

Amendment to Preliminary Land Exchange Agreement

The Government of the U.S. Virgin Islands (GVI) with its principal office located at Office of the Governor, 1105 King Street, Christiansted, St. Croix, USVI 00820, and The National Park Service, Interior Region 2 (NPS) with its principal office located at 100 Alabama Street, SW, 1924 Building Atlanta, GA 30303 (collectively, the Parties), hereby agree to the following:

1. The parties entered into a Preliminary Agreement for the Exchange of Real Property, which was fully executed on October 22, 2020. A true and accurate validly executed copy of that exchange agreement is attached to this Amendment and labeled as **Exhibit A**.

2. The parties agree that section 17 of the attached agreement is somewhat ambiguous as to the term of the agreement. It currently reads as follows, “[t]his Agreement shall terminate without penalty upon (a) the completion of the exchange contemplated herein; (b) upon written notification by either party, in its sole discretion, that it will not proceed with the exchange, provided that such notice must be given prior to the exchange of land interests; or (c) the passage of two (2) years from the date of the last signature executing this Agreement, or the date of any subsequent written amendment to this Agreement, only in the event that the written amendment expressly provides for a time extension.” [Italics included merely for emphasis.]

3. The previous language of section 17 is hereby amended to read, “[t]his agreement is valid until the completion of the exchange delineated in the agreement, or two years from the date of the last signature on this Amendment.”

4. Except as modified by this Amendment (section 17), all other terms of the October 22, 2020 exchange agreement attached to this Amendment and labeled as **Exhibit A** remain in full force and effect. This includes, without limitation the parties’ obligations delineated therein, and the right of either party to decline the exchange prior to its effectuation.

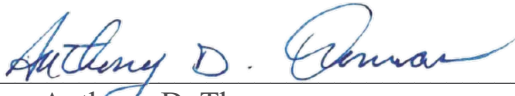
5. This Amendment may be executed in two or more **counterparts**, each of which shall be deemed to be an original but all of which, taken together, constitute one and the same amendment.

Amendment to Preliminary Agreement for Exchange of Real Property
U.S. DOI-NPS & U.S. Virgin Islands

IN WITNESS WHEREOF, THE UNDERSIGNED PARTIES HAVE SIGNED, SEALED
AND DELIVERED THIS AMENDMENT THIS 14th day of December, 2022.

EXCHANGE PARTIES:

GOVERNMENT OF THE U.S. VIRGIN ISLANDS

By: 
Anthony D. Thomas
^{mark}Commissioner
Department of Property and Procurement
Government of the U.S. Virgin Islands

NATIONAL PARK SERVICE

By: **MARK FOUST** Digitally signed by MARK FOUST
Date: 2022.12.08 16:12:12 -05'00'
Mark Foust
Regional Director
Interior Region 2
National Park Service
U.S. Department of the Interior