



Photo by Steve Simonsen

Maho Bay Status

August 25, 2006. The Trust for Public Lands (TPL) has successfully negotiated purchase of 6 of the 7 shares of the property from Marsh heirs. The remaining share, 1 of 11, is still in private hands and may be subject to judicial partitioning. However, with 10/11ths of the land in the hands of TPL and NPS, the threat to the integrity of Virgin Islands National Park has been averted. [Click HERE for the TPL Press release.](#)

History - The area in question is virtually all of the land as one looks inland from Maho Bay and is bounded by North Shore Road at the beach and Centerline Road, Mammy Peak and Ajax Peak in the uplands. It is a 455-acre parcel of land that was left by Harvey Marsh in common to his 11 grandchildren alive at the time of his death. This resulted in the land being owned in 11 undivided interests.

The National Park Service (NPS) purchased three shares in the early 1970's and The Trust for Public Land (TPL) purchased an additional share in 2003. [Note: TPL also purchased a 3½ acre parcel at the beach and another one acre parcel at the far end of the property in question, but these parcels are not part of the 438 acre Estate Maho Bay].

For quite a while, at least back to the early 1990's, the partition of this land among the interest-holders (NPS and the remaining heirs) has been under discussion and in the courts. The court asked the interest-holders to devise a mutually acceptable partition plan. This has obviously been difficult, and to-date unsuccessful, due to the divergent mandates and interests of the parties in question. There are also a number of legal suits and countersuits amongst the parties, further muddying the waters.

An on-going concern of the NPS, and others working to preserve this area, has been that at some point the court will lose patience with the lack of progress in the partition discussions and assign independent commissioners to devise a partition plan. Once a partition is realized, approximately 280 acres could be freed up for development

Into this scene steps James Simons who has apparently visited Maho Bay regularly over the years, at least by boat. He met with several people on St. John, both park officials and others in the community, and talked about how he wanted to buy Estate Maho Bay, build a small think tank and a family compound so his wife, kids and grandchildren could enjoy St. John. He stated that the remainder of the land would be preserved.

The NPS decided at this point that it might be best to accept some development if they wish to preserve at least a portion of Estate Maho Bay, and that Simons may be the lesser of potential evils. When the parties got to bargaining it became clear that Simons' demands were unacceptable and the matter returned to the courts in January of 2006.

The heirs, TPL and NPS returned to negotiation upon expiration of Simon's contracts and there have been promising developments reported in July.



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