

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

**FRENCHMAN'S COVE CONDOMINIUM
OWNERS' ASSOCIATION, INC.**

Plaintiff,

vs.

KIMBERLY LYNN GOSNELL,

Defendant.

)
)
) **CASE NO. ST - 2017 - CV 00455**
)
) **ACTION FOR DEBT**
) **FORECLOSURE OF**
) **LIEN AND BREACH OF**
) **CONTRACT**
)
)
)

SUPERIOR COURT

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NOTICE OF MARSHAL'S SALE

In compliance with a Writ of Execution issued out of the Superior Court of the Virgin Islands, Division of St. Thomas, on or about November 19, 2020, wherein Frenchman's Cove Condominium Owners' Association, Inc. is the Plaintiff and Kimberly Lynn Gosnell is the Defendant, Case No. ST - 2017 - CV - 00455, Action for Debt, Foreclosure of Lien and Breach of Contract, the undersigned Office of the Virgin Islands Marshal will sell at public sale to the highest and best bidder on the 5th day of May, 2021, at 10:00 a.m., at the Office of the Virgin Islands Marshal's Office, Farrelly Justice Center, St. Thomas, U.S. Virgin Islands, the following real property:

Timeshare Interest Number 0252S39 with usage of unit on an annual basis within the Silver Season, in Frenchman's Cove Condominium, located at Parcel Nos. 4-C Remainder, 4-D and 4-E Estate Bakkerø, No. 5, Frenchman's Bay Quarter, St. Thomas, United States Virgin Islands according to and as said terms and all other terms not otherwise defined herein are defined in the Declaration of Condominium thereof, as recorded as Document No. 2005006878 on July 14, 2005, as amended by First Amendment to Declaration of Condominium dated December 9, 2005, and recorded as Document 2005013110 on December 15, 2005, in the Office of the Recorder of Deeds for St. Thomas and St. John, United States Virgin Islands, as may be subsequently amended from time to time.

This judicial sale will be conducted in accordance with the provisions of V.I. CODE ANN. tit. 5 § 471 *et. seq.* and the terms of sale, the full text of which can be reviewed at the Office of the Virgin Islands Marshal. The terms of purchase include: ten percent (10%) of the purchase price which must be deposited with the Marshal's office on or before 3:00 p.m. on the day of the sale, and, upon failure to do so, the Marshal reserves the right to award the sale to the next highest bidder. The balance of the sum bid must be paid within 30 days, or the deposit will be retained by the Marshal as and for liquidated damages and applied toward satisfaction of the Judgment for which the property is being sold, and the Marshal further 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 order. Personal uncertified checks will not be accepted.

LAWRENCE A. WALCOTT, JR.,
CHIEF MARSHAL

February 1, 2021

for

By: *Franklin Leonard*
ANDREW R. AYALA
ASSISTANT MARSHAL

Law Offices of Duensing & Casner
Matthew J. Duensing, Esq.
9800 Buccaneer Mall, Bldg. 2, Suite 9
P.O. Box 6785
St. Thomas, U.S. Virgin Islands 00804

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**FRENCHMAN'S COVE CONDOMINIUM
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SUPERIOR COURT

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TERMS OF SALE

In accordance with a Writ of Execution issued by the Superior Court on November 19, 2020, in Case No. ST-2017-CV 00455, that certain plot, piece and parcel of land situated in St. Thomas, U.S. Virgin Islands, known and described as follows:

Timeshare Interest Number 0252S39 with usage of unit on an annual basis within the Silver Season, in Frenchman's Cove Condominium, located at Parcel Nos. 4-C Remainder, 4-D and 4-E Estate Bakkerø, No. 5, Frenchman's Bay Quarter, St. Thomas, United States Virgin Islands according to and as said terms and all other terms not otherwise defined herein are defined in the Declaration of Condominium thereof, as recorded as Document No. 2005006878 on July 14, 2005, as amended by First Amendment to Declaration of Condominium dated December 9, 2005, and recorded as Document 2005013110 on December 15, 2005, in the Office of the Recorder of Deeds for St. Thomas and St. John, United States Virgin Islands, as may be subsequently amended from time to time.

(collectively the "Declaration of Condominium").

In the state and condition in which it is found at the knock of the hammer and stands 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 terms of sale shall be cash (or certified check), with the sole exception that Frenchman's Cove Condominium Owners' Association, Inc. may bid a credit against its Judgment and interest thereon, costs and expenses without tender of cash. The successful bidder ("purchaser"), shall be required to deposit with the Office of the Virgin Islands Marshal cash or certified check equal to ten percent (10%) of the purchase price at or before 3:00 p.m. on the date of sale. The remaining ninety percent (90%) shall be paid in cash or certified check within thirty (30) days of the sale.

Terms of Sale

Frenchman's Cove Condominium Owners' Association, Inc. vs. Kimberly Lynn Gosnell

Case No. ST-2017-CV-00455

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2. Bids may not be withdrawn. If the purchaser fails to furnish the required ten percent (10%) deposit at or before 3:00 p.m. on the date of sale, then the Marshal reserves the right to award the sale to the next highest bidder, who shall then become the purchaser required to deposit with the Marshal ten percent (10%) of his bid, and so forth. Each defaulting bidder shall be jointly and severally liable for any excess of his bid over the final purchase price.

3. The proceeds of such sale shall be applied as follows: first, toward satisfaction of any expenses associated with the sale, that are not otherwise paid by a third-party purchaser, and then toward satisfaction of the judgment in favor of Frenchman's Cove Condominium Owners' Association, Inc., with such amount remaining, if any, to be paid into the registry of the Court to abide further orders of the Court.

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

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

6. The Marshal will 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 solely responsible for the payment of all costs of sale including the Marshal's Commission and the necessary documentary stamps on the deed and the preparation and recording of the deed.

LAWRENCE A. WALCOTT, JR.
Chief Marshal

DATED: February 2, 2021 *for*

By: Franklin Leonard
ANDREW R. AYALA
ASSISTANT MARSHAL

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