

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

THE BANK OF NOVA SCOTIA,

Case No. ST-2016-CV-00082

Plaintiff,

Action for Debt and Foreclosure
of Real Property Mortgage

v.

MARVA MARIA EMANUEL, MERLIN
CHRISTIAN, MANUEL CHRISTIAN, VIRGIN
ISLANDS BUREAU OF INTERNAL REVENUE,
and ESTATE OF ANTHON O. EMANUEL a/k/a
ANTON OLIVER EMANUEL,

Defendants.

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 on or about May 10, 2020, in an action for debt and foreclosure designated Civil No. ST-2016-CV-00082 by the Superior Court of the Virgin Islands and in which THE BANK OF NOVA SCOTIA¹ is the Plaintiff, and MARVA MARIA EMANUEL, MERLIN CHRISTIAN, MANUEL CHRISTIAN, VIRGIN ISLANDS BUREAU OF INTERNAL REVENUE, and ESTATE OF ANTHON O. EMANUEL a/k/a ANTON OLIVER EMANUEL 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, Virgin Islands, on the 22nd day of September, 2021, at 10:00 a.m., the following real property:

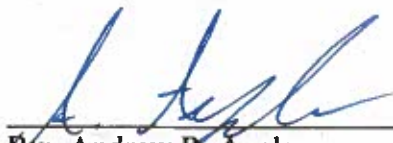
Parcel Nos. 106A and 106B Estate Smith Bay
Nos. 1, 2 & 3 East End Quarter
St. Thomas, U.S. Virgin Islands
as shown on PWD No. D9-620-T66

¹ By and through the Judgment Creditor, ASCENDANCY USVI, LLC, successor-in-interest to THE BANK OF NOVA SCOTIA by an Assignment of Judgment recorded on June 17, 2020 (Doc. No. 2020002831) in the Official Records of the U.S. Virgin Islands, District of St. Thomas/St. John, assigning all of THE BANK OF NOVA SCOTIA's rights in the Judgment and Order of Foreclosure entered November 28, 2016, to ASCENDANCY USVI, LLC in the above-captioned case; including, but not limited to the right to attachment/execution, sale and credit bid.

This judicial sale will be conducted in accordance with the provisions of 5 V.I.C. §§ 471-506 and as set forth in the Court's Judgment entered on November 28, 2016. ASCENDANCY USVI, LLC may bid a credit against its Judgment and interest thereon, plus any costs and expenses, 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 on or before 3:00 pm 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 thirty (30) days inclusive of the date of sale, or the deposit will be retained by the Marshal as liquidated damages. The Marshal reserves the right, in such an 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 and uncertified checks will not be accepted.

DATED: June 21, 2021

LAWRENCE A. WALCOTT, JR.
Chief Marshal


By: Andrew R. Ayala
Assistant Marshal

Malorie Winne Diaz, Esq.,
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**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
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THE BANK OF NOVA SCOTIA,

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Plaintiff,

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ISLANDS BUREAU OF INTERNAL REVENUE,
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ANTON OLIVER EMANUEL,

Defendants.

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SUPERIOR COURT

TERMS OF SALE

In accordance with a Writ of Execution issued by the Clerk of the Court on May 10, 2020, for the Superior Court of the Virgin Islands, Division of St. Thomas and St. John, in the matter of Plaintiff, THE BANK OF NOVA SCOTIA,¹ versus Defendants, MARVA MARIA EMANUEL, MERLIN CHRISTIAN, MANUEL CHRISTIAN, VIRGIN ISLANDS BUREAU OF INTERNAL REVENUE, and ESTATE OF ANTHON O. EMANUEL a/k/a ANTON OLIVER EMANUEL, Civil Case No. ST-2016-CV-00082, in an action for debt and foreclosure of real property mortgage, the undersigned Marshal will sell that certain plot, piece and parcel of real property situated in St. Thomas, U.S. Virgin Islands, known and described as follows:

Parcel Nos. 106A and 106B Estate Smith Bay
Nos. 1, 2 & 3 East End Quarter
St. Thomas, U.S. Virgin Islands
as shown on PWD No. D9-620-T66

¹ By and through the Judgment Creditor, ASCENDANCY USVI, LLC, successor-in-interest to THE BANK OF NOVA SCOTIA by an Assignment of Judgment recorded on June 17, 2020 (Doc. No. 2020002831) in the Official Records of the U.S. Virgin Islands, District of St. Thomas/St. John, assigning all of THE BANK OF NOVA SCOTIA's rights in the Judgment and Order of Foreclosure dated November 22, 2016 to ASCENDANCY USVI, LLC in the above-captioned case; including, but not limited to the right to attachment/execution, sale and credit bid.

is being sold at 10:00 a.m. on September 22, 2021, in the state and condition in which each 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 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 on or before 3:00 p.m. on the day of the sale, failing which the Marshal reserves the right to award the sale to the next highest bidder. Purchaser shall pay the remaining ninety percent (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. ASCENDANCY USVI, LLC 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 towards the satisfaction of any expenses associated with the sale, and then toward satisfaction of the judgment in favor of ASCENDANCY USVI, LLC. Should there be any additional amount remaining thereafter, the Court shall determine in a subsequent order how and to which party or parties such surplus shall be distributed.

3. All payments must be made by cash, certified check, bank check, or U.S. postal money order. Personal and 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: 6-21-21

LAWRENCE A. WALCOTT, JR.
Chief Marshal

By: 

Andrew R. Ayala
Assistant Marshal