## ADMINISTRATIVE AMENDMENT PD-98-003

# ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, West Bay Club Development Corporation filed an application for administrative approval to a Residential Planned Development on a project known as West Bay Club RPD for request on property located at 4651 Williams Road. The requested amendment proposes to:

- 1. Change the unit distribution within the project by reducing the intensity within the Suburban area of the project, while increasing the units within the Outlying Suburban area;
- 2. Eliminate the proposed sewer treatment plant in the southeast quadrant and in accordance with Condition 11 of Resolution Z-96-005 replaced with residential and/or golf course uses;
- 3. Move the existing bridge over Halfway Creek in the southeastern portion of the site to the north to function as a golf crossing;
- 4. Reduce the golf practice and clubhouse tracts, while increasing and reconfiguring the preservation and golf course area;
- 5. Enlarge and reconfigure the preservation area and Listed Species Relocation Area;
- 6. Combine and shift residential tracts 11 and 12 to the north to accommodate the golf course design;
- 7. Expand northern portion of Tract 10 by 2 single family lots, decrease the size of the Park, and adjustment of lot lines in Tracts 6, 7, and 10;
- 8. Reconfigure Tract 10 and golf course lying west of the eastern boundary and north of the boundary line between the Outlying Suburban and Suburban land use categories;
- 9. Move the northernmost creek crossing south
- 10. Show the reconfigured lakes on the Master Concept Plan based upon the South Florida Water Management District permits and modifications;
- 11. Amend the approved Property Development regulations by excluding the "Estate" category; and
- 12. Amend the Open Space Table and Site Breakdown while still complying with Condition 6 of Resolution Z-96-005 for minimum total open space.

The subject property is described more particularly as:

LEGAL DESCRIPTION: In Section 29, 30, 31, and 32, Township 46 South, Range 25 East, and Sections 05 and 06, Township 47 South, Range 25 East, Lee County, Florida:

A tract or parcel of land lying in Sections 29, 30, 31, and 32, Township 46 South, Range 25 East; and Sections 05 and 06, Township 47 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

Beginning at the North Quarter Section corner of said Section 05, Township 47 South, Range 25 East, said point being the Northeast corner of Lot 56B of FLORIDA GULF LAND COMPANY SUBDIVISION as recorded in Plat Book 1 at Page 59, Lee County Records and run S00°40'16"E for 30.00 feet to the South right-of-way (ROW) line of Williams Road (60 feet wide);

THENCE run N89°00'18"E along said South line for 165.26 feet;

THENCE run S00°36'29" E for 200.00 feet to the Southeast corner of lands described in deed recorded in Official Record Book 2465 at Page 3044, Lee County Records;

THENCE run S89°00'18"W along the South line of said lands for 494.00 feet to an intersection with the East line of Lot 55B of said FLORIDA GULF LAND COMPANY SUBDIVISION;

THENCE run S00°47'09"E along said East line for 765.00 feet;

THENCE run S88°57'37"W for 327.43 feet to an intersection with the East line of Lot 54B:

THENCE run S00°54'02"E for 351.20 to the Southeast corner of Lot 54B;

THENCE run N89°15'52"E along the South line of Lots 55B and 56B for 653.45 feet:

THENCE run N89°15'52"E along the South line of Lot 57B for 327.60 feet;

THENCE run S00°32'41"E along the East line of Lot 40B for 1,350.95 feet;

THENCE run S89°31'44"W for 324.62 feet to the center of said Section 05, said point being the Southwest corner of said Lot 40B;

THENCE run S89°34'40"W for 2,592.29 feet to the West Quarter section corner of Section 05, said point being the Southwest corner of Lot 48B of said subdivision; THENCE run S01°31'46"E for 92.78 feet to the Southeasterly corner of lands described in deed recorded in Official Record Book 2192 at Page 567, Lee County

Records;
THENCE run along the South line of said lands the following courses:

S89°10'55"W for 349.43 feet;

S00°49'50"E for 162.49 feet:

N81°20'47"W for 600.53 feet;

S46°11'51"W for 77.45 feet:

THENCE run N01°35'45"W along the West line of said lands for 2,875.95 feet to an intersection with the North line of said Section 06;

THENCE run S88°56'02"W along the North line of said Section 06 for 1,638.66 feet to the Southwest corner of lands described in deed recorded in Official Record Book 1509 at Page 221, Lee County Records, said point also being the Southwest corner of Lot 8A of said FLORIDA GULF LAND COMPANY SUBDIVISION and the South Quarter (S½) Section corner of Section 31,

Township 46 South, Range 25 East;

THENCE run N00°22'46"W along the West line of said lands along the North/South Quarter (N/S¼) Section line for 2,656.37 feet to the Northwest corner of Lot 25A, said FLORIDA GULF LAND COMPANY SUBDIVISION;

THENCE continue N00°22'46"W along the West line of said lands and the West line of Lots 40A and 57A of said subdivision for 2,391 feet, more or less to the waters of the Estero River:

THENCE run Northeasterly, Southeasterly, Southwesterly, Southerly, Southeasterly and Northeasterly along said waters for 5,030 feet, more or less to an intersection with the East line of the Southeast Quarter (SE½) of said Section 30, Township 46 South, Range 25 East;

THENCE run N00°32'05"W along said East line for 224 feet, more or less to said waters;

THENCE run Southeasterly, Southwesterly, Westerly and Southwesterly along said waters for 1,213 feet, more or less to an intersection with the North line of said Section 32, Township 46 South, Range 25 East, said line being the North line of Lot 49A of said FLORIDA GULF LAND COMPANY SUBDIVISION;

THENCE run N87°54'53"E along said North line for 628 feet, more or less to said waters for 485 feet, more or less to an intersection with the East line of Lot 52A, said FLORIDA GULF LAND COMPANY SUBDIVISION;

THENCE run S00°43'04"E along said East line of Lot 52A for 1,190 feet, more or less to the Southeast corner of lands described in deed recorded in Official Record Book 1807 at Page 4091, Lee County Records, said point being the Southeast corner of said Lot 52A of said subdivision;

THENCE run N88°27'02"E along the North line of Lots 44A, 43A, 42A and 41A of said FLORIDA GULF LAND COMPANY SUBDIVISION for 1,257.39 feet to an intersection with the Southwesterly line of a Florida Power and Light Company transmission line easement (100) feet wide);

THENCE run S20°51'33"E along said Southwesterly line for 125.36 feet to an intersection with the North/South Quarter (N/S½) Section line of said Section 32; THENCE run S00°55'33E along said Quarter section line and along the East line of Lot 41A of said Subdivision for 1,226.63 feet to the Southeast corner of lands described in deed recorded in Official Record Book 1528 at Page 12, Lee County Records, said point also being the Southeast corner of said Lot 41A; THENCE run S00°56'02"E along said North/South Quarter Section line and the

THENCE run S00°56'02"E along said North/South Quarter Section line and the East line of Lot 24A and 9A of said FLORIDA GULF LAND COMPANY SUBDIVISION for 2,644.19 feet to the POINT OF BEGINNING.

WHEREAS, the property was originally rezoned in case number 95-06-148.03Z; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the overall development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses; and

WHEREAS, it is found that the proposed amendment to change the unit distribution within the project by reducing the intensity within the Suburban area of the project, while increasing the units within the Outlying Suburban area will not increase the overall total number of units approved within the original planned development; will not create any additional impacts on the surrounding road network since all traffic enters and exits via Williams Road; is consistent with Policy 5.1.11 of the Lee Plan providing the density of a project can be the sum of the allowable densities for each land use category where land under single ownership is divided into two or more land use categories; and the overall density of the project does not exceed the allowable density under the Lee Plan.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the following amendments to the approved Residential Planned Development are **APPROVED**:

- 1. Change the unit distribution within the project by reducing the intensity within the Suburban area of the project, while increasing the units within the Outlying Suburban area;
- 2. Eliminate the proposed sewer treatment plant in the southeast quadrant and in accordance with Condition 11 of Resolution Z-96-005 replaced with residential and/or golf course uses:
- 3. Move the existing bridge over Halfway Creek in the southeastern portion of the site to the north to function as a golf crossing;
- 4. Reduce the golf practice and clubhouse tracts, while increasing and reconfiguring the preservation and golf course area;
- 5. Enlarge and reconfigure the preservation area and Listed Species Relocation Area;
- 6. Combine and shift residential tracts 11 and 12 to the north to accommodate the golf course design;
- 7. Expand northern portion of Tract 10 by 2 single family lots, decrease the size of the Park, and adjustment of lot lines in Tracts 6, 7, and 10;
- 8. Reconfigure Tract 10 and golf course lying west of the eastern boundary and north of the boundary line between the Outlying Suburban and Suburban land use categories;
- 9. Move the northernmost creek crossing south to improve the golf course design;
- 10. Show the reconfigured lakes on the Master Concept Plan based upon the South Florida Water Management District permits and modifications;
- 11. Amend the approved Property Development regulations by excluding the "Estate" category; and

12. Amend the Open Space Table and Site Breakdown while still complying with Condition 6 of Resolution Z-96-005 for minimum total open space.

Approval is subject to the following conditions:

- 1. The terms and conditions of Resolution Z-96-005 remain in full force and effect, except as may be amended by this action and adoption of the amended Master Concept Plan.
- 2. Condition 1 of Resolution Z-96-005 is hereby amended to adopt the new Master Concept Plan, a four-page plan stamped received February 25, 1998, except as modified by the conditions below. This approval does not alleviate the need to comply with all state and county development regulations, except as specifically modified by this approval. Rezoning the subject property does not include those properties owned by the state, i.e., submerged lands. Site Plan PD-98-003 is hereby APPROVED and adopted. A reduced copy is attached hereto.
- 3. Condition 4 of Resolution Z-96-005 is hereby amended to change the distribution of residential dwelling units. The RPD is limited to a maximum of 1,121 residential dwelling units with the following distribution:
  - a. A maximum of 1,075 dwelling units are permitted in the subject properties located within the Outlying Suburban Land Use Category, of which no more than 630 dwelling units are permitted within Development Areas 3, 4, and 5.
  - b. A maximum of 46 dwelling units are permitted within the subject properties in the Suburban Land Use Category.
- 4. Condition 5 of Resolution Z-96-005 is hereby amended to delete the "Estate" category from the approved Property Development Regulations.
- 5. Condition 11 of Resolution Z-96-005 is hereby amended eliminating the proposed use of a sewer treatment plant and allowing for future residential development in accordance with the original condition.

DULY SIGNED this 10th day of April

\_, A.D., 1998.

Mary Gibbs, Director

Department of Community Development

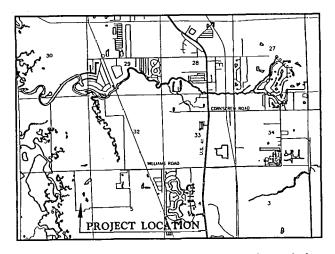
# AMENDED MASTER CONCEPT PLAN FOR

# WEST BAY CLUB RPD

SECTIONS 29/30/31/32, TOWNSHIP 46 S., RANGE 25 E. SECTIONS 5/6, TOWNSHIP 47 S., RANGE 25 E. BONITA SPRINGS, LEE COUNTY, FLORIDA

#### INDEX OF PLANS

_			-
SHEET NO.	DESCRIPTION		_
<del></del>	COVER SHEET		
2	MASTER CONCEPT PLAN	,	
3	MILKWEED LOCATIONS & M	IANAGEMENT P	LAN
4-5	DOCUMENTATION		



### LOCATION MAP



PREPARED BY

## JOHNSON ENGINEERING, INC.

ENGINEERS, SURVEYORS AND ECOLOGISTS

2158 JOHNSON STREET
POST OFFICE BOX 1550
FORT MYERS, FLORIDA 33902
PHONE (813) 334-0046

#### **APPLICANT**

ATLANTIC GULF COMMUNITIES CORPORATION
2601 SOUTH BAYSHORE DRIVE
., MIAMI, FLORIDA 33133
PHONE (305) 859-4390
FAX (D05) 859-4457

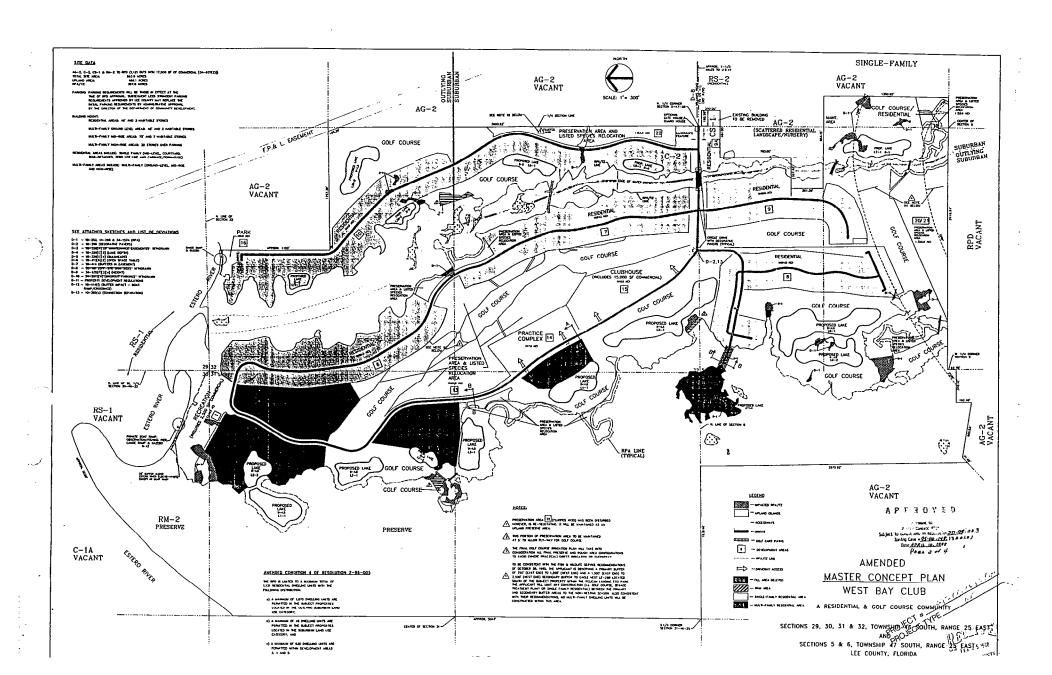
#### STRAP NUMBERS

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#### ZONING

APPROPVED

FEB 25 E3



D—I REQUIREMENT PROHIBITING OR RESTRICTING ALTERATION OR DEVELOPMENT WITHIN RESOURCE PROTECTION AREAS (SECTIONS 10— 253, 14—298 AND 34—1574), 10 PETRATI:

(A) CONSTRUCTION OF RECREATIONAL BOARDWALKS AND CART PATHS THROUGH RPA AREAS TO ACCESS GOLF HOLES BOTH 81 PEDESTRANS AND GOLF CARTS.

(B) CONSTRUCTION OVER VARIOUS TZ AND RPA AREAS TO FACILITATE CONSTRUCTION OF A GOLF COURSE.

(C) CONSTRUCTION OVER VARIOUS TZ AND RPA AREAS 10 FACULTATE CONSTRUCTION OF RESIDENTIAL DEVELOPMENT.

(D) CONSTRUCTION OF A ROAD ACCESS TO UPLAND HIGHLAND FOR CONSTRUCTION OF MULTI-FAMILY TRACT.

(E) CONSTRUCTION OF A ROAD ACCESS TO THE PROJECT SITE.

D-2 RECURPORNITS FOR ROAD SPECIFICATIONS (SECTION 10-286 TABLE 4(7)Xc)) AND BRIDE PAYERS IS AN ALTERNATIVE ROAD SURFACE ON A PROVINCELY MAINTAINED ROAD ON A FINE DEED (SECTION 1) TO ALLOW THE ROADWAY CONFIDERATION SHOWN ON THE ATTACHED SCITCH.

#### D-3 WITHDRAWN,

D-4 ROURRIMH THAT THE MAINAM RETENTION DEPTH FOR EXCAVATION BE 12 FEET (SECTION 10-329(4/31)). TO A MAINAM EXCAVATION DEPTH FOR 20 FEET WINDOW AND PRINTERATION THROUGH MEREMOUS SOL, OR ROOK LAYER WHICH PRESENTLY PROMISES INTERMINGUAGE OF VARIOUS MATERY STRAIL.

D-5 REQUIREMENT THAT EXCAVATION BANK SLOPES BE NO GREATER THAN 4:1 [SECTION 10-329(0)(4)] TO PERMIT 40% OF THE LAKE BANKS TO UTULIZE VERTICAL BULINEWS.

D—6 RECUREDAENT THAT RESEDENTIAL DEVELOPMENTS SHALL PROVIDE 40% OPEN SPACE FOR LARCE DEVELOPMENTS (50% OF WHICH SHALL BE MODICHOUS) (SECTION 10-415(b)(2)) TO ALLOW THE OPEN SPACE TABLE PROVISIO.

D-7 REQUIREMENT THAT NO PORTION OF A BUFFER AREA THAT CONSISTS OF TREES AND SHRUBS SHALL BE LOCATED IN ANY EASEMENT (SECTION 10-414) TO ALLOW PLANTED BUFFERS IN EASEMENTS.

D-9 REQUIREDENT LIMITING THE HIDDH'S ON RESODITIAL PLANNED DELICOPHIQUE ZONNIC CATEGORY WITHIN THE QUITTING SUR-MAIN LAND USE CATEGORY OF 15 FET [SECTION 34-935(N/3/6)] TO ALLOW ZO STORES OVER PARKING FOR DEVLOPMENT AREAS Z 3, 3, 4 AND 5.

#### D-10 WITHDRAWN.

D-11 DEVIATION FROM SECTION 34-935 OF THE LEE COUNTY LAND DEVELOPMENT CODE TO ALLOW THE PROPERTY DEVELOPMENT REGULATIONS FOR ESTERN POWNER PRD.

DATE OF THE THE LIFE THE ACT AS A SHORT WAS SHIFTEN LIFE THE LIFE HOW THE RECEIVED THAT A 25-FOOT WAS SHIFTEN LIFE THE LIFE HIGH WASTER LIFE OF ALL HOW-EXPANLED HOW THAT LIFE OF ALL HOW-EXPANLED HOW THE THE THE CONSTRUCTION OF ALL HOW THE THE LIFE THE CONSTRUCTION OF ALL HOW THE LIFE THE LI

D-13 DEHATION FROM CONNECTION SEPARATION REQUIREMENTS OF SECTION 10-285 (a), TABLE 2, FOR THE EXTENSION OF MILLIAMS ROAD INTO THE PROJECT TO ALLOW CONNECTION SEPARATION AS SHOWN ON THE THOUSER ROADWARD ROADWARD TO WITH MASTER CONCEPT PLAN.

SCHEDAL OF USES

ACCESSORY USES AND STRUCTURES
ACCESSORY ADMINISTRY (a)

ACCESSORY ADMINISTRY (a)

AND ADMINISTRY (b)

BAT AND TACKET SAMP OFFICE (b)

BAT AND TACKET SAMP OFFICE (c)

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CONTROLLE

#### SITE BREAKDOWN

OF AREAS		(IN ACRES)
Wetlands		397.8
Colf Course		85.9
Golf Course F	Rough	20.6
Uptond Butter	Areas	38.4
Lokes		36.7
Pod 1:	Recreation Area	10.2
Pod 2:	Multi Formly	12.8
Pod 3:	Hulli Family	9.5
Pod 4:	Wulli Family	4.7
Pod 5:	Hulli Fornily	€.0
Pod 5.	Residential	26.3
Pod 7:	Residentio	24.1
Pod 8:	Residential	24.8
Pod 9 & 9A:	Residential	21.3
Pod 10:	Residential	44,D
Pod 11/12:	Hulli Fonity	13.8
Ped 13:	Upland	
	Preservation	26.5
Ped 14:	Practice Area	7.0
Ped 15:	Clubhouse	11.0
Pod 16:	Park Area	1.0
Pod 17/18:	Mointenance Area & Residential/Golf Course	14.3
Pod 19:	Upland Preservation	2.6
Pod 20/21:	Upland Preservation	12.8
Ped 22:	Upland Preservation	6.3
Port 23:	Upland Island	

#### PROPERTY DEVELOPMENT REGULATIONS WEST BAY CLUB RPD

	Minimum Let		Minimum Setback				1					
	Area (s.f.)	Depth (feet)	Width (feet)	Side (feet)	Rear (feet)	Read (feet)	Water Body (feet)	Maximum Height (feet)	Number of Habitable Floors	Plinimou Ballding Septention (feet)	Subdivision	Constantain
RESIDENTIAL												
Mid-Level	7,500	100	75	7.5	15	20	20	45	,	15	YES	YES
Courtyard	5,500	100	35	3	10	20	26	45	, -	10	YES	YES
Semi-Detached 1st Side 2nd Side	5,000	100	50	7.5	15	20	20	45	,	15	YES	YES
Zero Lot Line 1st Side 2nd Side	4,500	80	45	:	15	15	20	45	3	•	YES	YES
Cerruge/Townshouse Lst Side 2nd Side	2,600	50	35	0 0∝ 10	20	20	20	. 45	3	Complex Separation: 20	YES	YES
MULTI-FAMILY	1			<b></b>		$\vdash$		i				
Ground Level	10,000	100	100	<del> </del>	20	20	25	45	,	20		YES
Mid-Rise	10,000	100	100		20	20	25	75	,	20		YES
High-Rise	10,000	100	100		20	20	25		29*	60	<del></del>	YES
CLUBHOUSE AREA	40,000	200	200	13	20	20	20	45	- 2	15	YES	YES
PRACTICE COMPLEX	40,000	200	200	15	20	20	20	45	2	15	YES	YES

See LDC Sections 34-1174, 34-1176, 34-2191 and 34-2194

As overall maximum of six (6) high-rise buildings may be located within muchi-family Pods 3, 4, and 5.

Medicine or ground level buildings can be chaptered in multi-family Pods 2, 3, 4 & 1.

OPEN SPACE CALCULATIONS:

REQUIRED OPEN SPACE : 864.9 MOIGENOUS	E AC. 1 40% REQUIREMENT	:	345.96± 172.98±	AC. (40%) AC. (20%)
OPEN SPACE PROVIDED (AC.±)				HO2 (AC.±)
WETLANDS				397.8
PRESERVATION AREA 13: 22 8 40	40.0			
PRESERVATION AREA 19	2.6			
PRESERVATION AREA 20/21: 12	8 AC. E   6% (10-413 (4	(4XeX:		20.5
FRESERVATION AREA 22				6.3
UPLAND ISLAND PRESERVATION	AREAS			3.1
GOLF COURSE				85.9
COLF COURSE ROUGH				20.5
UPLAND BUFFER AREAS				38.4
PARK (AREA 15)				1.0
LAYES  RECREATIONAL AREA 1 MAN, 11—FAMILY POO 2: MAN, 11—FAMILY POO 3: MAN, 11—FAMILY POO 4: MAN, 11—FAMILY POO 6: SMICLE FAMILY POO 6: SMICLE FAMILY POO 6: SMICLE FAMILY POO 7: SMICLE FAMILY POO 7: MICSOCHINAL POO 10: MICSOCH				36.7
RECREATIONAL AREA 1	(10.2 AC × 80%)	-		8.2
MULTI-FAMILY POD 2:	12.8 x 15%	•		1.9
MULTI-FAMILY POD 3:	9 5 ×35%	•		3.3
MULTI-FAMILY POD 4 :	4.7 : 35%	-		1.6
MULTI-FAMILY POD 5:	6.0 1 60%	-		3.6
SINGLE FAMILY POD 6:	26.3 : 10%	-		2.6
SINGLE FAMILY POD 7:	24.1 10%	-		2.4
SINCLE FAMILY POD B:	248 ± 10%	-		2.5
RESIDENTIAL POD 9 & 9A .	21.3 # 10%	-		2.1
RESIDENTIAL POD 10 :	44.0 ± 10%	-		4.4
MULTI-FAMILY POD 11 & 12 :	13.5 : 15%	-		2.1
PRACTICE AREA (POD 14)	7.0 x 80%	-		5.6
CLUBHOUSE SITE (POD 15)	11.0 x 15%	-		1.7
FUTURE RESIDENTIAL (POOS 17	& 18) 14.3 ± 40%	<u> </u>		5.7
TOTAL OPEN SPACE PROMDED		-		700.6 (81%)
TOTAL INDICENSIS OFFI SPACE	r monvento	-		525 B (61%)

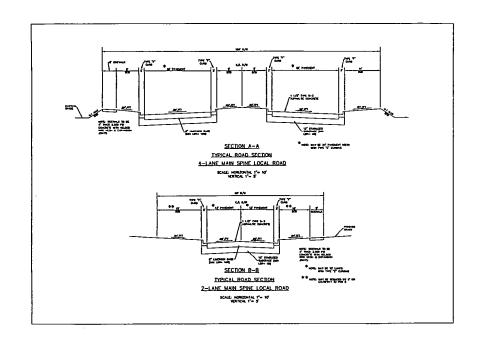
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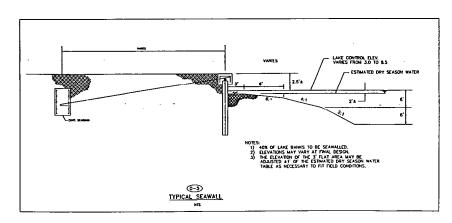
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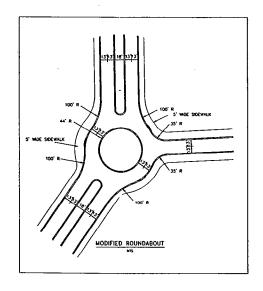
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