AUTORIDAD DE LOS PUERTOS DE PUERTO RICO
JUNTA DE DIRECTORES
SAN JUAN, PUERTO RICO 00936-2829

5573

RESOLUCION NUM. 97-11

Resolución número 97-11, enmendar y corregir un error tipográfico en la Resolución número 96-18, relacionada con los terrenos marítimos.

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No. 5573
Date: April 8, 1997 2:39 p.m.
Approved: Norma Burgos
Secretary of State
By: [signature]
Asistant Secretary for Services

BOARD OF DIRECTORS
PUERTO RICO PORTS AUTHORITY

Resolution No. 97- 11

WHEREAS, the Puerto Rico Ports Authority, the Puerto Rico Shipping Association and the Florida Caribbean Cruise Association negotiated a settlement of claims presented in administrative proceedings before the Authority's Hearing Officer, in the Puerto Rico Courts and at the Federal Maritime Commission Challenging Resolution 94-77 adopted September 4, 1997 which established the rates for the leasing of maritime lands on an exclusive basis which settlement was approved by Board Resolution 96-03, adopted March 27, 1996 ("Settlement Agreement").

WHEREAS, the Puerto Rico Ports Authority revised the land rental rates agreed to pursuant to the Settlement Agreement and amended Resolution No. 94-77 accordingly, pursuant to the approval of Resolution 96-18 approved May 13, 1996.

WHEREAS, Resolution 96-18 contains an inadvertent typographical error that requires clarification and amendment.

THEREFORE BE IT RESOLVED

1. The Board determines that it is necessary to correct the land rental rate for the users of exclusive maritime areas of Puerto Rico for the period beginning August 1, 1996 and continuing through July 31, 1997 from $24,406/cda. to $24,806/cda. in accordance with the Settlement Agreement.

2. The Board hereby amends Resolution 96-18 to indicate that the annual exclusive use rental rate for the period beginning August 1, 1996 and continuing through July 31, 1997 is $24,806/cda.

3. All other rental rates established pursuant to Resolution 96-18 remain the same and in effect.

In San Juan, Puerto Rico, this 19 day of February, 1997.

Approved by:

DR. CARLOS I. PESQUERA
PRESIDENT
BOARD OF DIRECTORS

Certified by:

MR. ROBERTO BIAGGI
SECRETARY
BOARD OF DIRECTORS

June 7, 1996 1:15 p.m.
Approved: Norma E. Burgos
Secretary of State
By: Lauden I. de Pendrecio
Assistant Secretary of State

BOARD OF DIRECTORS
PUERTO RICO PORTS AUTHORITY

RESOLUTION NO. 96-18

WHEREAS, the Puerto Rico Ports Authority previously established the rates for the leasing of maritime lands on an exclusive basis in Resolution No. 94-77, adopted September 6, 1994;

Rodilla
18-12-96

GOBIERNO DE PUERTO RICO

MEMORANDO

FECHA : 12 de diciembre de 1996

A : Lic. Segismundo Quiñones
Asesor Legal General

P/C : Srta. June C. Andrade
Directora Ejecutiva Auxiliar en Finanzas

DE : Ramón M. Corazón Robles
Director de Finanzas

ASUNTO : RESOLUCION NUM. 96-18

En la resolución de referencia se establece la cantidad de $24,406 / cuerda para la renta que cubre el periodo del 1 de agosto de 1996 al 31 de julio de 1997. En el acuerdo firmado con la Asociación de Navieros se estableció una renta para el mismo periodo de $24,806 / cuerda.

Agradeceré se prepare una enmienda a la resolución 96-18 para que la renta cubriendo el periodo del 1 de agosto de 1996 al 31 de julio de 1997 sea de $24,806 / cuerda.

cc: CPA Julio C. Rodríguez
Sr. Miguel E. Calimano
Sr. José Rivera Rodríguez

Anexo

(3) accept, from the signatory Association Members and Other Users, for the period from July 10, 1995 to the effective date of the New Tariff, and issue credits for any overpayments, a Settlement Payment determined, subject to review, audit and any subsequent adjustments, as set forth in Paragraph 7 below as if the Base Tariff and Temporary Surcharge set forth in the New Tariff for FY96 had been in effect, without assessment and collection of interest or any other penalties that may be due as a result of any prior short payment by an Association Member or Other User to the Authority during the Disputed Period on account of the disputed Maritime Tariff Rates amounts; thereafter the Authority may assess and collect interest or penalties as may be imposed by applicable rules, laws or contracts;

(4) issue, at the Closing, subject to review, audit, and any necessary subsequent adjustment, a credit to the account of each entitled Association Member or Other User for any negative balance determined due per the Settlement Payment calculations set forth in Paragraph 7 below (the "Settlement Payment Credit");

(5) issue credits, at or prior to the Closing, to any Association Members and Other Users who leased exclusive maritime lands during the period from September 1, 1994 through November 12, 1994 (both dates inclusive) in the amount of the increased land rent charges paid during such period based on the new $22,500/cda. annual rate adopted per Resolution 94-77, over the amount which would have been due based upon the prior $17,000/cda rate, which credits may be used as an offset against the Settlement Payment;

(6) issue credits, at or prior to the Closing, to any Association Members and Other Users who were invoiced and paid the increased Maritime Tariff Rates implemented per Resolution 94-78 during the period from September 1, 1994 through January 7, 1995 (both dates inclusive), in the amount of the implemented increase (i.e., the difference between the rates implemented under Resolution 94-78 and those previously in effect), which credits may be used as an offset against the Settlement Payment;

(7) amend the exclusive maritime land rent charges established by Resolution 94-77 (relating to the per cuerda per year exclusive land rental rate) to provide: (i) for the period of August 1, 1995 through July 31, 1996, the present annual rate of $23,625/cda.; (ii) for the period of August 1, 1996 through July 31, 1997, $24,806/cda.; and, (iii) for the period of August 1, 1997 through July 31, 2001, $25,000/cda.;