

THE SUPERIOR COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

OFFICE OF THE VIRGIN ISLANDS MARSHAL  
FEB 23 2024 AM 9:59

CAPTAIN'S COMMAND AT BLUEBEARD'S BEACH )  
CLUB INTERVAL OWNERSHIP CONDOMINIUM ) CASE NO. ST-20-CV-0099  
ASSOCIATION, )  
Plaintiff, ) ACTION FOR DEBT  
vs. ) FORECLOSURE OF LIEN  
JOSE R. HERNANDEZ and MARISOL HERNANDEZ, ) AND BREACH OF  
Contract )  
Defendants. )

OFFICE OF THE VIRGIN ISLANDS MARSHAL  
DIVISION OF ST. THOMAS AND ST. JOHN  
NOTICE OF MARSHAL'S SALE

In compliance with a Writ of Execution issued by the Superior Court of the Virgin Islands, Division of St. Thomas and St. John dated November 3, 2023, in an action for debt foreclosure of lien and breach of contract, designated as Case No. ST-20-CV-0099 by the Superior Court of the Virgin Islands, and in which Captain's Command at Bluebeard's Beach Club Interval Ownership Condominium Association ("Captain's Command") is the Plaintiff, and Jose R. Hernandez and Marisol Hernandez (collectively, the "Hernandezs") are the Defendants, the Office of the Virgin Islands Marshal will sell at public sale to the highest and best bidder at the Office of the Virgin Islands Marshal, St. Thomas, U.S. Virgin Islands, on the 3<sup>rd</sup> day of April, 2024 at 10:00 a.m., the following real property:

Unit Week 268/40 in Captain's Command at Bluebeard's Beach Club Interval Ownership Condominium Association ("Condominium"), as initially described in the "Declaration of Condominium Establishing Captain's Command at Bluebeard's Beach Club, an Interval Ownership Condominium" dated October 13, 1997 and recorded at the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, on October 30, 1997 in Book 48-U, Page 187, Sub No. 1024, and noted in the Real Property Registers at Auxiliary 2I(Q), Page 1, as amended and superseded by "Amended Declaration of Condominium Establishing Captain's Command at Bluebeard's Beach Club, An Interval Ownership Condominium" dated March 30, 1998 and recorded at the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, on March 30, 1998 in Book 49-0, Page 1, Sub No. 511, as further amended by "Amendment No.2 to Declaration of Condominium of Captain's Command at Bluebeard's Beach Club, An Interval Ownership Condominium" dated September 29, 1999 and recorded at the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, on September 29, 1999 as Document No. 1999005572, as amended and superseded by "Second Restated and Amended Declaration of Condominium Establishing Captain's Command at Bluebeard's Beach Club, An Interval Ownership Condominium" dated February 13, 2004 and recorded as Instrument No.

2004001105 at the Office of The Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, as the same may have been or may hereafter be further amended (collectively, the "Declaration"), establishing the Condominium for the real property described as Parcels Nos. 100-A, 100-B, and 100-C together with easements "A" and "B" on Parcel 100-Rem. No. 4 Estate Frenchman's Bay Quarter, Charlotte Amalie, St. Thomas, U.S. Virgin Islands, as shown on P.W.D. Drawing No. D9-6322-T97, dated February 18, 1997 (Parcels 100-A and 100-B) and P.W.D. Drawing No. D9-6564-T99, dated March 22, 1999 (Parcel 100-C.), together with that certain Club Property Declaration for Club Wyndham Access Vacation Ownership Plan ("Plan Declaration"), dated January 31, 2014, and recorded February 24, 2014 as document number 2014001094 in the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, and any amendments and supplements, etq. LESS AND EXCEPT all oil, gas, and mineral rights

consisting of a 1 Bedroom Loft located on floors 1-3 of the Stern Deck, together with all appurtenances and improvements thereto.

This judicial sale will be conducted in accordance with the provisions of 5 V.I.C. §§ 471-506. Captain's Command may bid a credit against its Judgment and interest thereon, plus costs, without tender of cash. The terms of sale as to all other persons bidding shall be cash. The highest bidder shall be required to deposit with the Marshal ten percent (10%) of the purchase price no later than 3:00 p.m. on the day of sale, failing which the Marshal reserves the right to award the sale to the next highest bidder. The balance of the amount bid must be paid within 30 days, inclusive of the date of sale, or the deposit will be retained by the Marshal as liquidated damages and applied toward satisfaction of Captain's Command's Judgment. The Marshal reserves the right, in such event, to award the sale to the next highest bidder. All payments must be made by cash, certified check, bank check, or U.S. postal money order. Personal uncertified checks will not be accepted.

DATED: February 25, 2024

LAWRENCE A. WALCOTT, JR.  
CHIEF MARSHAL

By:   
Andrew R. Ayala, Assistant Marshal

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THE SUPERIOR COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

OFFICE OF THE VI MARSHAL  
FEB 23 2024 AM 9:15

CAPTAIN'S COMMAND AT BLUEBEARD'S BEACH )  
CLUB INTERVAL OWNERSHIP CONDOMINIUM ) CASE NO. ST-20-CV-099  
ASSOCIATION, )  
Plaintiff, ) ACTION FOR DEBT  
vs. ) FORECLOSURE OF LIEN  
JOSE R. HERNANDEZ and MARISOL HERNANDEZ, ) AND BREACH OF  
Contract )  
Defendants. )

**TERMS OF SALE**

In accordance with a writ of execution issued by the Superior Court, a certain parcel of real property situated in St. Thomas, U.S. Virgin Islands known and described as:

**Unit Week 268/40, in Captain's Command at Bluebeard's Beach Club Interval Ownership Condominium Association ("Condominium"), as initially described in the "Declaration of Condominium Establishing Captain's Command at Bluebeard's Beach Club, an Interval Ownership Condominium" dated October 13, 1997 and recorded at the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, on October 30, 1997 in Book 48-U, Page 187, Sub No. 1024, and noted in the Real Property Registers at Auxiliary 21(Q), Page 1, as amended and superseded by "Amended Declaration of Condominium Establishing Captain's Command at Bluebeard's Beach Club, An Interval Ownership Condominium" dated March 30, 1998 and recorded at the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, on March 30, 1998 in Book 49-0, Page 1, Sub No. 511, as further amended by "Amendment No.2 to Declaration of Condominium of Captain's Command at Bluebeard's Beach Club, An Interval Ownership Condominium" dated September 29, 1999 and recorded at the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, on September 29, 1999 as Document No. 1999005572, as amended and superseded by "Second Restated and Amended Declaration of Condominium Establishing Captain's Command at Bluebeard's Beach Club, An Interval Ownership Condominium" dated February 13, 2004 and recorded as Instrument No. 2004001105 at the Office of The Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, as the same may have been or may hereafter be further amended (collectively, the "Declaration"), establishing the Condominium for the real property described as Parcels Nos. 100-A, 100-B, and 100-C together with easements "A" and "B" on Parcel 100-Rem. No. 4 Estate Frenchman's Bay Quarter, Charlotte Amalie, St. Thomas, U.S. Virgin Islands, as shown on P.W.D. Drawing No. D9-6322-T97, dated February 18, 1997 (Parcels 100-A and 100-B) and P.W.D. Drawing No. D9-6564-T99, dated March 22, 1999 (Parcel 100-C.), together with that certain Club Property Declaration for Club Wyndham Access Vacation Ownership Plan ("Plan Declaration"), dated January 31, 2014, and recorded February 24, 2014 as document number 2014001094 in the Office of the Recorder of Deeds for St. Thomas and St. John, U.S. Virgin Islands, and any amendments and supplements, etq. LESS AND EXCEPT all oil, gas, and mineral rights.**

is being sold at 10:00 a.m. on April 3, 2024, in the state and condition in which it is found at the knock of the hammer and stand for the account and risk of the purchaser in all respects, subject to any unpaid real property taxes thereon, and to the following additional terms of sale:

1. The successful bidder (the "Purchaser") shall be required to deposit with the Office of the Virgin Islands Marshal cash equal to ten percent (10%) of the total bid at or before 3:00 p.m. on

**Terms of Sale**

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the day of sale, failing which the Marshal reserves the right to award the sale to the next highest bidder. Purchaser shall pay the remaining ninety (90%) of said purchase price within thirty (30) days inclusive of the date of sale or the deposit will be retained by the Marshal as liquidated damages and applied toward satisfaction of the judgment for which the Property is being sold. Captain's Command at Bluebeard's Beach Club Interval Ownership Condominium Association ("Captain's Command") may bid a credit against its judgment and interest thereon, plus any costs and expenses, without tender of cash.

2. The proceeds of such sale shall be applied as follows: first toward satisfaction of any expenses associated with the sale, and then toward satisfaction of the judgment in favor of the Captain's Command, with such amount remaining, if any, to be returned to the registry of the Court pending final determination of entitlement.

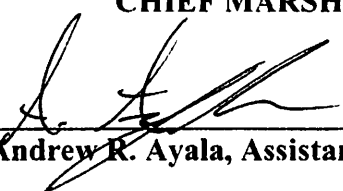
3. All payment must be made by cash, certified check, bank check, or U.S. postal money order. Personal, uncertified checks will not be accepted.

4. The Marshal reserves the right to reject any and all bids not in accordance with the terms of sale.

5. The Marshal shall issue a Certificate of Sale to the purchaser following confirmation of the sale by the Superior Court of the Virgin Islands and will issue a Marshal's Deed to the said Purchaser, or said Purchaser's assignee, upon the expiration of the Virgin Islands statutory redemption period of six (6) months. The Purchaser will be responsible for the payment of the necessary documentary stamps on the deed and for the recording of the deed.

DATED: February 25, 2023 <sup>2024</sup>

**LAWRENCE A. WALCOTT, JR.**  
**CHIEF MARSHAL**

By:   
**Andrew R. Ayala, Assistant Marshal**