMENT REPORT
FOR MINOR PROJECTS IN COASTAL WATERS

Instructions for Completing this Report: Applicant must complete this form. Use back of page and/or attach additional sheets if more spaces are needed to complete any response - be sure to give the appropriate question number. If all information is not accurate and complete, the application will be rejected until such deficiencies are corrected.

Section I. Applicant

1. Name, address and telephone number of applicant.

Black Magic Flightops, LLC

P.O. Box 6254

San Juan, Puerto Rico, 00914

Telephone: 340-774-6845

2. Name, address and telephone number of owner of upland property and of developer (if any).

Same as Number 1. above.

EAR APPLICATION FOR MINOR WATER DEVELOPMENT

EXHIBIT

tabbles

C

Section II. Project Objectives and Description

In this section give a brief description of the proposed development, including all structures on submerged lands, coastal waters or shorelines. The relationship of the development to applicable items below should be explained fully. Attach additional sheets if necessary.

3. Briefly describe what the project is intended to achieve (e.g. private pier for sailboats, etc.)

Continue use and occupancy of existing pier for property owner's

water access to home.

4. Will the development extend into or adjoin any beach or shoreline area? Explain.

Existing pier (permitted). Docks adjoin shoreline.

5. Will the development maintain, enhance, or conflict with public access to the shoreline and along the coast? Explain.

The continued presence of the existing pier will have no impact on

public access to shoreline or coast.

6. Describe the construction methods to be used.

No construction is proposed.

7. Describe procedures to be used in controlling environmental impacts.

Not applicable.

8. Describe reasonable alternatives to the project, or to its location, which could feasibly attain the basic objectives, and why they were rejected in favor of the ultimate choice.

There are no reasonable alternatives to maintaining existing pier

which has been in place and permitted for over twenty (20) years. Removal

of the pier would be contrary to objective of access and cause environmental

harm in the disturbance of seabed and adjacent areas.

Section III. Description of the Existing Environment Without the Project

(Information supplied must be current: if obtained from other studies, give name, year and authorship of publication.)

9. Give a qualitative description of the bottom sediments in the immediate vicinity of the project. State color, odor, and use the following terms to describe grain size: boulders, cobblestones, gravel, coarse sand, muddy sand, mud, beachrock coral rock.

Rock.

10. Check the boxes which best describe the types of coastal submarine habitats existing within the immediate project area, and within 1/4 mile (1,320 ft.) from the project boundaries:

- | | |
|---|---|
| <input type="checkbox"/> Gcorals, including soft corals | <input type="checkbox"/> Gsalt ponds |
| <input type="checkbox"/> Gseagrass or algal beds | <input type="checkbox"/> Grocky shore |
| <input checked="" type="checkbox"/> Ghard, rocky bottom | <input type="checkbox"/> Gsand beach |
| <input type="checkbox"/> Gsand bottom | <input type="checkbox"/> Gcobble beach |
| <input type="checkbox"/> Gmuddy bottom | <input type="checkbox"/> Gdeveloped or urbanized waterfront |
| <input type="checkbox"/> Gmangroves | <input type="checkbox"/> Gother (describe) |

Section IV. Environmental Effects

11. List any anticipated adverse Environmental Effects resulting from implementation of this project and any measures that will be taken to minimize these.

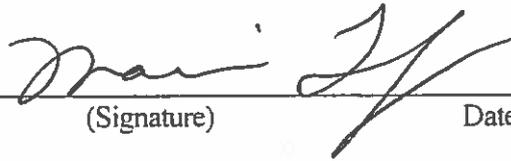
No adverse environmental effects from maintaining existing pier.

Section V. Preparation of EAR and Persons Consulted

12. Persons, firm or agency preparing the EAR, by contract or other authorization:

Maria T. Hodge, Esq.

Name (Print)



(Signature)

Date

12/26/13

1340 Taarneberg, St. Thomas, USVI, 00802

Address

00802

(340) 774-6845

Zip

Area Code/Telephone Number

13. Persons or agencies consulted:

N/A

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES
DEPARTMENT OF PLANNING AND NATURAL RESOURCES
DEVELOPMENT PERMIT APPLICATION

FORM L&WD-5
PROOF OF LEGAL INTEREST

AFFIDAVIT

Black Magic Flightops, LLC,
I, by Luis Bared, being duly sworn depose and say that:
Name

1. I am the (check one)

- Record title owner (fee simple) Sole Member of Black Magic Flightops, LLC, owner
 Lessee
 Other (specify)

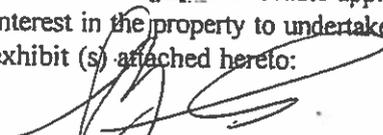
of the real property described as Parcel No(s) 8-5B and 8-6

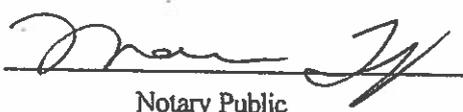
Estate Nazareth

Quarter Red Hook

Island St. Thomas

2. I have the irrevocable approvals, permission, or power of attorney from all other persons with a legal interest in the property to undertake the work proposed in the permit application as more fully set forth in the exhibit (s) attached hereto:


The foregoing instrument was acknowledged before me this 27 day of December
19 2013 by Luis Bared at St Thomas county of USVI


Notary Public

Maria Hodge
My Commission Expires:
My Commission Expires 4/2016
LNP 21-12

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES
DEPARTMENT OF PLANNING AND NATURAL RESOURCES
DEVELOPMENT PERMIT APPLICATION

FORM L&WD-5
PROOF OF LEGAL INTEREST

AFFIDAVIT

Black Magic Flightops, LLC,
I, by Luis Bared, being duly sworn depose and say that:
Name

1. I am the (check one)

- Record title owner (fee simple) Sole Member of Black Magic Flightops, LLC, owner
 Lessee
 Other (specify)

of the real property described as Parcel No(s) 8-5B and 8-6

Estate Nazareth

Quarter Red Hook

Island St. Thomas

2. I have the irrevocable approvals, permission, or power of attorney from all other persons with a legal interest in the property to undertake the work proposed in the permit application as more fully set forth in the exhibit (s) attached hereto:

Luis Bared Member Manager of Black Magic Flightops, LLC, by his attorney in fact, Maria Hodge
The foregoing instrument was acknowledged before me this 22nd day of January 2014 by Maria Hodge at 1340 Taarnebrya county of St. Thomas, V.I.

Mark Hodge

Notary Public

My Commission expires

NOTARY PUBLIC
Mark D. Hodge
Commission Exp: May 19, 2016
NP Commission #: LNP-07-12
St. Thomas/St. John, USVI District

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned, LUIS BARED, personally, individually and in my capacity as a member and owner of BLACK MAGIC FLIGHTTOPS, LLC of St. Thomas, U.S. Virgin Islands, do hereby make, constitute, and appoint MARIA TANKENSON HODGE, Esquire, of 1340 Taarneberg, St. Thomas, Virgin Islands my true and lawful attorney in fact for Black Magic Flighttops, LLC and for me and in my name, place and stead, and on my behalf, and for my use and benefit:

1. To exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or may hereafter acquire the legal right, power or capacity to exercise or perform, in connection with, arising from, or relating to the application for renewal of CZM permit CZT-53-93W, or the issuance of a new minor CZM permit for continued existence and use of the dock authorized by that permit, at parcels 8-5B and 8-6 Estate Nazareth. I further authorize my attorney in fact to execute any and all documents required to accomplish the foregoing, including but not limited to the signing, execution and delivery of any documents related thereto.

2. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

Dated:

WITNESSES:

Memoir
Alejandro Risto Piro

[Signature]
LUIS BARED

Subscribed to and sworn to before me this 17th day of Jan, 2014

by Luis Bared in his individual and official capacity being authorized so to do.

Mark Hodge

NOTARY PUBLIC
Name: *Mark D. Hodge*
My Commission Exp: May 19, 2016
My Commission #: LNP-07-12
St. Thomas/St. John, USVI District

INFORMATION NEEDED ON AFFIDAVIT OF OWNERSHIP OR CONTROL

1. The affidavit of ownership or control should be signed by at least one owner of the property, lessee, or easement holder.
2. If subdivided, the property should be described by lot number, block number (if any), name of subdivision, and plat book number and page where recorded.
3. If unplatted, the property should be described by estate, and subdivision of estate.
4. If the description is based on courses and distances not following the place coordinates, the point of beginning should be identified.

Please contact this office should clarification or further instructions be necessary.

AFFIDAVIT OF OWNERSHIP OR CONTROL

TO THE DEPARTMENT OF PLANNING AND NATURAL RESOURCES

I hereby certify that I am the (check one):

record title owner in fee simple XXXX
lessee _____
Other (specify) _____

of the below described property. Furthermore, I certify that as record owner, lessee, or other, I have, or will have, prior to undertaking the work, necessary irrevocable approvals, permission of power of attorney from all other persons with a legal interest in said property, to conduct the work proposed in the permit application. This affidavit applies only to high land and does not apply to submerged lands or any area below mean high tide, regardless of the description provided below. This affidavit shall be accompanied by the appropriate legal documents.

LEGAL DESCRIPTION

8-5B and 8-6 Estate Nazareth
St. Thomas, VI, 00802

Black Magic Flightops, LLC, by Luis Bared, Member, *by his attorney in fact,*
Sworn to and subscribed before me at 1340 Tamarberg, St. Thomas VI *Marie*

by Maria Hodge this 23rd day of January, 2014 *by*

Mark Hodge
NOTARY PUBLIC

My commission expires:

NOTARY PUBLIC
Name: *Mark D. Hodge*
My Commission Exp: May 19, 2016
NP Commission #: LNP-07-12
St. Thomas/St. John, USVI District

COPY

RECEIVED
COLLECTION & DEPOSIT NO. 15

DEC 27 2013

VIRGIN ISLANDS BUREAU OF
INTERNAL REVENUE ST. THOMAS VI

GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES

-0-

VIRGIN ISLANDS BUREAU OF INTERNAL REVENUE

(DPNR FORM L&WD-6)

APPLICATION FOR TAX FILING AND PAYMENT STATUS REPORT**

Date: 12/27/13

The applicant identified below hereby requests a letter certifying his or her tax filing and payment status for the purpose of receiving a Coastal Zone Management Permit from the Virgin Islands Department of Planning and Natural Resources pursuant to Act 5270, amending Sections 910 (a)(2) and 911 (d)(2) of the Coastal Zone Management Act (Title 12, Chapter 21, Virgin Islands Code). The applicant authorizes the Bureau of Internal Revenue to disclose any taxpayer information necessary to process this application to the Virgin Islands Department of Planning and Natural Resources, who may make such further disclosures as are necessary to carry out the requirements of the Coastal Zone Management Act, as amended.

Name: Black Magic Flightops, LLC

Business Name: N/A

EIN/TIN: 66-0777118

SSN: _____

Please Indicate:

- *Corporation
- *Partnership
- Individual
- Other

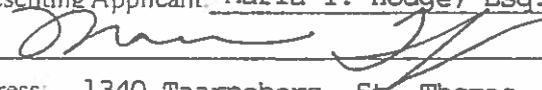
No Tax Returns filed as
Applicant has no income,
existing solely to hold
title to property.

Type of Business: Limited Liability Corp.

Please circle forms that you use: 1120, 1120s,
1065, 1040, 941 VI, 722 VI, 720, 720 VI, 720
BVI, 50VI, other (list)

Date Business Started: This is not a business. The LLC was formed 11/06/2006.

Person Representing Applicant: Maria T. Hodge, Esq. Position: Attorney

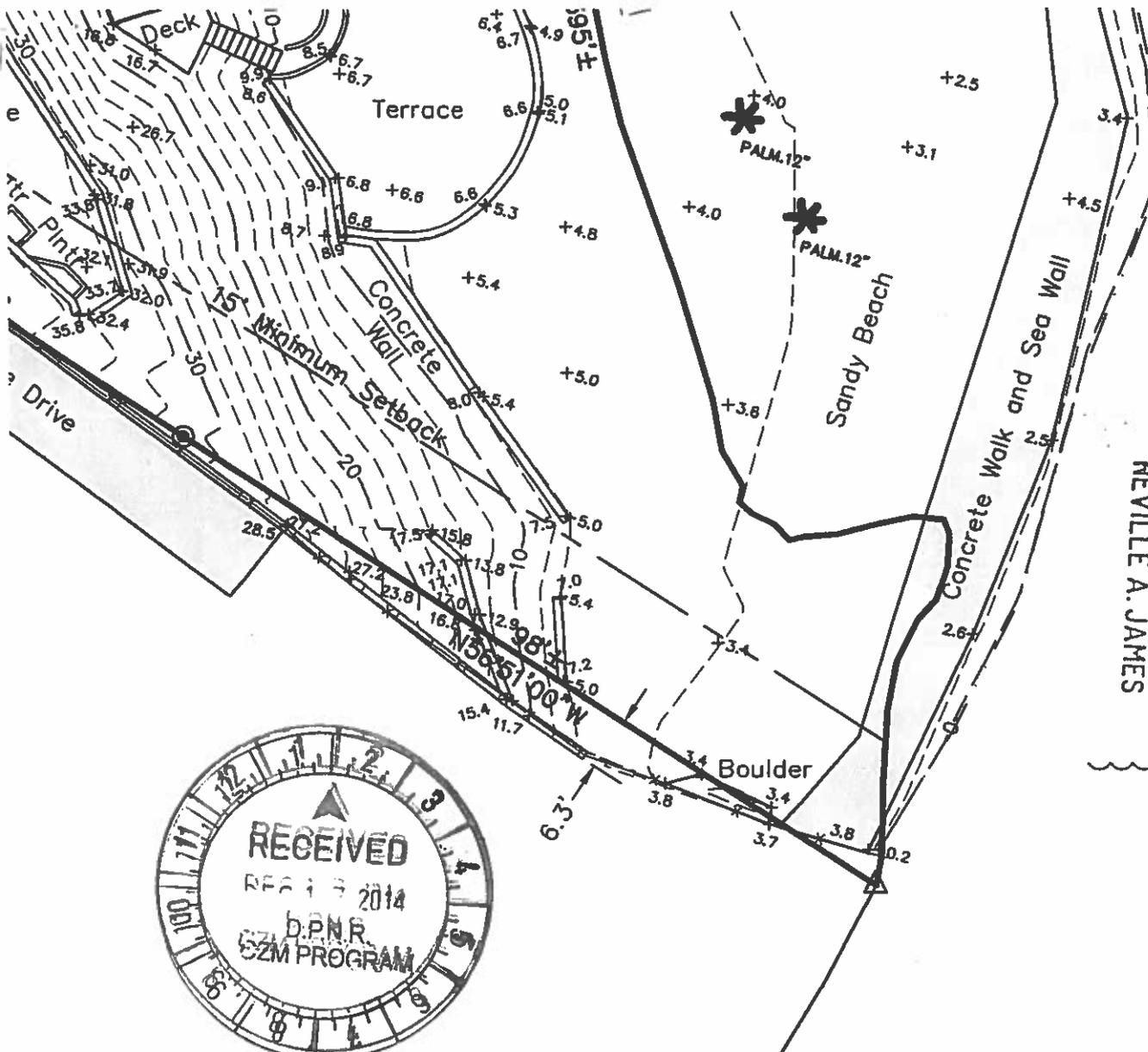
Signature: 

Mailing Address: 1340 Taarneberg, St. Thomas, USVI, 00802

Date: 12/27/13 Telephone Number: (340) 774-6845

Reply to: #1A Lockharts Garden, St. Thomas VI 00802 or 4008 Estate Diamond, St. Croix VI 00820

* Partnerships and/or Corporations must list partners/ corporate officers, social security numbers and addresses on a separate sheet and attach it to this application.



COWPET BAY

OFFICE OF THE
SENATE PRESIDENT
15 APR 20 P11 4: 09
SENATOR
HEVILLE A. JAMES



VIRGIN ISLANDS GOVERNMENT
DEPARTMENT OF PLANNING AND NATURAL RESOURCES
COASTAL ZONE PERMIT NO. CZM-12-14W

This permit is approved, subject to conditions if any pursuant to
Chapter 21, Title 12, Virgin Islands code
Conditions

No. Yes, on this plan or an attached
Permit document

[Signature]
Commissioner

2/26/15
Date
SURVEYOR
NDS

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



Brian Moseley & Associates, Inc.
Land Surveyors & Consultants

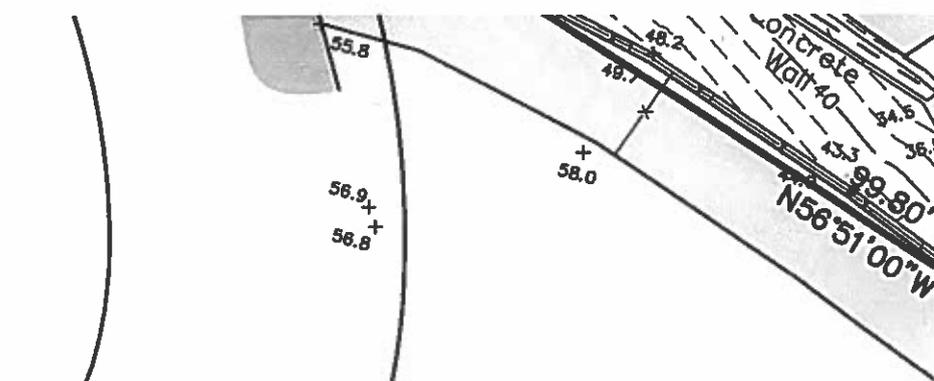
4003 RAPHUNE HILL ROAD
SUITE 6C
ST. THOMAS, VI 008C
PHONE (340) 774-531
FAX (340) 776-409

Topographic Survey of
Parcels No. 8-5B & 8-6
Estate Nazareth
No. 1 Redhook Quarter
St. Thomas, U.S. Virgin Islands

EXHIBIT

tabbles
D

UBSEQUENT
R FAMILIARIZE
THAT SPECIFIC
AL DESIGN
CESS. A HIGHER



Parcel No. c

LEGEND

- UNMARKED POINT
- BOUNDPOST PER MAP OF RECORD
(Not Found)
- T-IRON BOUNDPOST FOUND
- UTILITY POLE & LINES
- FENCE LINE
- SPOT ELEVATION

DATUM

VERTICAL DATUM BASED UPON
MEAN SEA LEVEL OBSERVATION
JULY, 2008

BENCHMARK

TOP OF CONCRETE DOCK CORNER
ELEVATION = 2.75 (Algae Line at Boat Ramp)

REFERENCE

- F9-1957-T67
- D9-466-T65

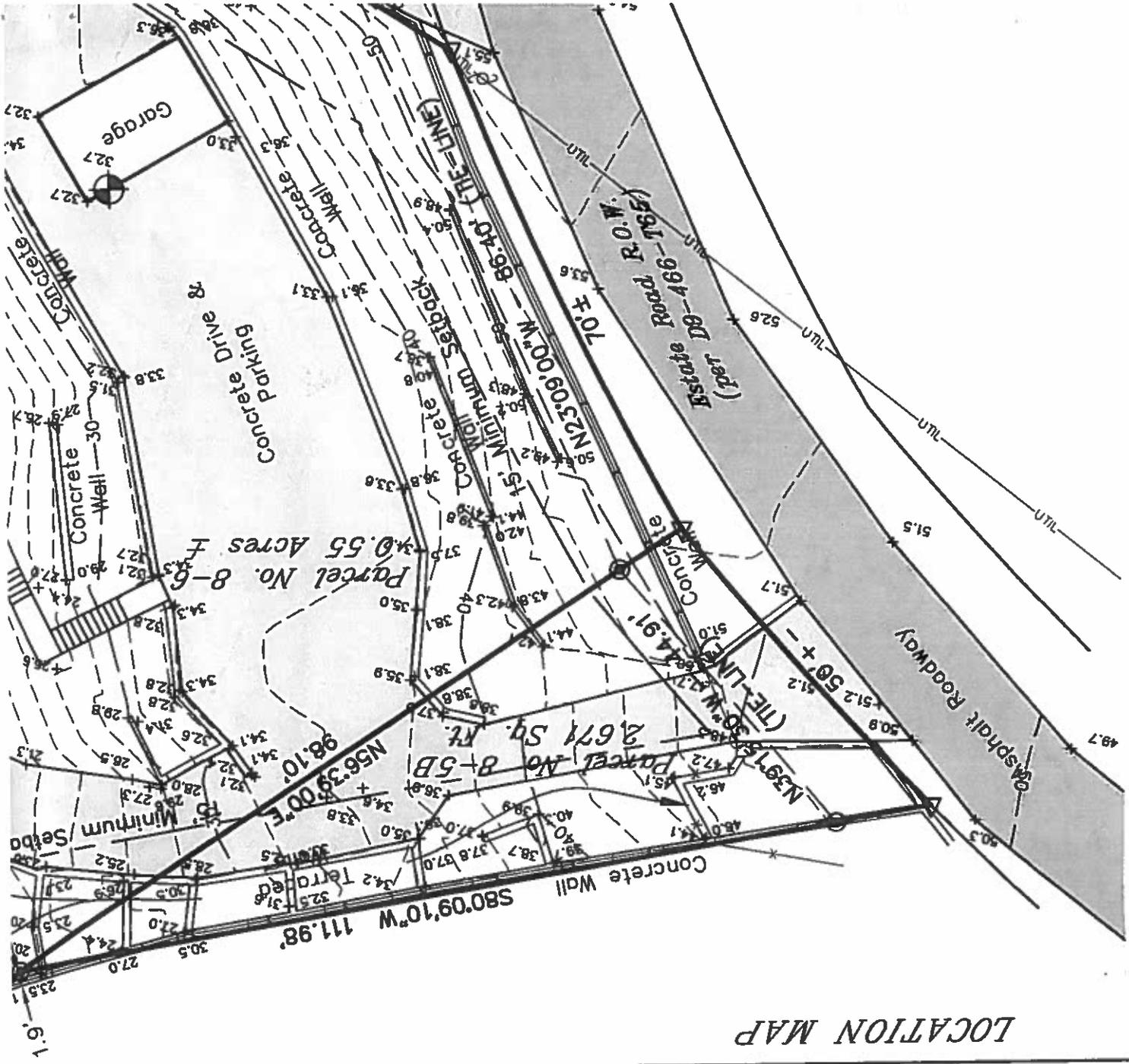
ZONING

R-1

NOTES :

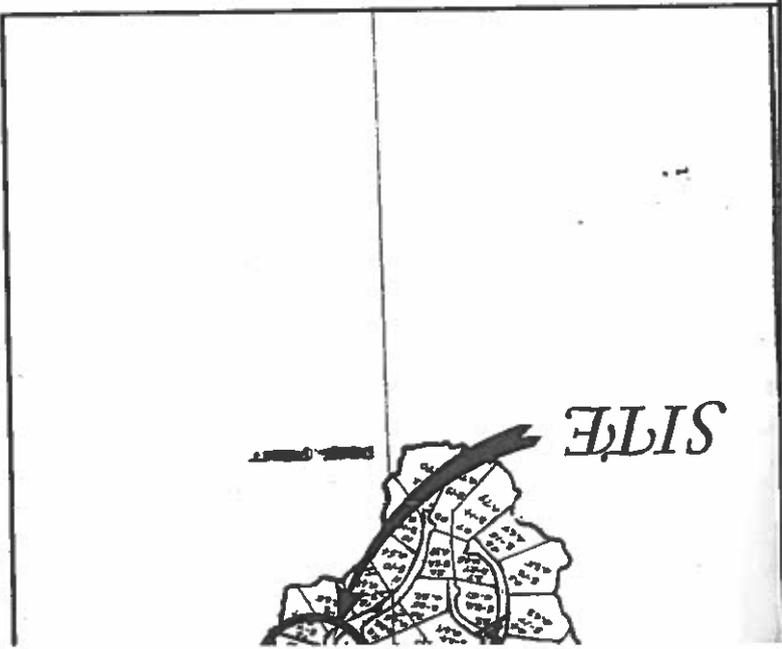
THE PROCEDURES USED FOR DATA COLLECTIO
GENERATION OF THIS MAP REQUIRE THAT THE
HERSELF OR HIMSELF WITH THE SITE AND BE
NATURAL FEATURES TO BE INCORPORATED IN
SHOULD BE FIELD CHECKED EARLY IN THE DE
DEGREE OF ACCURACY AND/OR DEFINITION M





LOCATION MAP

Parcel No. 8-5
(P9-1957-767)



SITE