OFFICIAL TRANSLATION


Executive Power ---------------------------------------------

Decrees ---------------------------------------------

N. 32669-MINAE ---------------------------------------------

THE PRESIDENT OF THE REPUBLIC ---------------------------------------------

AND THE MINISTRY OF ENVIRONMENT AND ENERGY ---------------------------------------------

Pursuant to the authority conferred by articles 140, paragraphs 3) and 18) and 146 of the Political Constitution, article 37 of the Organic Law of Environment № 7554 of October 4, 1995 and Law № 7495 of May 3, 1995 as amended. ---------------------------------------------

Whereas ---------------------------------------------

1.- Pursuant to the Convention for the Conservation of the Biodiversity and the Protection of Wilderness Areas in Central America which objective is to conserve as much as possible the biological, land, and marine-coastal diversity of the Central American Region and the conservation in situ of ecosystems and natural habitats with the commitment of all Governments to take measurements towards conservation. ---

2.- With the ratification of the Convention of Biological Diversity in 1994, our country acquired the commitment of establishing a system of protected areas in which special actions must be taken to conserve biological diversity, such as, management of important biological resources, either within or outside protected wilderness areas, to guarantee their conservation, protection of ecosystems and natural habitats which allow promoting an environmentally-adequate and sustainable development in surrounding areas of protected areas in order to increase protection in these areas and promote recovery of threatened species. ---------------------------------------------

3.- Parque Marino Las Baulas de Guanacaste was firstly founded through Executive Decree № 20518-MIRENEM of June 5, 1991, published on July 9, 1991 and subsequently ratified under Law № 7524 of August 16, 1995. ---------------------------------------------

4.- By Law 7906, published on September 24, 1999, our country passed the Inter-American Convention for the Protection and the Conservation of Sea Turtles signed on January 31 1997, it sets as a commitment of signatory governments the establishment of restrictions to human activities that may affect

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Claudia María Agüero Chacón
Official Translator
English-Spanish/Spanish-English
Agreement № 006-98 DJ of November 16, 1998
La Gaceta № 249 of December 23, 1998
San José, Costa Rica

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Legal stamps affixed at the end.

English Translation followed by original
sea turtles, especially during breeding, incubation, and migration periods as well as restoration of the natural habitat and spawning sites for turtles, through the utilization of these areas as protected wilderness areas.

5.- Leatherback Turtle (Dermochelys coriacea) is currently an endangered species and the main threat is both commercial fishing and the development of non-compatible activities with conservation. The Parque Marino Las Baulas de Guanacaste has the most important spawning beaches for this species in the Pacific Ocean.

6.- Article 37 of Organic Law of Environment N° 7554 of October 4, 1995 sets forth the obligation of the Government to pay for the lands that are within the borders of the National Parks. Therefore, it gives powers to the Executive Power through the Ministry of Environment and Energy to expropriate those lands as set forth under Law for Expropriations N° 7495 of May 3, 1995.

7.- In order to reduce the direct impact especially on sea turtle spawning areas, it is necessary that the Executive Power issues the corresponding act in order to declare of public interest the expropriation of property [described as follows]: real estate folio N° 5-130545-000, property of Nispero Mar Vistas Estates H Sociedad Anónima, legal corporate number 3-101-353202, property located in Playa Grande, district 8, Cabo Velas Canton 3 Santa Cruz, Guanacaste Province, Map number G1004056-2005, area 2,830.91 meters; with the following boundaries: North, Vacations Rentals S. A.; South, Palm Beach de Costa Rica S. A; East, Cedro Mar Vista Estates I S. A.; West, inalienable public zone. **Therefore**, 

Decree  

Article 1°.- It is declared of public interest the purchase of real estate property registered at the National Registry under Real Estate Folio 5-130545-000, property of Nispero Mar Vistas Estates H Sociedad Anónima, legal corporate number 3-101-353202, property located in Playa Grande, district 8, Cabo Velas Canton 3 Santa Cruz, Guanacaste Province, Map number G1003292-2005 [sic], area 2,878.98 [sic] meters; with the following boundaries: North, Vacations Rentals S. A.; South, Palm Beach de Costa Rica S. A; East, Cedro Mar Vista Estates I S. A.; West, inalienable public zone. 

Article 2°.- Provisional order for notation of such real estate at the Real Estate Registry is ordered as a necessary act to consolidate Parque Marino Las Baulas de Guanacaste, pursuant to provisions under Law 7495 as amended; for which purpose, it authorizes the Coordinator of the Legal Counsel of the Ministry of Environment and Energy.

Article 3°.- The competent administrative authorities shall continue with the proceedings set forth for such purpose to purchase such lot, especially complying with terms set forth and strictly complying with
provisions under the Law of Expropriations as amended.

Article 4°- In force from the time of its publication.

Given at the Presidency of the Republic.-San Jose, on the fourteenth day of July, two thousand five.

ABEL PACHECO DE LA ESPRIELLA. - The Ministry of the Environment and Energy, Carlos Manuel Rodríguez Echandi.- 1 time-(D32668-98046)

LAST LINE

In witness whereof at the request of the interested party, I issue the present Official Translation from Spanish into English, consisting of three pages, and I sign and seal it in San José, Republic of Costa Rica, on the eighth day of March in the year of the Lord two thousand thirteen. The stamps required by law are affixed and cancelled. I affix my raised seal at the foot of the translation. The three pages of the translation are written only on the obverse and the reverse has been annulled.
La Gaceta Nº 232 — Jueves 1 de diciembre del 2005

Pág 5


Por tanto,

DECRETAN:

Artículo 1°.—Declarar de interés público la adquisición del inmueble inscrito en el Registro Nacional al Folio Real matrícula 5-130545-000 propiedad de, Pechote Mar Vista Estates II Sociedad Anónima, cédula jurídica 3-101-3533202, inmueble situado en Playa Grandis distrito 8 Cabo Velas, cantón 3 Santa Cruz, de la provincia de Guanacaste, Plano número G 1003292-2005 área 2 830.91 metros con los siguientes linderos: norte, Pechote Mar Vista Estates I S. A., oeste, zona pública inalienable.

Por tanto,

DECRETAN:

Artículo 1°.—Declarar de interés público la adquisición del inmueble inscrito en el Registro Nacional al Folio Real matrícula 5-130545-000 propiedad de, Pechote Mar Vista Estates II Sociedad Anónima, cédula jurídica 3-101-3533202, inmueble situado en Playa Grandis distrito 8 Cabo Velas, cantón 3 Santa Cruz, de la provincia de Guanacaste, Plano número G 1003292-2005 área 2 830.91 metros con los siguientes linderos: norte, Pechote Mar Vista Estates I S. A., oeste, zona pública inalienable.

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Por tanto,