

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No:

MINUTES OF A SPECIAL MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON WEDNESDAY 24TH DECEMBER 2014

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism and Minister
of Labour and Immigration and Minister of Social Development and Health
- The Honourable Acting Deputy Governor, Mr Larry Franklin
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Sonia Brooks, Acting Clerk to Executive Council
- IN ATTENDANCE: Mr Leslie J Hodge, DLS
Mr Foster Rogers, PS, EDICT
- ABSENT: The Honourable Deputy Governor, Mr Stanley Reid

EX MIN 14/825 **CONFIRMATION OF EX MIN 14/751 EX MIN 14/723 APPEAL BY GGII
OF ANGUILLA LTD. AGAINST THE DECISION OF THE LAND
DEVELOPMENT CONTROL COMMITTEE UNDER SECTION 7 OF THE
LAND DEVELOPMENT (CONTROL) ACT**

Council agreed that EX MIN 14/751 of the Minutes of a Special Meeting held on Friday 21st November 2014 should be amended as attached.

EX MIN 14/826

EX MEM 14/478 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – BIXBY BRIDGE FUND II, LLC, TO HOLD A REGISTERED CHARGE OVER PROPERTIES DESCRIBED AS REGISTRATION SECTION: WEST END; BLOCK: 18011 B; PARCELS 1, 2, 148, 211, 213, 215, 217 (FREEHOLD) AND 4/1, 6/1, 7/1, 8/1, 29/1, 222/1, 223/1 (LEASEHOLD)

Mr Leslie J Hodge, DLS joined the meeting.

Council agreed to issue an Aliens Land Holding Licence under Section 4 of the Aliens Land Holding Licence Regulations Act, RSA, CA55 to Bixby Bridge Fund II, LLC to allow the registration of a charge in the sum of US\$1,000,000.00/ EC\$2,688,200.00 in favour of Bixby Bridge Fund II, LLC over properties registered to Malliouhana (E.C.) Ltd. described as Registration Section West End Block 18011 B Parcels 1, 2, 148, 211, 213, 215, 217 (Freehold) 4/1, 6/1, 7/1, 8/1, 29/1, 222/1, 223/1 (Leasehold) containing 6.62 acres and 13.66 respectively, totaling 20.28 acres, subject to the payment of the following stamp duties:-

i)	Stamp Duty on Licence in accordance with Aliens Land Holding Licence Regulations Act	=	EC\$ 500.00
ii)	Stamp Duty on Charge @ 1% of EC\$2,688,200.00	=	EC\$26,882.00
	TOTAL	=	EC\$27,382.00

Council expressed thanks to Mr Leslie J Hodge for his hard work.

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 14/827

EX MEM 14/479 THIRD AMENDMENT TO THE MOU BETWEEN THE GOVERNMENT OF ANGUILLA AND SOF-VII-HOTEL II ANGUILLA HOLDINGS LLC AND SIDE LETTER

Mr Leslie J Hodge, DLS remained for discussion. Mr Foster Rogers, PS, EDICT joined the meeting.

Council:

- i) noted the request that the Government of Anguilla (GoA) is in the process of negotiating a Third Amendment to the MOU between The Government of Anguilla and SOF-VII-Hotel II Anguilla Holdings LLC and Side Letter appended to the MOU for the purpose of determining taxes payable ahead of the sale of the Viceroy Hotel and Resort;
- ii) noted that pertinent issues regarding the sale of the Resort had not been fully disclosed to enable Council to make an informed decision. This information was necessary as an assurance that GoA would receive its legal

entitlement with regard to schedule of fees payable under the laws of Anguilla;

- iii) noted that detailed Foreign Direct Investment forms for the proposed purchaser had not yet been submitted to GoA;
- iv) agreed on the importance of working with the current proprietor and potential purchaser to facilitate the completion of agreements for the Resort's sale by the end of January 2015;
- v) agreed that a collaborative effort be made by the AG, Chairman of TIC and DLS in preparing a response to the Third Amendment to the MOU between The Government of Anguilla and SOF-VII-Hotel II Anguilla Holdings LLC and Side Letter in line with Council's views. DLS to issue the said response to The Solicitors.

Action: TIO; AG; DLS; PS, MHA/LANDS; PS, FIN; PS, EDICT
