

1947  
April 22

No. 173

DEED OF CONVEYANCE

Whereas on June 25, 1943, Arthur S. Fairchild offered to the Municipality of St. Thomas and St. John a portion of his estate adjoining the beach at Magens Bay, the so-called Park area, and all the beach except a portion at the South end, and

WHEREAS it being the intention of Arthur S. Fairchild that said land shall be accepted, maintained and used by the Municipality as a Public Park for the use of the people of the Virgin Islands in perpetuity without discrimination of any kind as to race, color, creed, or natural origin, and

WHEREAS it is the desire of Arthur S. Fairchild that the preservation of the natural beauty of the area with its trees and vegetation shall be a prime consideration in maintaining such an area for the public; all buildings should further harmonize with the scene in order to enhance the natural beauty both within the area and surrounding estates, and

WHEREAS the Municipality of St. Thomas and St. John by ordinance passed on the 19th day of August 1946, and approved by the Governor on the 22nd day of August 1946, created an Authority for the purpose of accepting said offer of Arthur S. Fairchild for the operation of Public Beaches and Municipal Parks, pursuant to the above stated intention of Arthur S. Fairchild, now

KNOW ALL MEN BY THESE PRESENTS, That I, Arthur S. Fairchild, party of the first part, for and in consideration of the St. Thomas Park Authority, party of the second part, accepting and agreeing to perpetuate as a Public Park, the land conveyed herein, do hereby transfer and convey as a gift unto the St. Thomas Park Authority all of my right, title, and interest in and to the following described property, to wit:

Parcel No. 13 Northside Quarter, known as Fairchild's Park Estate and consisting of portions of Estate Peterborg, 5.25 acres; Estate Heeileing Kob 29.71 acres; Estate Canaan and Sherpenjewel, 6.70 acres, and Estate Zufriedenheit, 16.54 acres, the total area of which is approximately 58.2 acres, the same being more particularly described as follows:

Beginning at a hardwood bound post situated at the northermost point of the sandy beach at Magens Bay, and at the high water mark, the line runs South 38 degrees 40 minutes East a distance of 571 feet, more or less, to a hardwood post; thence turning and running South 65 degrees 17 minutes West a distance of 402 feet, more or less, to a hardwood post; thence turning and running South 50 degrees 10 minutes West a distance of 167 feet, more or less, to a hardwood post; said hardwood post being on the side of the public road to Magens Bay; thence turning and running North 66 degrees 32 minutes West a distance of 104 feet, more or less, along the public road to a hardwood post, said post being at the high water mark, thence turning and running in a general northerly direction a distance of 730 feet, more or less, along Magens Bay to the point of beginning.

Beginning at a hardwood post, situated at the high water mark, and on the southern side of the public road to Magens Bay, the line runs in a general southeasterly direction along the public road a distance of 815 feet, more or less, to a hardwood post; thence turning and running South 24 degrees 58 minutes West a distance of 734 feet, more or less, toward a hardwood post, said post being on the same line, but a distance of 101 feet, more or less, further; (This point is on the northern side of the proposed public road through the park) thence turning and running along said public road in a general west and southwesterly direction a distance of 1100 feet, more or less, thence across the proposed public road a distance of 36 feet to a hardwood post; thence turning and running along the road and its continuation a distance of 381 feet, more or less, to a hardwood post at the northermost corner of the park; thence turning and running South 74 degrees 04 minutes a distance of 76.8 feet, more or less, to a hardwood post; thence turning and running South 3 degrees 39 minutes West a distance of 384 feet, more or less, to a hardwood post; thence turning and running South 43 degrees 46 minutes West a distance of 105 feet, more or less, to a hardwood post; thence turning and running South 53 degrees 15 minutes West a distance of 60 feet, more or less, to a hardwood post; thence turning and running North 70 degrees 09 minutes West a distance of 264 feet, more or less, to a hardwood post; thence turning and running North 64 degrees 50 minutes West a distance of 272 feet, more or less, to a hardwood post; (This being the westernmost corner of the park) thence turning and running North 63 degrees 12 minutes West a distance of 57.5 feet, more or less, to a hardwood post; thence turning and running North 4 degrees 26 minutes East a distance of 102 feet, more or less, to a hardwood post; thence turning and running North 49 degrees 30 minutes East a distance of 100 feet, more or less, to a hardwood post;

thence turning and running in a general Northernly direction a distance of 360 feet, more or less, along the park road, to a hardwood post; thence turning and running in a Northernly direction a distance of 100 feet, more or less, to a hardwood post; thence turning and running North 33 degrees 30 minutes West a distance of 90 feet, more or less, to a hardwood post set at the high water mark; thence turning and running in a general Northeasterly direction along Magens Bay a distance of 2160 feet, more or less, to the point of beginning.

All measurements are in English feet and all bearings are related to the magnetic meridian.

The above descriptions are shown on the map entitled SUGGESTED PLAN FOR THE DEVELOPMENT OF MAGENS BAY BEACH AS PROPOSED TO THE ST. THOMAS PARK AUTHORITY BY ARTHUR S. FAIRCHILD, said map being on file in the Office of the Public Works in the Municipality of St. Thomas and St. John, and by this reference thereto made a part of this document.

TOGETHER WITH the appurtenances and all the estate and rights of the party of the first part in and to the said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27th day of December, 1946.

/s/ Arthur S. Fairchild

Signed, sealed and delivered  
in the presence of:  
/s/ Oswald E. Harris  
/s/ Morris F. de Castro

VIRGIN ISLANDS OF THE UNITED STATES)  
MUNICIPALITY OF ST. THOMAS & ST. JOHN)

Be it remembered that on this 27th day of December, A.D., 1946, before me personally appeared ARTHUR S. FAIRCHILD, ~~to~~ me personally known, and known to me to be the person described in and who executed the foregoing deed, and he did depose and say that he executed the same freely and voluntarily for the purpose therein stated. As witness my hand and seal notarial, the day and year above written.

/s/ Thiele,  
Notary Public.

(Seal)  
Stamp tax is hereby waived,  
/s/ Louis Shulterbrandt  
Commissioner of Finance.

This is to certify that the above mentioned property does not owe any taxes for the Calendar Year 1945 to the Municipality of St. Thomas and St. John, Office of the Tax Assessor, Charlotte Amalie, St. Thomas, V.I.  
December 30, 1946

/s/ Valdemar A. Hill,  
Tax Assessor

Noted in the Public Surveyor's record for country property, Book "E", page 104, and the land register for Great Northside Quarter, Island of St. Thomas, Virgin Islands of the U.S.A.

Office of the Public Surveyor,  
St. Thomas, V.I., April 16, 1947.

/s/ Donald S. Boreham,  
Superintendent of Public Works

Attest:-

It is hereby certified that the above-mentioned property, which according to deed dated December 27, 1946 belongs to The Municipality of St. Thomas and St. John has not, according to the records of this office, undergone any changes as to boundaries and area.

Office of the Public Surveyor,  
St. Thomas, V.I., April 16, 1947.

Fee: None  
(Official Use)

/s/ Donald S. Boreham,  
Superintendent of Public Works.

Received for recording at the Recording Office on the 22nd day of April, 1947 at 11 o'clock a.m.