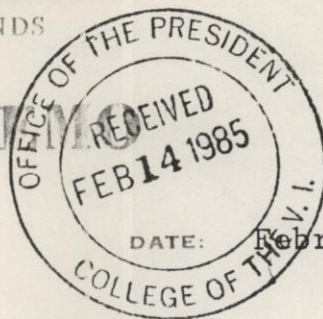


INTER-OFFICE MEMO



TO: Dr. Arthur A. Richards
 FROM: Malcolm C. Kirwan *[Signature]*
 SUBJECT: Resolutions for Disposition of Parcel No. 21 Estate
 Upper Bethlehem
 (Board of Trustees Meeting, March 3, 1985)

Accompanying this memorandum are five resolutions to be acted upon by the College's Board of Trustees in order to effect the disposition of Parcel No. 21 Estate Upper Bethlehem.

Brief Background

As you know, this parcel of land was acquired from the Federal Government by Quit Claim Deed dated February 23, 1972, based on a program and plan submitted by the College with the stipulation that this property would be used as the site for a proposed College Nursing Education program. The purposes set forth in our application have not been realized.

Recently, the College undertook to arrange for an exchange of properties with the Government of the Virgin Islands. This exchange would have resulted in the acquisition by the College of about 8.0 acres of land adjoining the Golden Grove campus property, and the transfer of the Upper Bethlehem parcel of 6.884 acres to the Government of the Virgin Islands. Because the Upper Bethlehem parcel was deeded to the College with very specific restrictions as to use, the Federal Real Property Assistance Office disapproved the exchange in July 1984. Moreover, the College was asked to voluntarily return the property to the Federal Government since the original conditions of transfer have not been fulfilled.

On January 31, 1985, Attorney Hall and I engaged in a series of meetings with Commissioner Richardson of Property and Procurement and Mr. Peter A. Wiezorek, the federal official responsible for the management and oversight of federal surplus properties. It was he who had written the letter disapproving the transfer and requesting the surrender of Parcel 21.

Given the continuing interest of the Government of the Virgin Islands in our Parcel No. 21, and the College's interest in Parcel No. 1 Golden Grove, our objective was to work out a range of alternatives which the College could pursue, short of outright surrender of Parcel 21.

What we came up with were the following courses of action which we are seeking approval to pursue:

Memo Re: Resolutions for Disposition of Parcel No. 21
Estate Upper Bethlehem

Page two
February 13, 1985

1. First, would be action to effect a transfer of properties with the Government of the Virgin Islands and to have the restrictions on Parcel No. 21 transferred to Parcel No. 1 Golden Grove. Mr. Wieczorek would seek legal ruling on this on his return to his Boston office.
2. Next would be to surrender Parcel No 21 to the federal government if the Government agrees to convey the Golden Grove property to us. Commissioner Richardson indicated that he would support this action, because it is absolutely vital that the Government gain possession of Parcel 21 for a planned Motor Pool for St. Croix.
3. Next consideration would be given to seeking an alternative use for the Parcel No. 21 Upper Bethlehem. Mr. Wieczorek indicated that this was permissible, but that the use plan would be considered on its merit.
4. Following this, a joint use with the Government of the Virgin Islands would be pursued. This would be a last recourse to retain title to the Upper Bethlehem parcel.
5. If all else fails, we would need to surrender the property to the Federal Government.

Authorization for the College to pursue these courses of action would be needed from the Board of Trustees. The five resolutions accompanying this memorandum contain the authority required for the President to pursue the alternatives outlined, based on the various contingencies that have been provided for. If you approve, please place consideration of these resolutions on the next Board agenda.

Attachments

COLLEGE OF THE VIRGIN ISLANDS CERTIFIED RESOLUTION

The undersigned hereby certifies that the following is an exact copy of a Resolution of the Board of Trustees of the College of the Virgin Islands duly adopted at its meeting on March 3, 1985, as recorded in the Minutes of said meeting:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE VIRGIN ISLANDS FOR SURRENDER OF NO. 21 UPPER BETHLEHEM

WHEREAS, the College of the Virgin Islands acquired Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands from the Government of the United States by Quit Claim Deed dated February 23, 1972; and

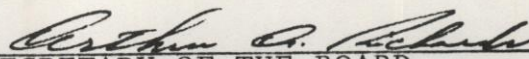
WHEREAS, said conveyance to the College was subject to the use of the land for certain educational purposes, as set forth in the program and plan in its application to the Government of the United States for the land dated May 21, 1971; and

WHEREAS, the College of the Virgin Islands has not utilized Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands in accordance with the program and plan set forth in its application to the Government of the United States dated May 21, 1971; and

WHEREAS, the College of the Virgin Islands is now desirous of returning the Parcel No. 21 Estate Upper Bethlehem to the Government of the United States of America;

NOW, THEREFORE, be it resolved that the President and Vice President for Business & Financial Affairs of the College of the Virgin Islands are hereby authorized to deed, quit claim or release all of the right, title and interest of the College of the Virgin Islands in and to Parcel No. 21 Estate Upper Bethlehem, St. Croix; and to execute any other documents, with such terms and conditions as the President and Vice President for Business & Financial Affairs, in their discretion, deem necessary and appropriate to accomplish the foregoing.

DATED: 4 Mar 85


SECRETARY OF THE BOARD

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COLLEGE OF THE VIRGIN ISLANDS CERTIFIED RESOLUTION

The undersigned hereby certifies that the following is an exact copy of a Resolution of the Board of Trustees of the College of the Virgin Islands duly adopted at its meeting on March 3, 1985, as recorded in the Minutes of said meeting:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE VIRGIN ISLANDS TO TRANSFER DEED RESTRICTIONS FROM NO. 21 ESTATE UPPER BETHLEHEM TO NO. 1 GOLDEN GROVE

WHEREAS, the College of the Virgin Islands is desirous of conveying all of its rights, title and interest in Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands to the Government of the Virgin Islands in exchange for a parcel of equal value, more or less, consisting of a portion of Parcel No. 1 Estate Golden Grove, St. Croix; and

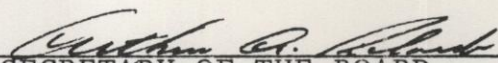
WHEREAS, Parcel No. 1 Estate Golden Grove, St. Croix is not subject to the same deed and use restrictions in favor of the Government of the United States of America as Parcel No. 21 Estate Upper Bethlehem, St. Croix; and

WHEREAS, the College of the Virgin Islands is, with the consent of the Government of the United States of America, willing to utilize that portion of Parcel No. 1 Estate Golden Grove, St. Croix, which it receives in exchange for Parcel No. 21 Estate Upper Bethlehem, St. Croix, in accordance with the same deed and use restrictions that are on Parcel No. 21 Estate Upper Bethlehem, as set forth in the Quit Claim Deed dated February 23, 1972 between the United States of America as Grantor and the College of the Virgin Islands as Grantee;

NOW, THEREFORE, be it resolved that the President and Vice President for Business & Financial Affairs of the College of the Virgin Islands are hereby authorized to execute any and all documents necessary to convey Parcel No. 21 Estate Upper Bethlehem to the Government of the Virgin Islands in exchange for a parcel of equal value, more or less, consisting of a portion of No. 1 Estate Golden Grove, St. Croix; and to obtain the consent of the Government of the United States of America to said exchange; and to commit the College of the Virgin Islands to accept a portion of Parcel No. 1 Estate Golden, St. Croix, Virgin Islands, subject to the same deed and use restrictions as there are on Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin

Islands, in favor of the Government of the United States, as set forth in the Quit Claim Deed dated February 23, 1972 conveying title to the same to the College of the Virgin Islands; and to execute any and all such documents on such terms and conditions as the President and Vice President for Business & Financial Affairs, in their discretion, deem necessary and appropriate to accomplish all of the foregoing.

DATED: 4 Mar 88'



SECRETARY OF THE BOARD

COLLEGE OF THE VIRGIN ISLANDS CERTIFIED RESOLUTION

The undersigned hereby certifies that the following is an exact copy of a Resolution of the Board of Trustees of the College of the Virgin Islands duly adopted at its meeting on March 3, 1985, as recorded in the Minutes of said meeting:

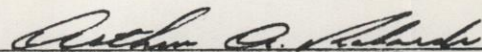
RESOLUTION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE VIRGIN ISLANDS FOR JOINT USE OF NO. 21 UPPER BETHLEHEM

WHEREAS, the College of the Virgin Islands is desirous of jointly utilizing Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands with the Government of the Virgin Islands; and

WHEREAS, the joint use of the property by the College of the Virgin Islands and the Government of the Virgin Islands will require the consent of the Government of the United States and the preparation and execution of various documents to accomplish the same;

NOW, THEREFORE, be it resolved that the President and the Vice President for Business & Financial Affairs of the College of the Virgin Islands are hereby authorized to obtain the consent of the Government of the United States of America to the joint use of Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands by the Government of the Virgin Islands and the College of the Virgin Islands; and the President and Vice President for Business & Financial Affairs are hereby authorized to execute any and all documents necessary and appropriate, in their discretion, to accomplish the foregoing.

DATED: 4 Mar 85


SECRETARY OF THE BOARD

COLLEGE OF THE VIRGIN ISLANDS CERTIFIED RESOLUTION

The undersigned hereby certifies that the following is an exact copy of a Resolution of the Board of Trustees of the College of the Virgin Islands duly adopted at its meeting on March 3, 1985, as recorded in the Minutes of said meeting:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE
VIRGIN ISLANDS TO SURRENDER NO. 21 UPPER BETHLEHEM IN
EXCHANGE FOR PORTION OF NO. 1 GOLDEN GROVE

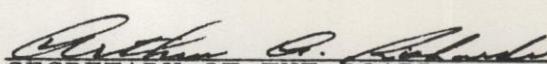
WHEREAS, the College of the Virgin Islands is desirous of acquiring a portion of Parcel No. 1 Estate Golden Grove, St. Croix, Virgin Islands from the Government of the Virgin Islands that is of equal value, more or less, to Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands; and

WHEREAS, the Government of the Virgin Islands is desirous of acquiring Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands from the Government of the United States of America in the event that the College of the Virgin Islands returns the property to it; and

WHEREAS, the College of the Virgin Islands is willing to relinquish all of its right, title and interest in Parcel No. 21 Estate Upper Bethlehem, St. Croix to the Government of the United States of America in the event that the Government of the Virgin Islands first deeds, transfers or conveys to it a portion of No. 1 Golden Grove, St. Croix, Virgin Islands of equal value, more or less;

NOW, THEREFORE, be it resolved that the President and Vice President of the College of the Virgin Islands are hereby authorized to grant, quit claim or release all of the right, title and interest of the College of the Virgin Islands in Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands to the Government of the United States upon receipt of a deed of conveyance from the Government of the Virgin Islands, as grantor, to the College of the Virgin Islands, as grantee, of a portion of Parcel No. 1 Estate Golden Grove, St. Croix of equal value to Parcel No. 21 Estate Upper Bethlehem, St. Croix, more or less; and the President and Vice President for Business & Financial Affairs are hereby authorized to execute any and all such documents on such terms and conditions as they, in their discretion, deem necessary and appropriate to accomplish all of the foregoing.

DATED: 4 Mar 85



SECRETARY OF THE BOARD

COLLEGE OF THE VIRGIN ISLANDS CERTIFIED RESOLUTION

The undersigned hereby certifies that the following is an exact copy of a Resolution of the Board of Trustees of the College of the Virgin Islands duly adopted at its meeting on March 3, 1985, as recorded in the Minutes of said meeting:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE VIRGIN ISLANDS FOR ALTERNATIVE USE OF NO. 21 UPPER BETHLEHEM

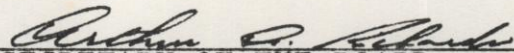
WHEREAS, the College of the Virgin Islands acquired Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands from the Government of the United States by Quit Claim Deed dated February 23, 1972; and

WHEREAS, the College of the Virgin Islands has not utilized Parcel No. 21 Estate Upper Bethlehem, St. Croix, Virgin Islands in accordance with the program and plan set forth in the application of the College for the property dated May 21, 1971; and

WHEREAS, the College of the Virgin Islands is now desirous of utilizing the property for an alternative educational use from the one originally set forth in its original program and plan dated May 21, 1971;

NOW, THEREFORE, be it resolved that the President and the Vice President for Business & Financial Affairs of the College or the Vice President of Academic Affairs, are hereby authorized to execute any and all documents necessary and appropriate to submit a new program and plan to the Government of the United States for an alternative educational use of Parcel No. 21 Estate Upper Bethlehem, St. Croix; and to execute such other documents as they, in their discretion, deem necessary and appropriate to accomplish the foregoing.

DATED: 4-14-85



SECRETARY OF THE BOARD