

06T-DA0029
Designation Number

Reso 2007-011
12.18.07 CC
Reso 2008-149
10.7.08. CC
CN 08-441

**STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
FLORIDA GREENWAYS AND TRAILS PROGRAM**

DESIGNATION AGREEMENT

This Designation Agreement, entered into on this 22nd day of September, 2008, by and between STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF GREENWAYS AND TRAILS (hereinafter referred to as "Department"), NASSAU COUNTY, FLORIDA (hereinafter referred to as "Landowner" and/or "Manager"), and CITY OF FERNANDINA BEACH, FLORIDA (hereinafter referred to as "Landowner" or "Manager") (Nassau County, Florida and City of Fernandina Beach are collectively referred to as "Landowners" and/or "Managers"), by and through the undersigned, formally designates the public lands depicted in Exhibit A attached hereto and incorporated herein by reference (hereinafter referred to as "designated lands") as part of the Florida Greenways and Trails System.

WITNESSETH:

WHEREAS, the Department is given authority in Section 260.016, Florida Statutes, to develop and implement a voluntary process for designation of lands or waterways as a part of the statewide system of greenways and trails.

NOW THEREFORE, in consideration of the mutual benefits to be derived herefrom, the Department, Landowners and Managers do hereby agree to the following.

1. The Managers:

- a. Shall be responsible for the management, operation and maintenance of the designated lands, in accordance with Exhibit B attached hereto and by this reference made a part hereof.
- b. Shall be responsible for notifying the Department of any change in the following: property ownership (if known) or management; the condition or extent of natural, recreational, cultural or historic resources described in the designation application or its attachments; or the expansion or improvement of the project or its amenities and facilities.

2. The Department:

- a. Shall provide signs, if requested by the Managers, indicating the property is designated as part of the Florida Greenways and Trails System.
- b. Shall provide technical and financial assistance, if available, or identify other sources of funding available for management and restoration needs.

- c. Agrees that this Designation Agreement shall have no effect upon the disposition of improvements made to the public lands by the Landowners, the Department, or others, whether existing at the time of designation or to be constructed or erected later, unless otherwise agreed herein.

3. The Landowners, Managers, and Department agree to the following:

- a. That sufficient information exists and/or field verification has occurred to assure that the characteristics of the public lands meet the criteria contained in Rule 62S-1.400, Florida Administrative Code.
- b. That this Designation Agreement will be subordinate to the interests stated in any existing leases, subleases, management plans, licenses, easements or other agreements or encumbrances previously executed and currently in effect for any portion of the public lands proposed for designation.

4. Term, Modification and Termination of this Designation Agreement:

- a. The term of this Designation Agreement shall be 20 years.
- b. This Designation Agreement may be modified to encompass additional adjacent public lands owned by the Landowners. Any such modification to this Designation Agreement shall not be valid unless it complies with the requirements set forth in paragraph 5. below.
- c. The Department may withdraw from this Designation Agreement at anytime or remove the said designated lands from the Florida Greenways and Trails System by action of the Secretary if:
 - (1) the component fails to accomplish or becomes unsuitable for the purposes for which it was designated; or
 - (2) there is no longer an ability to manage the designated lands as intended in this Designation Agreement and no replacement manager can be identified.
- d. In the event that the ownership of the designated lands changes, this Designation Agreement will be null and void.
- e. The Landowners have the statutory right to remove the public lands from designation at any time by providing the Department with a written request that references this Designation Agreement.

5. This Designation Agreement represents the entire agreement of the parties. Any alterations, variations, changes, or modifications of this Designation Agreement shall only be valid when they have been reduced to writing, duly signed by each party hereto and attached to the original of this Designation Agreement.

6. The parties acknowledge the rights of Landowners and Managers to enter into agreements for the purpose of maintenance of designated lands. Specifically, the parties acknowledge that the Landowners and Managers may give Florida Department of Transportation a license to use the property for the purpose of removing any dead or diseased trees.

6. This Designation Agreement is executed by a duly authorized representative of each party on the day and year first above written.

CITY OF FERNANDINA BEACH, FLORIDA

APPROVED AS TO FORM:


CITY ATTORNEY

By: 
Michael J. Czymbar
Print/Type Name City Manager
City Manager
Title

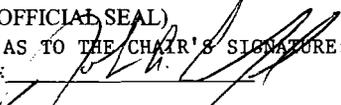
(OFFICIAL SEAL)

ATTEST:
By: Mary L. Mercer
Printed Name: Mary L. Mercer
Title: City Clerk
Date: 8-12-08

NASSAU COUNTY, FLORIDA
By its Board of County Commissioners

By: 
Marianne Marshall
Print/Type Name
Chair
Title

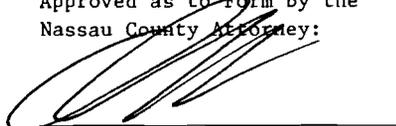
(OFFICIAL SEAL)

ATTEST AS TO THE CHAIR'S SIGNATURE:
ATTEST: 

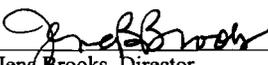
John A. Crawford
Print/Type Name

Ex-Officio Clerk
Print/Type Title 8/24/08

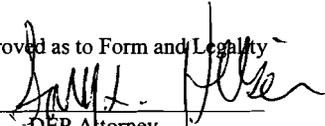
Approved as to Form by the
Nassau County Attorney:


David A. Hallman

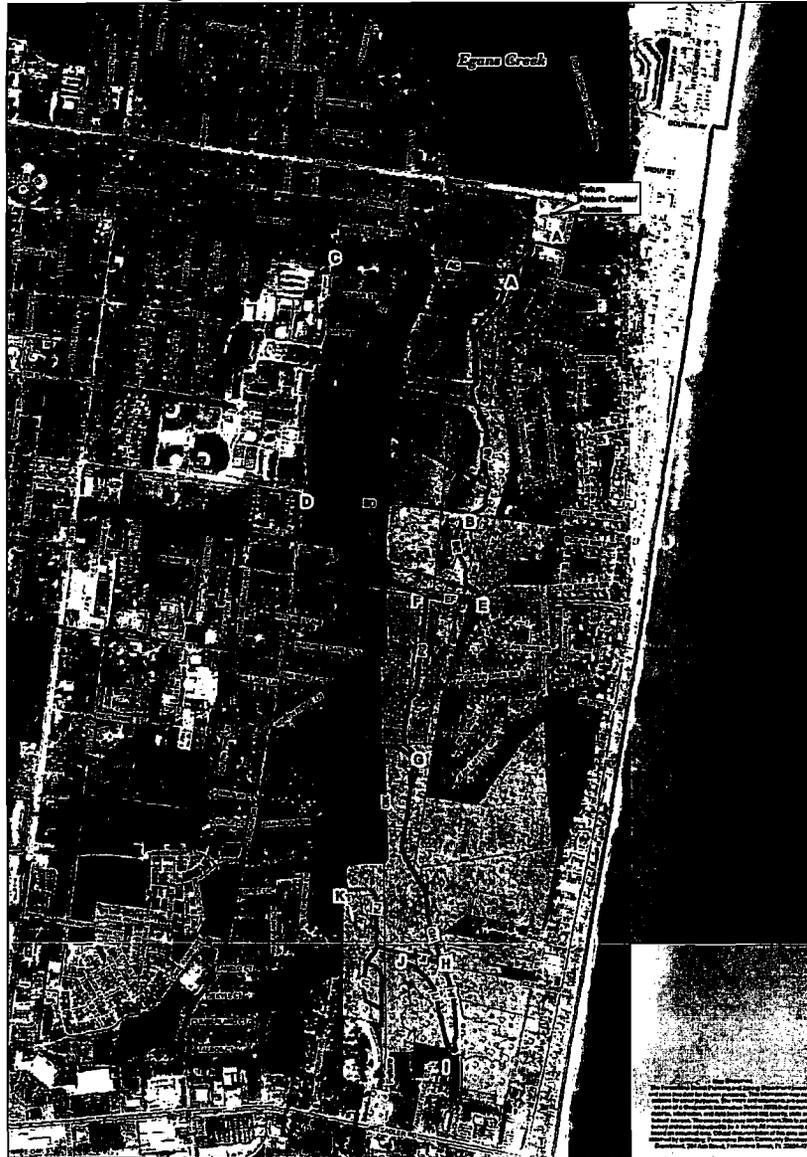
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION, OFFICE OF GREENWAYS AND TRAILS

By: 
Jena Brooks, Director

Approved as to Form and Legality

By: 
DEP Attorney

City of Fernandina Beach Greenway



City of Fernandina Beach, Florida
 Planning and Development Department
 1000 North Beach Street, Suite 100
 Fernandina Beach, FL 32034
 Phone: 904.261.1234
 Fax: 904.261.1235
 www.fernandina.gov



Trial distances:
 AB .57 mi BE .20 mi
 AC .24 mi BD .32 mi
 EF .11 mi FG .35 mi
 GH .45 mi HI .20 mi
 IJ .23 mi GK .75 mi

Legend

- Greenway Trails**
 - Bridge: 488 ft
 - - - Future Trails: 1,112 ft
 - ▨ Greenway Trails: 28,474 ft
 - ▨ Greenway: 1,201 ft
- Greenway Boundary**
 - ▭ City, Jones
 - ▭ 216 acres



The Egans Creek Greenway, located on the northern end of Amelia Island, Florida, was opened for public use in the summer of 2000 as an undeveloped park for passive recreational use. Funding for land acquisition was provided by Florida Communities Trust and the City of Fernandina Beach. It consists of over 300 acres of protected lands, managed by the City of Fernandina Beach Parks and Recreation Department. Grass-covered trails are suitable for walking and bicycling. Current improvement plans include the addition of benches, interpretive displays and a boardwalk access at the south end of the trail system.



Resident bobcat crossing grassy trail
(photo courtesy of Michael Leary)

ACCESS POINTS

The Greenway may be accessed from behind the Atlantic Recreation Center, 2500 Atlantic Avenue, Jasmine Street, and Citrona Drive from the extensions of Beech and Hickory Streets. Parking is available behind the Atlantic Recreation Center and along the right-of-way on Jasmine Street. An access point from Sadler Road will be added in the future.



Bridges span Egans Creek
from Hickory St. and Beech St. extensions



Entrance to the southern Greenway from Jasmine St.



Roseate Spoonbills and egret, northern Greenway
(above photo courtesy of Al Goldsmith)

HOURS/RULES

The park is open sunrise to sundown.
No overnight use.

No motorized vehicles, fireworks, firearms, alcohol, hazardous materials, or fires are permitted.

Dogs are welcome providing they are leashed and controlled, and their waste is not left on the trails.

Fishing is permitted from bridges but lines and traps must be attended at all times and may not be tied off to bridge structures.

Do not harass wildlife. This includes approaching too closely (defensive action from the animal may result), chasing, allowing your pet(s) to chase, throwing objects at or feeding wildlife.

Please stay on the trails at all times for your safety and to avoid unnecessary disturbance of wildlife and habitat.

Tours for hire are not permitted.



Black and yellow argiope spider
Their medium sized webs with thickened, zig-zag bands of silk in the center can often be seen along the edges of the woodland trails.

GENERAL SAFETY PRACTICES FOR TRAIL USE:

Our Greenway trails are for shared use. Because of the diversity of trails and the people who use them, it is important that visitors follow basic guidelines to ensure a safe, pleasant experience for all trail users. Here are some tips to enhance the safety of your adventure and lighten your impact on Florida's natural environment.

For All Trail Users...

- Before you leave, make sure a responsible person knows your plans—where you will be and when you expect to return.
- Carry identification that includes name, phone number, pertinent medical information, and emergency contact.
- If possible, take a mobile phone.
- Check the weather forecast. Dress accordingly.
- Know the regulations and special concerns for the area you'll visit. Obey all trail-use rules posted at trailheads.
- Whenever possible, always be on the trail with someone else.
- Make adequate provisions for water. Carry water and emergency supplies even on short trips.
- Stay on designated trails.
- Respect private property and route closures.
- Be alert for natural hazards such as stinging or biting insects, alligators, snakes, thorny vines, poison ivy, and overhanging limbs.
- Please leave plants and animals undisturbed.
- Keep the noise level you produce to a minimum so as not to disturb wildlife and other trail users.
- Pick out all trash that you bring to the area.
- Remove any waste that your pet(s) may leave on the trails.
- Do not leave valuable items visible in your vehicle when parked at a trailhead. Store valuables in the trunk or other secure location while you are on the trail.

For Hikers...

- When approached from behind by others traveling faster than yourself, step aside and let them pass.
- If you are in a group, do not block the trail to other users.

For Bicyclists...

- In Florida, bicyclists under age 16 must wear a helmet.
- Be visible.
- Stay to the right unless you are passing.
- Give verbal warning and use caution when overtaking other trail users.
- Travel at a safe speed.

Report all incidents to:

City of Fernandina Parks and Recreation Department
2500 Atlantic Avenue, Fernandina Beach, FL 32034
(904) 277-7350

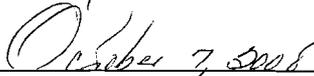


**PUBLIC LANDS OR WATERWAYS DESIGNATION
RESOURCE CERTIFICATION**

By signing this document, the Manager does hereby certify that the natural, recreational, cultural or historic resources identified on the public lands or waterways designated as part of the Florida Greenways and Trails System in Designation Agreement Number _____, are being maintained in a manner consistent with the terms of the agreement.



Manager



Date

ATTEST:
By: 
Printed Name: Hilary Louise Thomas-Ross
Title: Notary City Clerk
Date: Oct 7, 2008

Approved as to form and legality
for use and reliance by the City
of Fernandina Beach, Florida


City Attorney



cc: Boce
clerk
attorney

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

December 30, 2008

John Carr
2166 Nature's Gate North
Fernandina Beach, FL 32034



Dear Mr. Carr,

Enclosed are 2 executed originals of the Egans Creek Greenway Designation Agreement. One if for the City of Fernandina Beach and the other is for Nassua County. Thank you for all of your assistance in coordinating this Designation.

Thank you for participating in the Florida Greenways and Trails Program. If you have any questions, please feel free to contact me at (850) 245-2052.

Sincerely,

Heather Pence
Office of Greenways and Trails

/hp