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MARTIN CO., FL

2020 DEC -2 AM 11:54

CAROLYN TIMMANN
CLERK OF CIRCUIT COURT

Prepared by and return to:
Jane L. Cornett, Esq.
Becker & Poliakoff, P.A.
Royal Palm Financial Center
759 SW Federal Highway, Suite 213
Stuart, FL 34994
772-286-2990

[Space Above This Line For Recording Data]

**FOURTH AMENDMENT TO OLD TRAIL
PLANNED UNIT DEVELOPMENT ZONING AGREEMENT**

THIS AGREEMENT made and entered into this 27th day of October, 2020, by and between **JONATHAN'S LANDING GOLF CLUB, INC.**, a Florida corporation, hereinafter referred to as **OWNER**, and **MARTIN COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as **COUNTY**.

WITNESSETH:

WHEREAS, after appropriate notice, public hearing and approval, Jonathan's Landing, Inc., a Delaware corporation, and COUNTY on or about the 11th day of February, 1986, entered into a Planned Unit Development Zoning Agreement for the development of a project in Martin County, Florida, known as "Old Trail" ("**Project**"), which Planned Unit Development Zoning Agreement ("**Original Agreement**") is recorded in Official Records Book 670, beginning at Page 418 of the Public Records of Martin County, Florida ("**Public Records**") which has been amended through and including that certain First Amendment to Planned Unit Development Zoning Agreement ("**First Amendment**"), recorded in Official Records Book 699, at Page 2029 of the Public Records, Second Amendment to Planned Unit Development Zoning Agreement ("**Second Amendment**"), recorded in Official Records Book 718, at Page 1116 of the Public Records, and Third Amendment to Planned Unit Development Zoning Agreement ("**Third Amendment**"), recorded in Official Records Book 812, at Page 84 of the Public Records (Original Agreement and all Amendments thereto being referred to in this Amendment as the "**PUD Agreement**"); and

WHEREAS, OWNER acquired all right, title and interest to the property subject to the PUD Agreement, as reflected in the Special Warranty Deed between Jonathan's Landing, Inc. and OWNER, as recorded in Official Records Book 1155, at Page 1862 of the Public Records; and

WHEREAS, OWNER desires to amend the PUD Agreement for purposes of revising **Exhibit "D"**, the Preliminary Development Plan, and adding **Exhibit "G"**, a Preserve Area Management Plan.

NOW, THEREFORE, the parties do hereby agree as follows:

1. The Old Trail PUD Agreement is hereby amended to replace **Exhibit "D"**, Preliminary Development Plan with revised Exhibit "D", revised Master and Final Site plan and add **Exhibit "G"**, Preserve Area Management Plan.

2. All of the terms and conditions of the PUD Agreement which are not specifically amended or revised by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this PUD Agreement to be made and entered into the day and year first written. The date of this PUD Agreement shall be the date on which this PUD Agreement was approved by the Board of County Commissioners.

OWNER

**JONATHAN'S LANDING GOLF CLUB,
INC., a Florida corporation**

WITNESSES:

Wendy A Seely
Print Name: Wendy A. Seely

Joe D. Pasquon
Print Name: Joe D. Pasquon

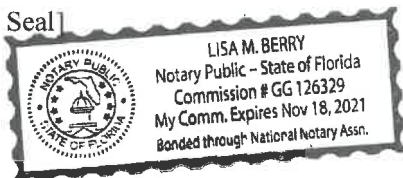
By: Robert M. Widman
Print Name: ROBERT M. WIDMAN
Print Title: PRESIDENT

STATE OF FLORIDA
COUNTY OF Palm Beach

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, by means of ☒ physical presence or ☐ online notarization, on October 29, 2020, by Robert M. Widman, President of Jonathan's Landing Golf Club, Inc., a Florida corporation, on behalf of the corporation, who ☒ is personally known to me or ☐ has proved to me on the basis of a driver's license or other satisfactory evidence, to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me that he/she executed same.

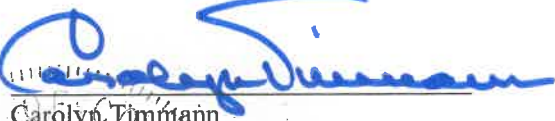
WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2020.

[Notary Seal]

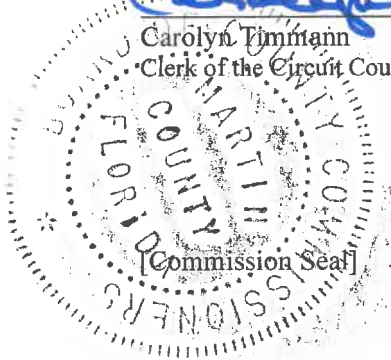


Lisa M. Berry
Notary Public, State of Florida
Print Name: Lisa M. Berry
My Commission Expires: 11/18/2021

ATTEST:



Carolyn Timmann
Clerk of the Circuit Court and Comptroller



COUNTY

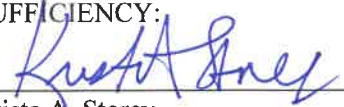
BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

By: _____



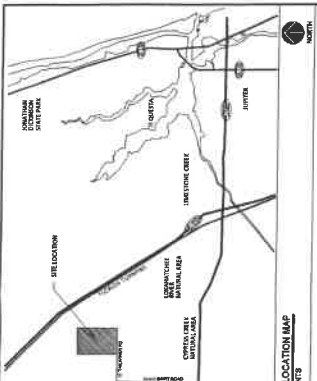
Harold E. Jenkins, II, Chairman

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:



Krista A. Storey
Senior Assistant County Attorney

REVISED EXHIBIT “D”
REVISED PRELIMINARY DEVELOPMENT PLAN



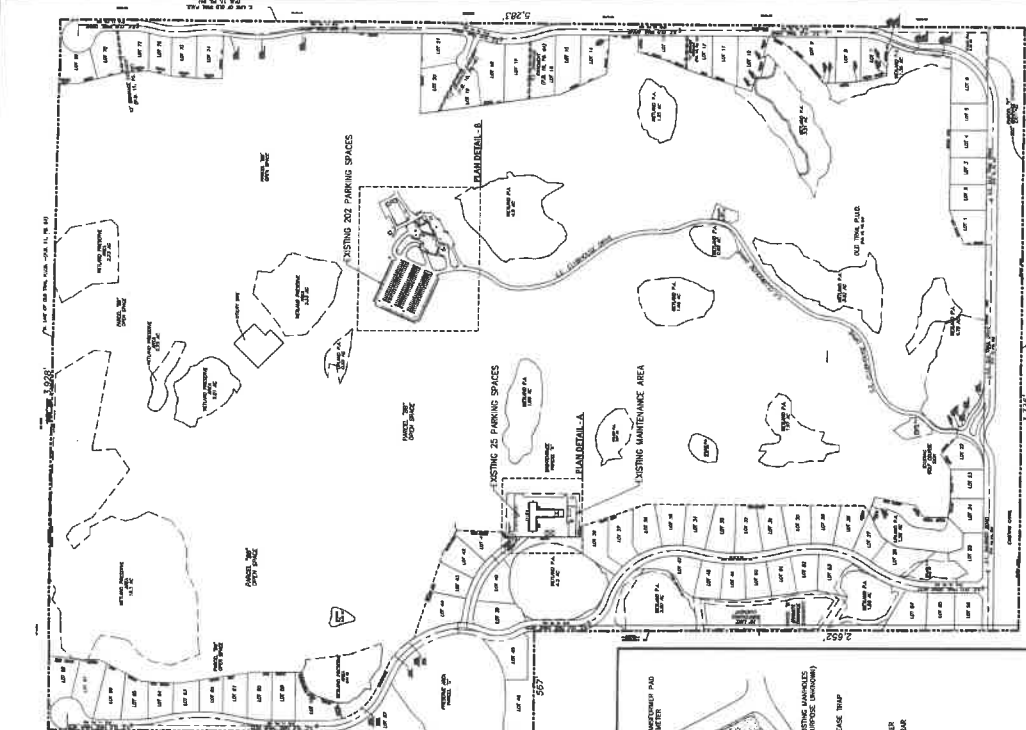
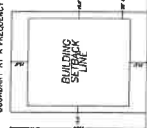
USE	ACRES	SF	ACRES	%
SWAMP & WETLANDS	413.234	55.4%	13.5	
WATER	709.534	222.9	50.4	
ROADS	1.11384	27.4	4.9	
LANDS & PRESERVE AREAS	5,427,576	124.8%	20.2	
WATERWAYS	601,126	5.8	3.1	
UTILITY SITE	1	4.1	1.0	
TOTAL AREA	17,241,520	442.2%	100%	

USE	SP	ACTS	%
DOY COURSE	199.24	69.9	50.4
PRSSNG AREA	3,018.70	283.3	15.7
IN DOY COURSE	2,400.34	274.2	15.0
UPLAND	217.61	2.7	0.81
WETLAND	232.22	34.7	12.4
COURSE DOY COURSE	51,304	1.9	2.70
UPLAND	345	3.58	0.81
LAKE AREA	34,578	0.40	1.60
IN DOY COURSE	2,418.905	25.3	12.5
COURSE DOY COURSE	7184	1.9	0.4
TOTAL ACTS	11,337.190	347.5	76.8

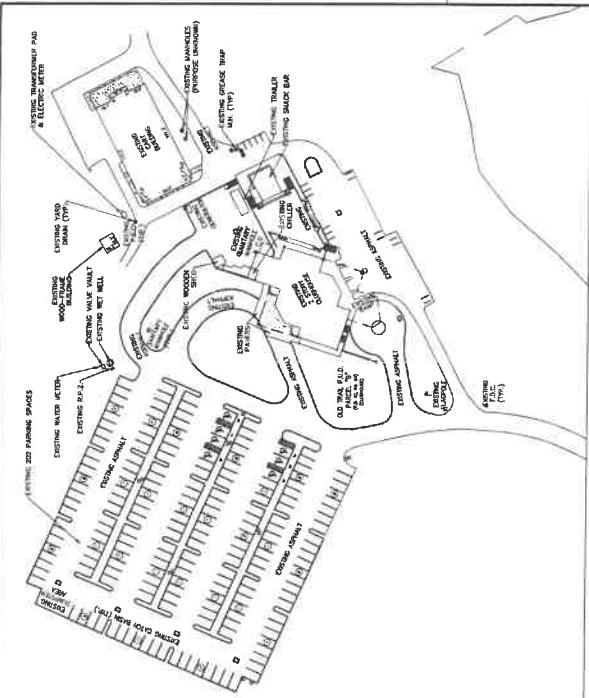
	SO ₂ F ₂	ACRES	%
BLU JAMES	10.11	5.5	1.2
ROADWAY	26.40	8.4	1.9
PAVED	178.92	4.1	0.9
DATA ACRES	180.20	118.4	27.8
TOTAL IMPROV. ACRES	111.52	136.4	30.8

USE	NO. OF SHELVES	SQ. FT.
STORAGE	207,200	
COAL CLING HOSES	8,250	
COAL CART STORAGE	9,600	
COAL	35,400	
WATER TREATMENT (200,000 GPD)	214	
WATER TREATMENT (100,000 GPD)	140	
WATER PUMP	960	
TOTAL BUILDING AREA	238,310	

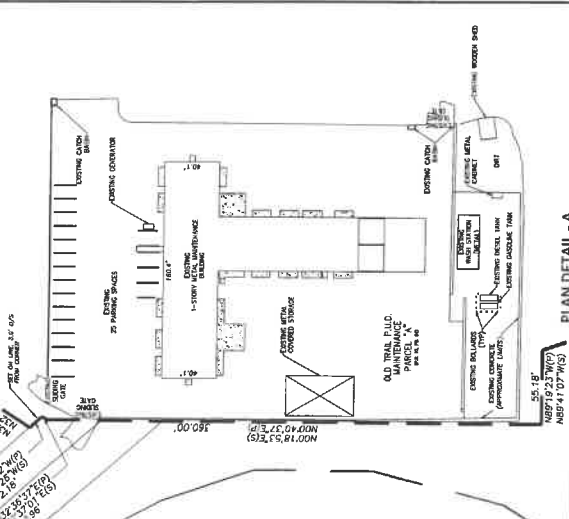
- [illegible]



**REVISED MASTER AND
FINAL SITE PLAN
SCALE: 1:300**



PLAN DETAIL - B
SCALE: 1:60



AN DETAIL - A
SCALE: 1:40

EXHIBIT “G”
PRESERVE AREA MANAGEMENT PLAN

PRESERVE AREA MANAGEMENT PLAN



NPA220060507
RECORD NUMBER
DEV2019050004

APPROVED BY:

A handwritten signature in black ink, appearing to be "John Haman".

**JONATHAN'S LANDING
TCG PROJECT NO. 18-0054
MAY 2020**

**PREPARED FOR:
JONATHAN'S LANDING GOLF CLUB
616823 CAPTAIN KIRLE DRIVE
JUPITER, FL 33477**

Introduction

The purpose of this plan is to provide specific standards of care for the wetland and upland preserve areas of the Jonathan's Landing Golf Club for the long-term maintenance of the viability, values and functions of the preserve areas. The Jonathan's Landing Golf Club is a ±442-acre property located in Martin County, Section 22,24, Township 40, Range 41. The property is owned and operated by the Jonathan's Landing Golf Club Inc, and the Old Trail Homeowners Association, Inc.

Site Description

The project site consists of a golf course with adjoining single-family residential units in southern Martin County. The site was developed in the 1980's with a stormwater management system that has since been modified and is operational. The site is bordered to the west by residential development, on the south by the Ranch Colony Canal, on the east by a citrus grove and on the north by open fields.

The USDA-NCSS, SSURGO and STATSGO Digital Soil Survey was reviewed to determine the soil characteristics of the subject parcel. The survey revealed the subject parcel historically consisted of Riviera fine sand and Wabasso sand (Exhibit E).

Project Description

The project consists of the excavation of existing lakes with the regrading of portions of the course and the removal of all Category I & II nuisance and exotic vegetation as listed by the Florida Exotic Pest Plant Council. No state or federally threatened or endangered habitat or species were observed onsite during inspections.

There are currently ±61.67 acres of platted preserve areas onsite. The proposed re-plat will remove 4.15 acres from the preserve areas, and will propose adding an additional 11.76 acres of preserve to be included in the new plat (Exhibit B) for a total of 69.3 acres of preserves. The preserve areas to be removed are areas that over time have become part of the playable golf course and provide no habitat. The areas that are proposed to be added to the preserve either provide habitat or are part of the South Florida Water Management (SFWMD) jurisdictional wetland determination (No.43-103322-P). There are 63.02 acres of wetland preserves and 6.28 acres of upland preserves onsite (Exhibit C). The new preserve area total will be 69.3 acres, an increase of 7.65 acres. Of the 69.32 acres of preserves, Jonathan's Landing Golf Club, Inc. will be responsible for maintaining 57.39 acres, and the Old Trail Homeowners Association Inc., will be responsible for maintaining 11.93 acres (Exhibit D).

Conditions

1. The Preserve Area Management Plan (PAMP) will be recorded by the Martin County Clerk of County Courts and labeled with the appropriate O.R. Book and Page Number. One copy of the recorded document will be provided to the Martin County Environmental

Planning Administrator and the owner/developer and with the approval of the Martin County Board of County Commissioners. If the PAMP is altered or amended, the revised document will be recorded by the Martin County Clerk of Courts and one copy of the revised document will be provided to the Martin County Environmental Planning Administrator within thirty (30) days of the Recording date.

2. The owner(s) of the lands to be preserved/maintained by this Preserve Area Management Plan (PAMP) and the developer(s) of the property described in this PAMP, their successors and assigns, and their environmental consultants and contractors, will implement and comply with all portions of this PAMP.
3. The Martin County Environmental Planning Administrator shall be notified in writing within thirty (30) days of transfer of ownership of any lands preserved by this PAMP. Failure to notify will be considered as a non-compliance with the terms of this PAMP.
4. The 11.93 acres of preserves that are under the management of the Old Trail Homeowner's Association Inc., will be maintained under Sec.4.6.A. (Ord. No. 903. pt. 1(Exh. A), 12-13-2011)). Exhibit G is a letter from the Old Trail Homeowner's Association Inc. confirming that the areas will be maintained.

Maintenance & Management Plan

1. Prior to construction adjacent to the preserve areas, the required orange-colored, high visibility barricades will be installed along preserve area boundaries. The barricades will be 10-feet beyond the preserve boundary, or at the drip line of the trees (whichever is greater). Prior to any excavation, appropriate silt fences and turbidity curtains will be installed to limit the amount of silt entering into water bodies. Silt fences and curtains will be maintained during construction activities and after major rain events. The site will be stabilized no later than 30 days after vegetation removal and/or fill placement.
2. Prohibited activities within the preserve areas include but are not limited to: mowing, sodding, trimming, man-made structures, play equipment, permanent irrigation, dumping, grubbing, man-made runoff or the creation of point source discharge into the preserve area. Preserve Areas will be posted with permanent signs. These signs will be at least 11x14 inches in size and will be posted in conspicuous locations along the Preserve Area boundary, every 500-ft (Exhibit F).
3. Quantitative monitoring will be completed annually, for a five (5) year period, no later than November 30 of each year, with reports submitted to the County no later than December 31 of each year. Panoramic photographic locations will be established to provide supplemental data for the annual monitoring reports and incidental observations of fish and wildlife will be recorded on each monitoring event. Included in the Annual Monitoring Report will be a list of any violations of the PAMP during the previous year, with

recommendations for, and a schedule of, remedial actions and any enhancement activities proposed for the coming year

4. Nuisance/exotic species will be maintained within the areas that have been treated, and cannot exceed 5% coverage within the preserve area. Maintenance will be performed as needed to ensure that this requirement is achieved.
5. The preserve areas that have not been treated for nuisance/exotic species, will be systematically treated by hand spraying, over the next five (5) years until coverage of exotics is under the required 5%.
6. Maintenance will be conducted on a quarterly or “as needed” basis, depending on the needs of the preserve area as determined through the ongoing monitoring effort. Species to be eradicated include cattail, primrose willow, melaleuca, Brazilian pepper, torpedo grass, Australian pine, shoe-button ardisia, earleaf acacia, schefflera and any other exotic/nuisance species as listed by Florida Exotic Pest Plant Council (EPPC). Trash and unnatural debris will be removed as needed.
7. Upon completion of the five (5) year monitoring and maintenance program, the managing entity will be responsible for the ongoing and perpetual maintenance of the conservation area as permitted by Martin County. Martin County is authorized to inspect any County regulated site or appurtenance. Duly authorized representatives of Martin County may, at any time, and upon proper identification, enter upon and shall be given access to any premises for the purpose of such inspection.

Monitoring Schedule

September 2020	1 st Annual Monitoring
October 2020	Submit 1 st Annual Monitoring Report
September 2021	2 nd Annual Monitoring
October 2021	Submit 2 nd Annual Monitoring Report
September 2022	3 rd Annual Monitoring
October 2022	Submit 3 rd Annual Monitoring Report
September 2023	4 th Annual Monitoring
October 2023	Submit 4 th Annual Monitoring Report
September 2024	5 th Annual Monitoring Report
October 2024	Submit 5 th Annual Monitoring Report

EXHIBIT A

LOCATION MAP



**SUBJECT
SITE**



THE Chappell GROUP
714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108 www.thechappellgroup.com

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- Marine & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

JONATHAN'S LANDING GOLF CLUB

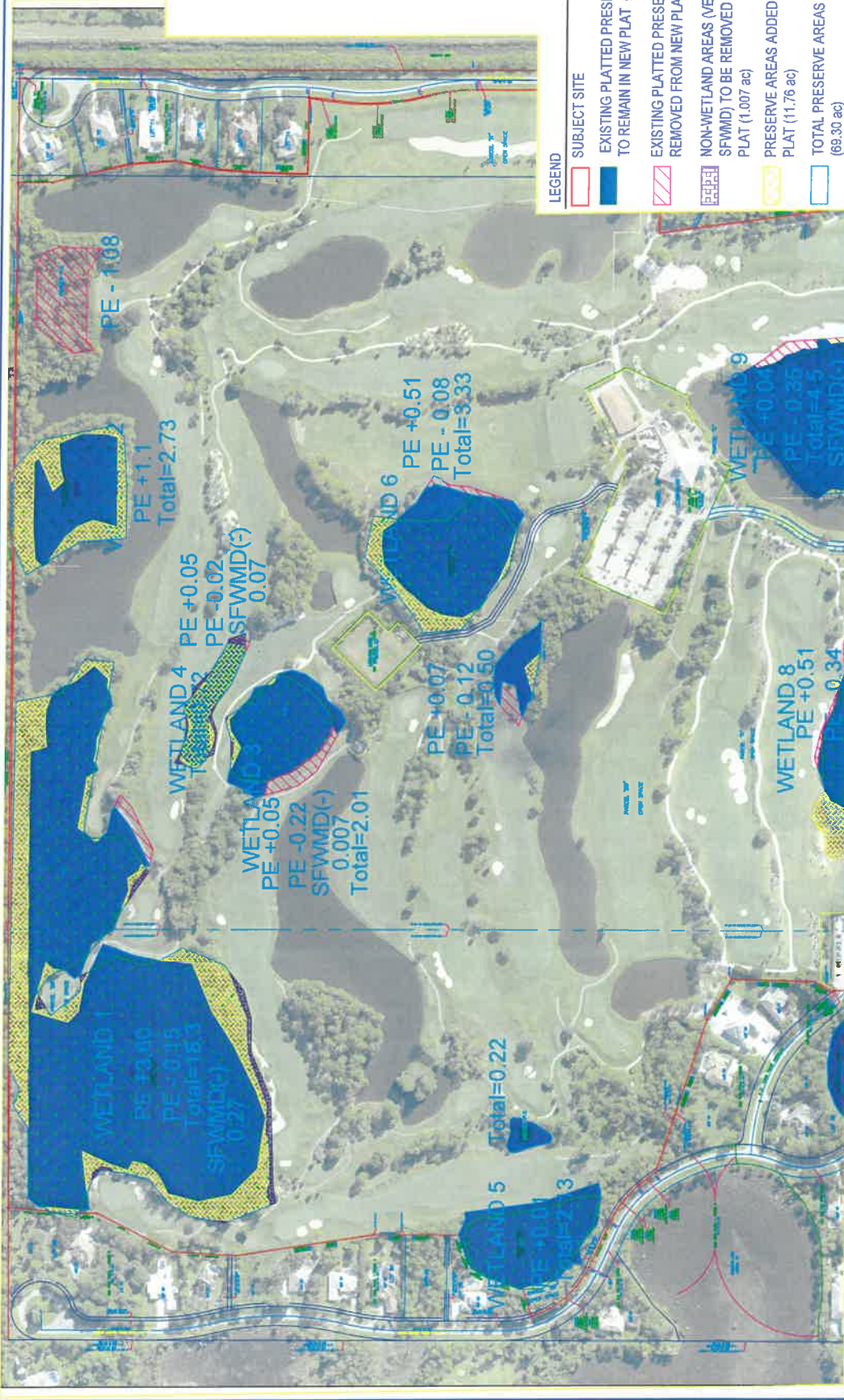
PREPARED FOR:
JONATHAN'S LANDING GOLF CLUB

EXHIBIT A- LOCATION MAP

Date: 4/23/2020	Sheet: 1	of: 1
Proj No.: 18-0054		

EXHIBIT B

PAMP MODIFICATION MAP



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JONATHAN'S LANDING GOLF CLUB
PREPARED FOR:
JONATHAN'S LANDING GOLF CLUB

EXHIBIT B- PAMP MODIFICATION		
Date: 5/14/2020	Sheet: 1	of: 2
Proj No.: 18-0054		



SCALE
1"=300'



SUBJECT SITE

EXISTING PLATTED PRESERVE AREAS
TO REMAIN IN NEW PLAT (57.52 ac)

EXISTING PLATTED PRESERVE AREAS TO BE REMOVED FROM NEW PLAT (4.15 ac)

NON-WETLAND AREAS (VERIFIED BY SEWMD) TO BE REMOVED FROM NEW

PLAT (1.007 ac)

PRESERVE AREAS ADDED IN NEW

PLAT (11.76 ac)

TOTAL PRESERVE AREAS IN NEW PLAT
(69.30 ac)

EXHIBIT B- PAMP MODIFICATION

Sheet: _____ of _____

9

Proj No.:

7114 East McNab Road
Pompano Beach, Florida 33060
Tel. 954.782.1908
Fax 954.782.1108
www.t...

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EXHIBIT C

PRESERVE BOUNDARIES



LEGEND

WETLAND PRESERVE AREAS TO BE INCLUDED
IN SITE REPEAT (63.02ac)

UPLAND PRESERVE AREAS TO BE
INCLUDED IN SITE REPEAT (6.28 ac)

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JONATHAN'S LANDING GOLF CLUB

PREPARED FOR:
JONATHAN'S LANDING GOLF CLUB

EXHIBIT C-PRESERVE BOUNDARIES

Date:	5/14/2020	Sheet:	1	of:	2
Proj No.:	18-0054				

NORTH

SCALE
1"=300'



LEGEND

- WETLAND PRESERVE AREAS TO BE INCLUDED IN SITE REPLANT (63.02ac)
- UPLAND PRESERVE AREAS TO BE INCLUDED IN SITE REPLANT (6.28 ac)

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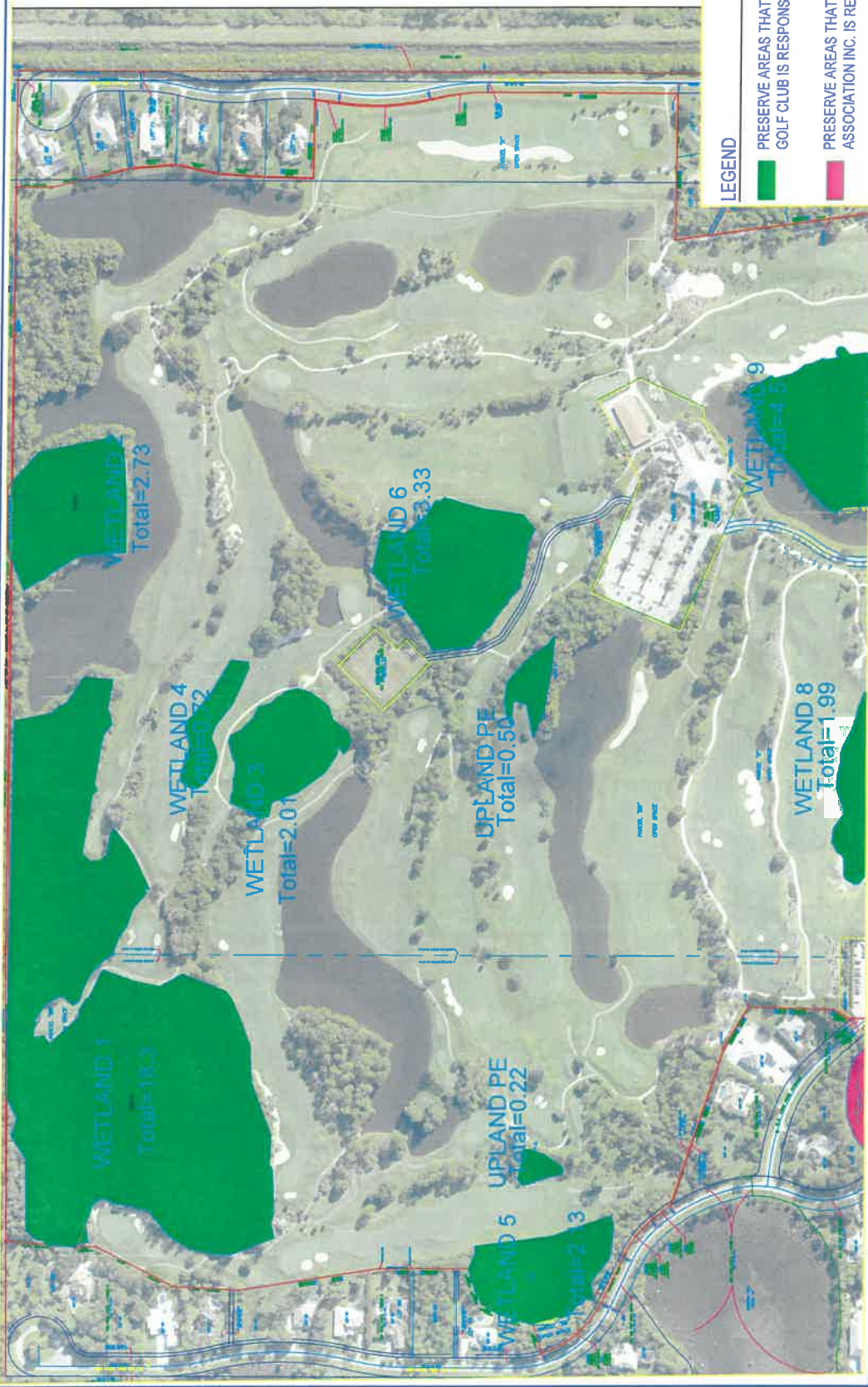
JONATHAN'S LANDING GOLF CLUB

PREPARED FOR:
 JONATHAN'S LANDING GOLF CLUB

EXHIBIT C-PRESERVE BOUNDARIES			
Date:	Sheet :	of :	
5/14/2020	2	2	
Proj No.:	18-0054		

EXHIBIT D

PAMP DESIGNATION



LEGEND

- PRESERVE AREAS THAT JONATHAN'S LANDING GOLF CLUB IS RESPONSIBLE FOR (57.39 ac)
- PRESERVE AREAS THAT OLD TRAIL HOMEOWNERS' ASSOCIATION INC. IS RESPONSIBLE FOR (11.93 ac)

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JONATHAN'S LANDING GOLF CLUB

PREPARED FOR:
JONATHAN'S LANDING GOLF CLUB

EXHIBIT D-PAMP DESIGNATION

Date:	5/14/2020	Sheet:	1	of:	2
Proj No.:	18-0054				



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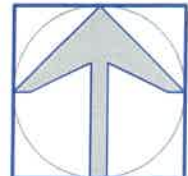
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 PREPARED FOR:
 JONATHAN'S LANDING GOLF CLUB

EXHIBIT D-PAMP DESIGNATION			
Date:	Sheet:	of:	
5/14/2020	2	2	
Proj No.:	18-0054		

EXHIBIT E

SOIL MAP

NORTH



N.T.S



LEGEND

- SUBJECT SITE
- 49 RIVIERA FINE SAND
- 21 PINEDA & RIVIERA FINE SANDS
- 17 WABASSO SAND

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JONATHAN'S LANDING GOLF CLUB

PREPARED FOR:
JONATHAN'S LANDING GOLF CLUB

EXHIBIT E- SOIL MAP

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Proj No.: 18-0054		

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EXHIBIT F

PRESERVE SIGNAGE



EXHIBIT G

HOA LETTER

June 4, 2020

Mr. Peter Walden
Principal Planner
Martin County Growth Management
2401 SE Monterey Road, 1st Floor
Stuart, Florida 34996

RE: Jonathan's Landing
Project No.: DEV2019050004

Dear Mr. Walden:

Please accept this letter as acknowledgement that the Old Trail Homeowners Association Inc. is responsible for 11.93 acres of preserves as shown on the attached "Exhibit D- PAMP Designation". The Old Trail Homeowners Association, Inc. will maintain their preserve areas under Sec. 4.6.A, "*Preserve area maintenance not implemented through a PAMP*". Please be advised that Old Trail Homeowners Association, Inc. did not participate in or approve the Jonathan's Landing Preserve Area Management Plan, and thus Old Trail Homeowners Association, Inc. will not be bound by the provisions thereof.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Lines". The signature is stylized with a large, looped "D" and a cursive "Lines".

David Lines

President, Old Trail Homeowners Association, Inc.

c/o Coastal Property Management

752 N. U.S. Highway 1

Tequesta, Fl. 33468

Cc. Mr. Robert Widman, Jonathan's Landing Golf Club