

MARSHALL CREEK COMMUNITY DEVELOPMENT DISTRICT TOLOMATO RIVER BOARDWALK AT PALENCIA

POLICIES

Adopted April 11, 2007

The Boardwalk is for the use of the residents of Marshall Creek Community Development District (MCCDD), their guests, and the general public. These rules are designed to maximize the safe and enjoyable use of the Boardwalk system, and to protect wetland vegetation and wildlife.

****** USE AT YOUR OWN RISK – MCCDD NOT RESPONSIBLE
FOR PERSONAL PROPERTY OR PERSONAL INJURY ******

SECTION A. DEFINITIONS

1. Authorized Parking Area – Located at the St. Johns County Athletic Park at Palencia, located along Palencia Village Drive, and the Amenity Center at the Village Center, located at 625 Palencia Club Drive.
2. Boardwalk – Part of the Marshall Creek Community Development District amenities. Elevated Tolomato River Boardwalk which entrance can be found at the terminus end of Costa Blanca Rd. in North River, Phase II of Palencia, that stretches the length of approximately 7/8th of a mile east-north-eastward into the marsh area and splitting into a “Y” on a couple of intracoastal waterway island pods.
3. District - Shall mean the Marshall Creek Community Development District (MCCDD).
4. Manager - Shall mean the person or entity legally charged with the daily operation and management of the Palencia Amenity Centers.

SECTION B. GENERAL PROVISIONS

1. Use of the Boardwalk is subject to all the policies, procedures, rules and regulations of the MCCDD including the limits of liability – see complete MCCDD Policies and Procedures, dated May 22, 2006.

2. All areas surrounding the Boardwalk system are environmentally sensitive areas. All cautions are to be made to protect the natural inhabitants, marshes, animals and wildlife. No plants, trees or animal life are to be removed, touched, walked on, trampled or damaged in any way.
3. Children under the age of twelve (12) are not permitted on the Boardwalk system without a legal guardian eighteen (18) years of age or older.
4. Excepting the entrance, leaving or departing the Boardwalk system or its designated areas is not permitted.
5. Boardwalk hours of operation are during daylight hours, from dawn until dusk, sunrise to sunset. Overnight stays or camping are not permitted on the Boardwalk system.
6. Residents, guests and users are encouraged to access the Boardwalk entrance by walking or riding their bicycles. Appropriate footwear is required. A bicycle rack will be located at the entrance to Boardwalk. The entrance to the Boardwalk is situated adjacent to several private property home sites. Residents, guests and users of the Boardwalk are asked to respect the enjoyment of this private property by not parking any vehicles, including but not limited to automobiles or golf carts, anywhere except at the two Authorized Parking Area locations defined above in paragraph A.1. No parking for the Boardwalk has been provided along Costa Blanca Road, Hickory Hill Drive, or North River Drive. The authorized Tolomato River Boardwalk vehicle parking areas are located at the St. Johns County Park at Palencia, located on Palencia Village Drive – the park with the ship playground, and the Palencia Swim and Fitness Amenity Center, located in the Village Center at 625 Palencia Club Drive.
7. The Boardwalk is intended for pedestrian foot traffic and persons in wheel chairs only. Wheeled vehicles, including automobiles, trucks, motorcycles, all terrain vehicles (ATV), golf carts, scooters (motorized or non-motorized), skateboards (motorized or non-motorized), power wheel-type children's vehicles, skates, bicycles or any other motorized or non-motorized vehicles are not permitted anywhere on the Boardwalk system. Acceptable wheeled vehicles include ADA-compliant wheel chairs, and tandem baby strollers or wagons used to transport babies or small children. Double-wide strollers are not permitted anywhere on the Boardwalk system. A bike rack at the front entrance to the Boardwalk is available where bicyclists may leave their bikes prior to using the Boardwalk system.
NOTE: Motorized MCCDD carts and bicycles will be used for security purposes and to maintain and haul trash off of the Boardwalk system.
8. Fireworks of any kind are not permitted anywhere on the Boardwalk system.

9. Alcohol is not permitted anywhere on the Boardwalk system.
10. The Boardwalk is for the enjoyment of nature under quiet conditions. Shouting and radios are incompatible with such enjoyment, and thus, radios or other loud noise-generating devices, other than personal headphones, are not permitted anywhere on the Boardwalk system.
11. Running and rough play is not permitted on the Boardwalk system.
12. The Boardwalk is not for the use of private parties.
13. Smoking or fires of any kind are not permitted anywhere on the Boardwalk system.
14. Fishing is permitted, with required licenses, only at the designated fishing pier area at the end of the Boardwalk. Fishing is not permitted on any other portion of the Boardwalk system. Residents, guests, and users must fish in accordance with State of Florida Fish and Wildlife Conservation Commission fishing license and permit requirements (<http://www.floridaconservation.org/license/>).
15. All pets must be leashed at all times. Pet owners are responsible for policing of pet excrement. If pets and pet waste become a nuisance or problem, the MCCDD Board may be forced revise the policy to prohibit pets. Boardwalk users and their pets are not permitted to leave the Boardwalk for any reason other than the entrance/exit (see above, paragraph B.2.).
16. Hunting is not permitted anywhere on or off the Boardwalk system. Guns, arrows, knives, spears, saws, sling shots or other weapons are not permitted anywhere on the Boardwalk system.
17. Horses and horseback riding is not permitted anywhere on the Boardwalk system.
18. No electrical outlets are provided for any purpose. Power generators of any kind are not permitted anywhere on or near the Boardwalk system.
19. Food and non-alcoholic beverages are allowed only in designed picnic areas. All picnic areas are available for use based on the first come basis.
20. Boardwalkers are encouraged to carry out all trash they bring in. Trash and all refuse should be secured in proper trash bags, properly tied and disposed in designated trash receptacles.
21. No boats, motorized or non-motorized nor any other water vessel shall be anchored or docked on or off the Boardwalk system.

22. Violations of these policies and procedures for the Boardwalk system, or any amenity, will subject the party(ies) to penalties of law, environmental regulatory agencies and potential loss of privileges to any and all MCCDD amenities. The MCCDD will hold any user(s) personally and legally responsible for any activities which result in violations of environmental regulatory requirements.
23. We highly encourage Boardwalk users to carry their personal cell phones on the Boardwalk system, as there is no other form of communication provided or available.
24. Report maintenance or vandalism concerns to the local District office, 904-810-0520.

Thank you for doing your part to make the Tolomato Boardwalk system a wonderful experience and pleasant place for everyone to enjoy.