



# IN Real Estate

by The Daily Herald

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## The negotiation phase



Whenever people are involved there is the potential for conflicts. Sometimes disputes can only be resolved in court, but that is not always the case. Mediation is a form of dispute resolution which offers a more practical and less costly alternative. Attorney Michele Meyer of Meyer Law & Mediation has written a series of interesting columns on the subject:

*Typical of problem-solving mediation is to facilitate negotiation between conflicting parties. As an example I mention the ancient anecdote about the two squabbling sisters who are fighting for the last orange in the refrigerator. How do you solve that? Half an orange for each? One sister gets the orange and the other something else? One gets the orange now and the other gets one some other time? Or does the loudest screaming sister get the orange? A simple example with a typical method for the approach and the outcome.*

Negotiation is often the core of the mediation process. One of the tasks of the mediator is to focus on the conversation between clients so that the communication and negotiation is positively encouraged. The mediator will thereby have to promote the understanding of the own behaviour, that of the other party or parties, and that of the process. At the moment the interests of both parties are put forward and are understood by all parties, the mediator may begin with the negotiation phase.

The mediator will conduct the negotiations according to the Harvard-method. Parties will thereby be encouraged to separate the people from the problem. By disconnecting emotions from the individuals, parties can jointly tackle the problem, and not each other.

With regard to the interests, the mediator will insist that parties focus on interests, and not on positions. By properly (continuing) to ask questions to find out what is truly happening, the final problem can be defined. The common or compatible interests will be found and appointed, and there will be an open brainstorming session on possible alternatives.

Next is the stage where parties are directed

by the mediator to find solutions for mutual benefit. In that case there is not only one correct answer. Parties are encouraged to generate many options and opportunities in this phase, so that the subject of negotiations increases and more room is created to come together. It is said that a negotiation on this basis "increases the cake"; there appears to be more in the pot than the parties thought there was.

Finally it is important for the mediator to point out to the parties that a solution can be found through objective criteria. These are starting points and measurement points that the parties consider as reasonable. Examples include legal standards, general rules or opinions of experts.

The ultimate outcome, which is very much a combination of suggested options, is often much better than the solution that parties regarded as ideal before the mediation.

A successful mediation requires thus an active attitude of both the conflicted parties and the mediator. Consultation is encouraged, the interests are identified and the mediator assists the parties in finding a solution. The mediator closes the session by documenting the agreements made in a settlement agreement. Herewith a workable but in particular also a jointly supported solution is created for parties.

Back then to the orange and the two sisters: after considerable questioning it is revealed that one sister wanted to drink the juice, while the other needed the skin for baking a cake. The solution turned out to be a win-win situation, which only could be achieved by explaining the underlying interests of both parties.

*Mr. Michele N. Meyer is director of Law & Mediation BV, based in Curaçao. Besides lawyer, she is also Registermediator at the Dutch Mediation Institute. She specializes in personal and family law, labour law, contract law and debt collection cases. Meyer Law & Mediation B.V. advises, litigates and mediates in conflicts.*

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**ALMOND GROVE** US\$ 636,000  
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2 Buildings: 3 bed – 2 bath and 2 bed – 1 bath around swimming pool  
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**ALMOND GROVE VILLA** € 950,000  
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This villa offers magnificent views of the lagoon and sea. The villa is a two bedroom, two bathroom and a loft, open kitchen, and pool with terrace. Villa also has two bedroom apartment as well. Parking for six cars.  
Contact Jackie at 587-1038 or Jackie@remaxislandproperties.com



**ALMOND GROVE VILLA** US\$ 1,100,000  
**RE/MAX**

All three bedrooms & living areas of this villa look across a vast green valley, with the blue waters of the ocean in the distance. Separate guest cottage, with kitchen, ensures your guests privacy or, the cottage can be rented out as an investment. Contact Hanneke at 586-7656 or Hanneke@remaxislandproperties.com



**BEACON HILL VILLA** US\$ 379,000  
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Newly renovated, well constructed house with roll down hurricane shutters, private pool, car port, generator, fenced and alarm system, gated with easy maintenance. Other amenities include large walk in closet, large bathroom with double sinks, Jacuzzi tub, washer/dryer. Walking distance to beach.  
Contact Karen at 520-1402 or Karen@remaxislandproperties.com



**BELVEDERE** US\$ 55,000  
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House lot with building permit for a 2 story 3 bed – 2 ½ bath house  
Property size: 307 M2  
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**CAY HILL** US\$ 300,000  
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3 bedroom, 1 bath house with separate room can be used as office or studio apt. Fully fenced with lots of yard space.  
Call Sherryllie 520-8544 or email sherryllie@coldwellbanker-sm.com



**COLE BAY HILL VILLA** US\$ 650,000  
**RE/MAX**

Located on Cole Bay Hill, Plantain Grove, is a charming villa comprising of a two bedroom, two bathroom villa with loft, lovely balcony with amazing lagoon / sea view. Also has two independent studio apartments, making this villa a great investment. Private garden. Owner motivated. Contact Jackie at 587-1038 or Jackie@remaxislandproperties.com



**CUL DE SAC** US\$ 175,000  
**ECL N.V.**

Commercial/Residential property with 4 bed – 2 bath house  
Size property: 483 M2  
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**CUPECOY CONDO** US\$ 389,000  
**RE/MAX**

This is a great price for a 2 bedroom/2 bath ocean front condo on the south side of Rainbow Beach Club. Nicely furnished and has great views!!! Roll down hurricane shutters. Don't miss this one!  
Contact Karen at 520-1402 or Karen@remaxislandproperties.com



**DUTCH QUARTER** US\$ 385,000  
**ECL N.V.**

Commercial property with building on A.Th. Illidge road  
Size: 2,207 M2  
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**EBENEZER** US\$ 365,000  
**ECL N.V.**

2 story building with 2 x 3 bed – 2 bath apartments completely fenced in. Property size: 381 M2  
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**FRENCH OYSTERPOND** € 225,000  
**ECL N.V.**

2 bed, 1 bath cottage, loft, terrace, garden, great view  
Coralita Beach  
Size: 185 Sq. Meters  
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**FRENCH OYSTERPOND** € 695,000  
**ECL N.V.**

Completely furnished 2 ½ bed – 2 bath villa swimming pool and breathtaking view  
Property size: 2,005 M2  
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**GUANA BAY** US\$ 1,300,000  
**ECL N.V.**

Freehold property, here is your chance to build your dream villa with ocean view Size: 17,180 M2 (4,245 acres)  
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**HARBOR VIEW LOT** US\$ 200,000  
**RE/MAX**

MOTIVATED SELLER ON this 1273m2 lot at Harbour View which offers panoramic views of Philipsburg, Great Bay and the beautiful Caribbean Sea. Only walking distance to the beach, restaurants and shops of Philipsburg, this lot would be a perfect site for your dream home or investment property. Contact Natasha at 524-0640 or Natasha@remaxislandproperties.com



**HOPE ESTATE** US\$ 275,000  
**ECL N.V.**

3 Bed – 2 bath house option to build second floor, automatic gate with parking for 5 cars  
Size: 443 M2  
Call or Email: ECL N.V.  
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# Tip of the month

## Put your best foot forward!

Prep, paint, stage, scrub, improve and repair. Efforts can include caulking, plastering, planting flowers, adding potted plants, making the windows spotless, pressure washing that oily driveway, edging the walks, trimming the bushes and trees, and mending the fences. None of these is excessively capital-intensive, but when applied en masse, they say “buy me.”



**LITTLE BAY** US\$ 685,000  
**ECL N.V.**

2 Level 4 bed – 2 bath house exclusive and private garden (with fruit trees) 180° Ocean view  
Property size: 2,450 M2  
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**MARIGOT/HAMEAU DU PONT** US\$ 495,000  
**ECL N.V.**

Commercial property on the main road with 2 houses on the property: 1 x 3 bed – 1 bath and 1 x 2 bed – 1 bath  
Size: 2,046 M2  
Call or Email: ECL N.V.  
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**MARY'S FANCY** US\$ 480,000  
**ECL N.V.**

2 story, 3 bed – 2 ½ bath house parking space for 5 cars panoramic view of valley Cul de Sac. Property size: 710 M2  
Call or Email: ECL N.V.  
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**OCEANVIEW TERRACE LOT** US\$ 145,000  
**RE/MAX**

OFFERS WELCOME on lovely lot in gated community, close to the beach and only 10 mins drive to Philipsburg. All infrastructure in place. Plans and building permit included for a 2 storey, 3 bedr home. Priced under market value for quick sale. Contact Natasha at 524-0640 or Natasha@remaxislandproperties.com



**POINTE BLANCHE** US\$ 740,000  
**ECL N.V.**

Ocean front 3 bed – 2 bath house with separate studio and swimming pool, need fixing up.  
Property size: 1,970 M2  
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**POINTE BLANCHE** US\$ 650,000  
**ECL N.V.**

Ocean front flat land  
Size: 2,230 M2  
Call or Email: ECL N.V. +1(721) 522-6513/550-1952 OR 543-0536 eclnv@caribserve.net



**POINTE BLANCHE** US\$ 385,000  
**COLDWELL BANKER**

3 bedroom, 3 1/2 bath townhouse with ocean view. Completely renovated in excellent condition and high end kitchen appliances.  
Call Sherryllie 520-8544 or email sherryllie@coldwellbanker-sm.com



**RICE HILL GARDENS LOTS** US\$ 148,300  
**RE/MAX**

Rice Hill Gardens on the eastside of the island offers lots in a gated community at affordable prices. Large plots with either ocean view or hill side view. Most of the infrastructure is already in place. Truly the right investment for your future home.  
Contact Hanneke at 586-7656 or Hanneke@remaxislandproperties.com



**SAUNDERS** US\$ 425,000  
**ECL N.V.**

3 Bed – 3 bath house, possibility to build on top  
Property size: 1,044 m2.  
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**ST. JOHN'S ESTATE** US\$ 675,000  
**ECL N.V.**

5 bed – 4 bath house – huge yard space – swimming pool – security – air-conditioned rooms – generator  
Property size: 752 M2  
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**ST. JOHN'S TOWNHOUSE** US\$ 240,000  
**COLDWELL BANKER**

2 bedroom, 2.5 bathroom condo in gated community.  
Call Sherryllie at 520-8544 or email sherryllie@coldwellbanker-sm.com



**SOUTH REWARD** US\$ 420,000  
**COLDWELL BANKER**

3 Level dwelling consisting of a 1 bedroom apartment on the lower floor, 3 bedroom 2 baths on the second floor and 4 bedroom 3 baths on the third floor. Good rental income potential. Fantastic views.  
Call Sherryllie at 520-8544 or email sherryllie@coldwellbanker-sm.com

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