

10/10/2024-REPORTED OUT TO THE FLOOR

10/07/2024-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 35-0300

Thirty-Fifth Legislature of the Virgin Islands

July 15, 2024

An Act approving a lease agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and Advance Power, LLC, for three portions of Parcel 1-A Estate Bovoni, Nos. 1 and 2 Frenchman's Bay Quarter, St. Thomas, Virgin Islands; two portions of Parcel No. 1 A-8 Estate Bovoni Nos. 1 and 2 Frenchman's Bay Quarter, St. Thomas, Virgin Islands; a portion of Parcel No. 1A-7 Estate Bovoni Nos. 1 and 2 Frenchman's Bay Quarter, St. Thomas, Virgin Islands; a portion of Parcel No. 1-21 Estate Bovoni Nos. 1 and 2 Frenchman's Bay Quarter, St. Thomas, Virgin Islands; two portions of Remainder of Parcel 1-19 Estate Bovoni, Nos. 1 and 2 Frenchman's Bay Quarter, St. Thomas, Virgin Islands; and a portion of Parcel No. 1-18 Estate Bovoni, Nos. 1 and 2 Frenchman's Bay Quarter, St. Thomas, Virgin Islands, for the purpose of constructing, operating, and maintaining wind turbine generators, offices, metering, maintenance sheds, access roads, utility substations as part of a microgrid on St. Thomas and other related purposes

PROPOSED BY: Senators Novelle E. Francis, Jr., Angel L. Bolques, Jr.
and Carla J. Joseph by Request of the Governor

1 **WHEREAS**, on May 11, 2024, the Governor of the Virgin Islands approved the lease
2 agreement between the Government of the Virgin Islands and Advance Power, LLC;

3 **WHEREAS**, Advance Power, LLC, will be leasing the following for the purpose of
4 constructing, operating, and maintaining wind turbine generators, offices, metering,
5 maintenance sheds, access roads, and utility substations as part of a microgrid, and other related
6 purposes on the island of St. Thomas:

7 (1) Three portions of Remainder of Parcel 1-A Estate Bovoni, Nos. 1 and 2
8 Frenchman's Bay Quarter, St. Thomas, Virgin Islands, at 18°18' 15.53" N, 64°52'28.91"

1 W (T1); 18° 18'23.65" N, 64°52'39. 10" W (T4); and 18°18'29.62" N, 64°52'43.78" W
2 (T5), consisting collectively of 163,350 U.S. sq. ft. or 3.75 U.S. acres of land, more-or-
3 less, as shown on PWD File No. A3-106-T68;

4 (2) Two portions of Parcel No. 1A-8 Estate Bovoni Nos. 1 and 2 Frenchman's
5 Bay Quarter, St. Thomas, Virgin Islands, at 18°18'12.25"N, 64°52'40.67" W (T2) and
6 18°18'18.68" N, 64°52'34.74" W (T3), consisting collectively of 108,900 U.S. sq. ft. or
7 2.5 US acres of land, more-or-less, as shown on OLG Drawing No. D9-8341-T009, dated
8 May 27, 2009;

9 (3) A portion of Parcel No. 1A-7 Estate Bovoni Nos. 1 and 2 Frenchman's Bay
10 Quarter, St. Thomas, Virgin Islands, at 18° 18'40.92" N, 64°52'40.5 1" W (T7), consisting
11 of 54,450 U.S. sq. ft. or 1.25 U.S. acres of land, more-or-less, as shown on O.L.G.
12 Drawing No. D9-8354-T009, dated September 10, 2006;

13 (4) A portion of Parcel No. 1-21 Estate Bovoni Nos. 1 and 2 Frenchman's Bay
14 Quarter, St. Thomas, Virgin Islands, at and 18°18'33.42" N, 64°52'3 1.69" W (T6),
15 consisting of 54,450 U.S. sq. ft. or 1.25 U.S. acres of land. more-or-less, as shown on
16 DPNR No. A9-365-T89, dated April 4. 1989;

17 (5) Two portions of Remainder of Parcel No. 1-19 Estate Bovoni, Nos. 1 and 2
18 Frenchman's Bay Quarter, St. Thomas, Virgin Islands, at 18°18'51.92" N, 64°53'1.66" W
19 (T9) and 18°18'59.12" N. 64°53'0.60" W (T10), each consisting of 108,900 U.S. sq. ft.
20 or 2.5 U.S. acres of land, more-or-less, as shown on Drawing No. D9-58 I 7-T94; and

21 (6) A portion of Parcel No. 1-18 Estate Bovoni, Nos. 1 and 2 Frenchman's Bay
22 Quarter, St. Thomas, Virgin Islands, at 18°18'45.48" N, 64°52'58.34" W (T8), consisting
23 of 54,450 U.S. sq. ft. or 1.25 U.S. acres of land, more-or-less, zoned "P", as shown on
24 DPNR No. A9-365-T89, dated April 4, 1989.

25 **WHEREAS**, the rent will be \$48,000 per annum, payable annually on the 31st day of
26 January; and

1 **WHEREAS**, title 31 Virgin Islands Code, chapter 21, section 205, subsection (c) provides
2 that in addition to the Governor’s approval of any lease, the Legislature of the Virgin Islands
3 must approve all leases exceeding a term of one year; Now, Therefore,

4 *Be it enacted by the Legislature of the Virgin Islands:*

5 **SECTION 1.** Pursuant to title 31 Virgin Islands Code, section 205, subsection (c), the
6 Legislature of the Virgin Islands approves the lease agreement between the Government of the
7 Virgin Islands, acting through its Commissioner of the Virgin Islands Department of Property
8 and Procurement and Advance Power, LLC for Three portions of Remainder of Parcel 1-A
9 Estate Bovoni, Nos. 1 and 2 Frenchman’s Bay Quarter, St. Thomas, Virgin Islands, at 18°18’
10 15.53” N, 64°52’28.91” W (T1); 18° 18’23.65” N, 64°52’39. 10” W (T4); and 18°18’29.62” N,
11 64°52’43.78” W (T5), consisting collectively of 163,350 U.S. sq. ft. or 3.75 U.S. acres of land,
12 more-or-less, as shown on PWD File No. A3-106-T68; Two portions of Parcel No. 1A-8 Estate
13 Bovoni Nos. 1 and 2 Frenchman’s Bay Quarter, St. Thomas, Virgin Islands, at 18°18’12.25”N,
14 64°52’40.67” W (T2) and 18°18’18.68” N, 64°52’34.74” W (T3), consisting collectively of
15 108,900 U.S. sq. ft. or 2.5 US acres of land, more-or-less, as shown on OLG Drawing No. D9-
16 8341-T009, dated May 27, 2009; A portion of Parcel No. 1A-7 Estate Bovoni Nos. 1 and 2
17 Frenchman’s Bay Quarter, St. Thomas ,Virgin Islands, at 18° 18’40.92” N, 64°52’40.5 1” W
18 (T7), consisting of 54,450 U.S. sq. ft. or 1.25 U.S. acres of land, more-or-less, as shown on
19 O.L.G. Drawing No. D9-8354-T009, dated September 10, 2006; A portion of Parcel No. 1-21
20 Estate Bovoni Nos. 1 and 2 Frenchman’s Bay Quarter, St. Thomas, Virgin Islands, at and
21 18°18’33.42” N, 64°52’3 1.69” W (T6), consisting of 54,450 U.S. sq. ft. or 1.25 U.S. acres of
22 land, more-or-less, as shown on DPNR No. A9-365-T89, dated April 4. 1989; Two portions of
23 Remainder of Parcel No. 1-19 Estate Bovoni, Nos. 1 and 2 Frenchman’s Bay Quarter, St.
24 Thomas, Virgin Islands, at 18°18’51.92” N, 64°53’1.66” W (T9) and 18°18’59.12” N.
25 64°53’0.60” W (T10), each consisting of 108,900 U.S. sq. ft. or 2.5 U.S. acres of land, more-
26 or-less, as shown on Drawing No. D9-58 I 7-T94; and A portion of Parcel No. 1-18 Estate

1 Bovoni, Nos. 1 and 2 Frenchman’s Bay Quarter, St. Thomas, Virgin Islands, at 18°18’45.48” N,
2 64°52’58.34” W (T8), consisting of 54,450 U.S. sq. ft. or 1.25 U.S. acres of land, more-or-less,
3 zoned “P”, as shown on DPNR No. A9-365-T89, dated April 4, 1989, for a term of 25 years
4 with an annual rent of \$48,000, for the purpose of constructing, operating, and maintaining wind
5 turbine generators, offices, metering, maintenance sheds, access roads, utility substations as part
6 of a microgrid on St. Thomas and other related purposes.

7

BILL SUMMARY

8 This bill approves a lease agreement between the Government of the Virgin Islands and
9 Advance Power, LLC.

10 **BR24-1136/July 5, 2024/LMW**

11 **G35-065**