

# Environmentalist sue to preserve St. Simons Island park

## Under land swap, Glynn County would get Twitty Park back from Sea Island for road improvements on adjacent intersection

By [Mike Morrison](#) Mon, Jan 25, 2016 @ 5:10 am | updated Mon, Jan 25, 2016 @ 5:11 am



Terry.Dickson@jacksonville.com A family heads for the bike and walking trail into Twitty Park, land Glynn County wants to acquire to use for road widening.

**BRUNSWICK** | In 1924, businessman T.L. Cain gave Glynn County a couple of acres of land on St. Simons Island to be used as a public park.

After a series of land swaps — and another one planned — the site is in private hands now, and environmentalists have sued to compel whoever ends up with the wooded land to maintain it forever as a public park.

Cain ran a furniture store and lived in what was then the quiet Black Banks area before development overtook the island. The park on the east side of Frederica Road was called Cain Park until it was renamed years later as Twitty Park after a local politician.

In time, the park was bisected by a new road that ran out to the Sea Island resort. Its usefulness was further compromised when the county deeded the land over to the Sea Island Co. in 1982, and when the company later carved it up some more with entrance easements to buildings it owned on adjacent property.

Since Sea Island Road was put in, Cain's land has been viewed as a beautiful, oak-lined gateway to the posh resort, but the iconic trees now are threatened by proposed improvements to the heavily used intersection.

As a condition of his gift to the county, the property was to revert to Cain or his heirs if the county ever failed to maintain it as a public park. That time has long passed, according to a lawsuit filed earlier this month in Glynn County Superior Court.

The Glynn Environmental Coalition, the GEC, and Sea Island resident Jane Fraser, who have acquired reversion rights to the property from Cain's heirs, are plaintiffs in the suit that names Glynn County and SIA PROPCO II, LLC as defendants. PROPCO is one of several entities that took over the island when the Sea Island Co. declared bankruptcy several years ago.

The Glynn Environmental Coalition and Fraser claim in the lawsuit that the land should have reverted to Cain's heirs several times in the past starting with the construction of Sea Island Road. Transferring the land to the Sea Island Co. should have triggered the reversionary clause as well, the suit maintains. And a SIA PROPCO proposal to deed the land back to the county in exchange for a tract on the opposite side of Frederica Road would also constitute grounds for a return of the property to Cain's heirs. Sea Island would use what is now county law to expand its employee parking lot.

"It's clear Cain intended this to be a park in perpetuity," GEC Executive Director Daniel Parshley said.

The County Commission is considering the land swap, proposed in October 2015, as it eyes road upgrades at the intersection, which could include installing a roundabout similar to the one at the intersection of Frederica and Demere roads that has improved traffic flow.

Fraser, an environmental activist, said such road construction would be done at the sacrifice of some of the live oaks.

"This is really worth saving," she said. "It really needs to be preserved as a public park."

The suit asks the court to halt the land swap, determine the rightful owners of the property, prevent further encroachment upon it by the construction of a roundabout or other road improvements and order that it be maintained in perpetuity as a public park.

"Regardless of ownership, we want to know that Twitty Park is going to remain a park," Parshley said.

County attorney Aaron Mumford said he could not comment on pending litigation.