



CLARK PARTINGTON
ATTORNEYS AT LAW

Beach Rights in Walton County

April 22, 2024



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Ground Rules for the Seminar:

1. We are not here to advocate or take a side, but we did represent private property owners in the recent litigation, and we support the Court's Orders;
2. We will respect all your opinions, but reserve the right to question or correct inaccurate facts;
3. We will provide references and citations to the Court documents for the facts we give you today;
3. We are here to answer your questions if we can do so accurately and if we do not know the answer, we will tell you we do not know;
4. We will not tolerate rude behavior;
5. We agreed to do this Seminar because we saw a lot of misinformation online and in discussions with clients, County officials, and other attorneys;
6. We are not your lawyers; before you act on anything you learn today, verify it with your own lawyer or trusted professional.



Seminar Agenda

1. Public versus Private Property
2. Mean High Water Line and Littoral Rights
3. Erosion Control Line and Beach Nourishment
4. Customary Use and the Circuit Court Litigation
5. Break
6. What Legally changed?
7. Where and How can the Public Use the Beach
8. Resources Available
9. Questions and Answers



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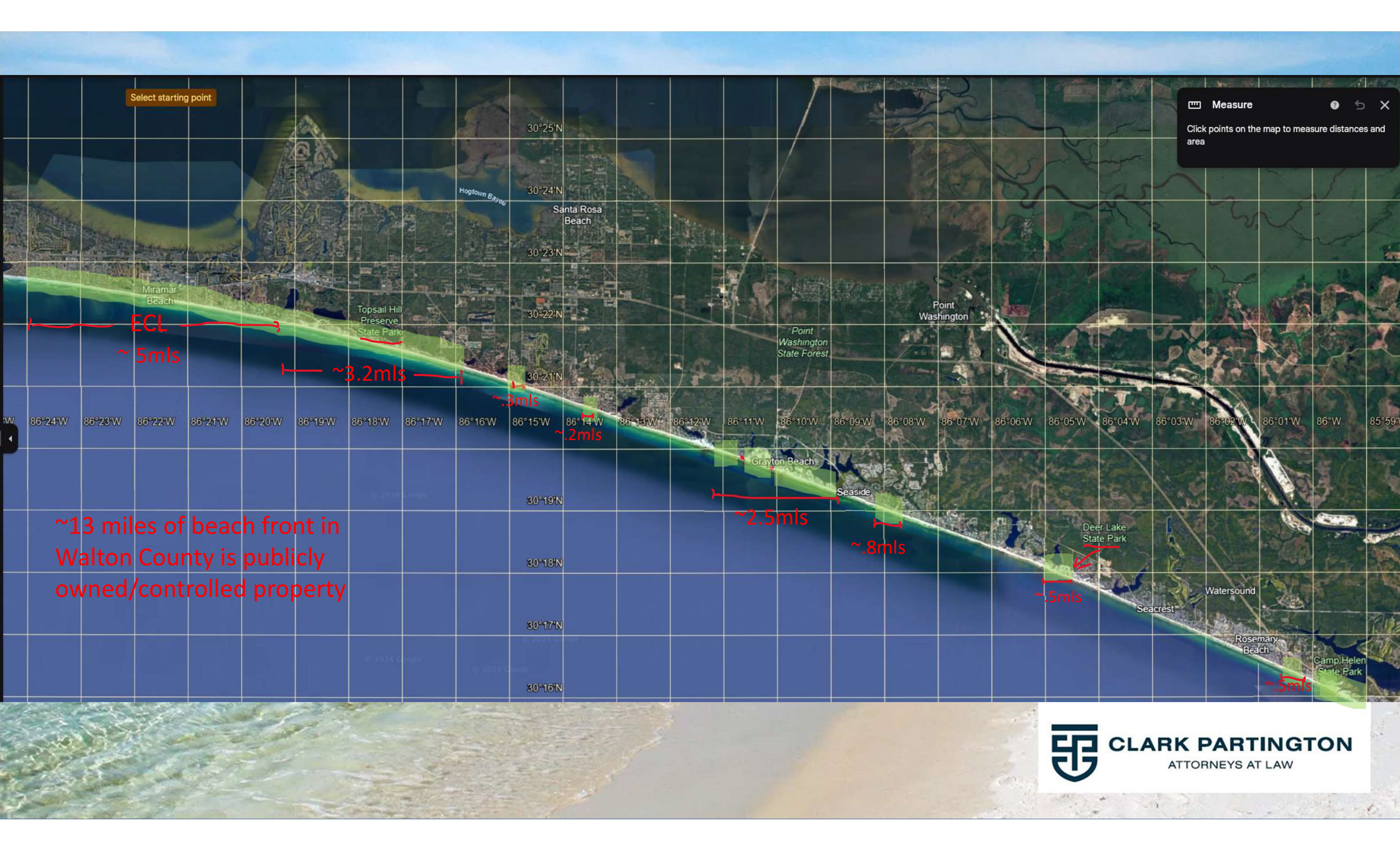


Customary Use is public use
of private property.

Customary Use cannot be
established against the
Sovereign (government).



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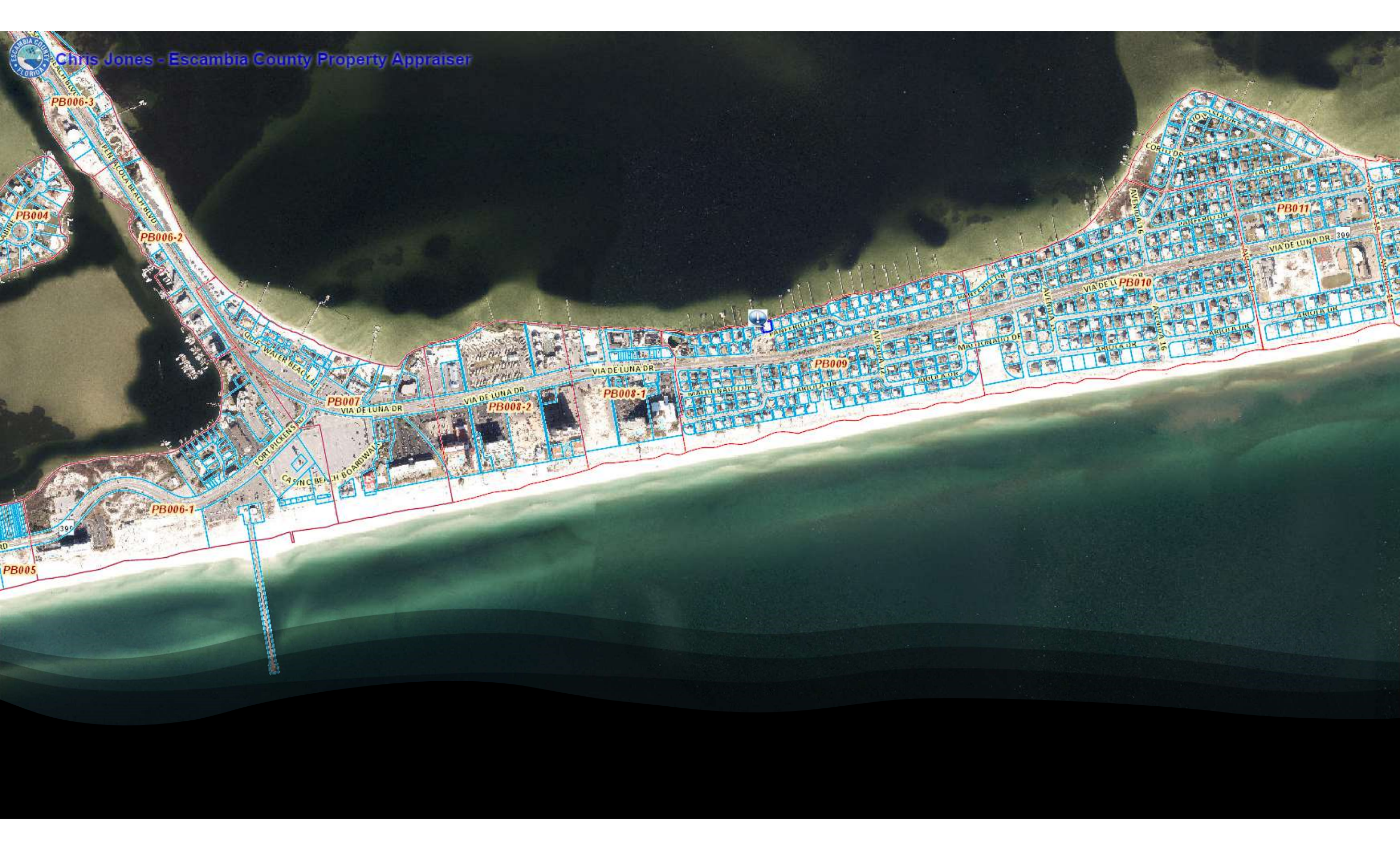


Select starting point

Measure

Click points on the map to measure distances and area

~13 miles of beach front in
Walton County is publicly
owned/controlled property



Chris Jones - Escambia County Property Appraiser

PB006-3

PB004

PB006-2

PB006-1

PB005

PB007

PB008-2

PB008-1

PB009

PB010

PB011

TORT PICKENS RD

VIA DE LUNA DR

VIA DE LUNA DR

VIA DE LUNA DR

VIA DE LUNA DR

LODGE WATER BEACH

CASINO BEACH BOARDWALK

WATERFRONT DR

MALIBU DR

CORRIDOR DR

PANTRY DR

ARCTIC DR

PANTRY DR

ARCTIC DR

IONA DR

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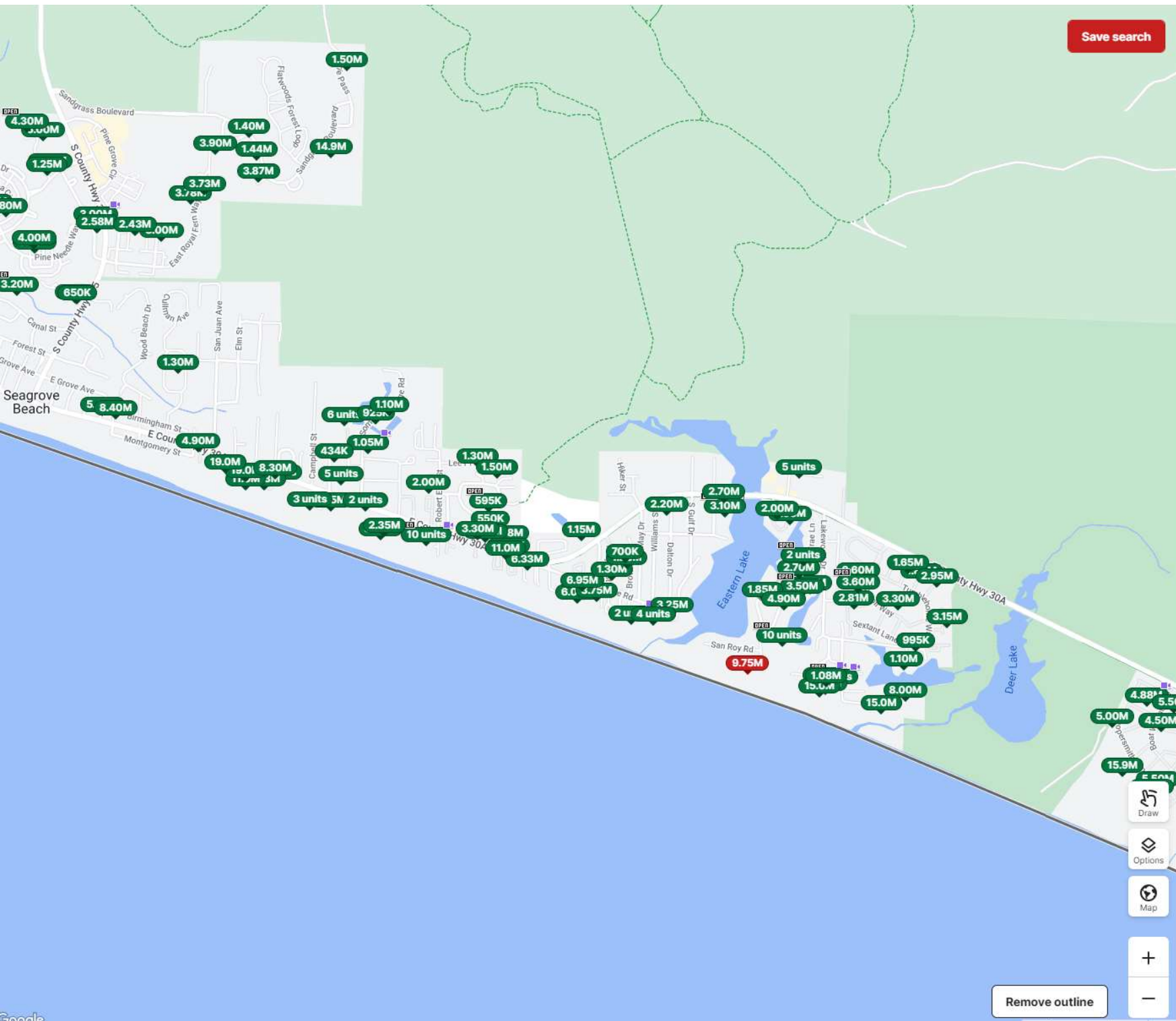
ARCTIC DR

ARCTIC DR

ARCTIC DR

Selling the 30A Lifestyle; Selling the Beach





Walton County, FL homes for sale

[Market insights](#)

For sale ▾

Price ▾

Beds/baths ▾

Home type ▾

All filters • 1

151 homes • Sort: Recommended ▾

[Photos](#)[Table](#)

NEW 2 HRS AGO

\$875,000

1 bed 1 bath 670 sq ft
627 Eastern Lake Rd #2, Santa Rosa Beach, FL 324...



NEW 1 DAY AGO

VIDEO TOUR

\$1,195,000

2 beds 2 baths 870 sq ft
4100 E Co Highway 30A #1805, Santa Rosa Beach, ...



AD FORECLOSURE

\$293,965

3 Beds 2 Baths 1,012 Sq. Ft.
Santa Rosa Beach, FL 32459

realtystore

[View Details](#)**\$9,750,000**

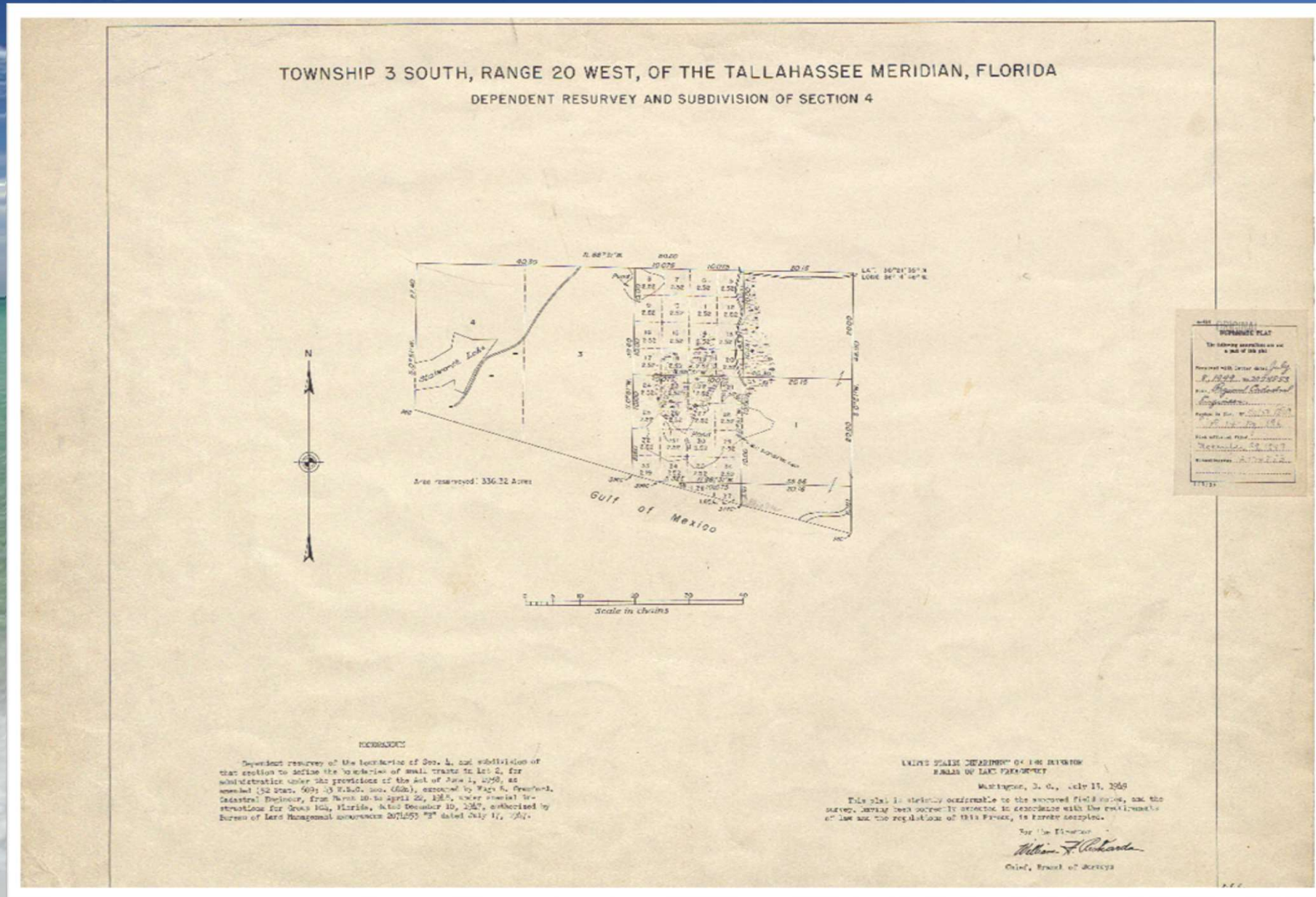
7 beds 9 baths 5,550 sq ft 0.67 acre (l...
23 Azzurro Way, Santa Rosa Beach, FL 32459

**\$3,249,900**

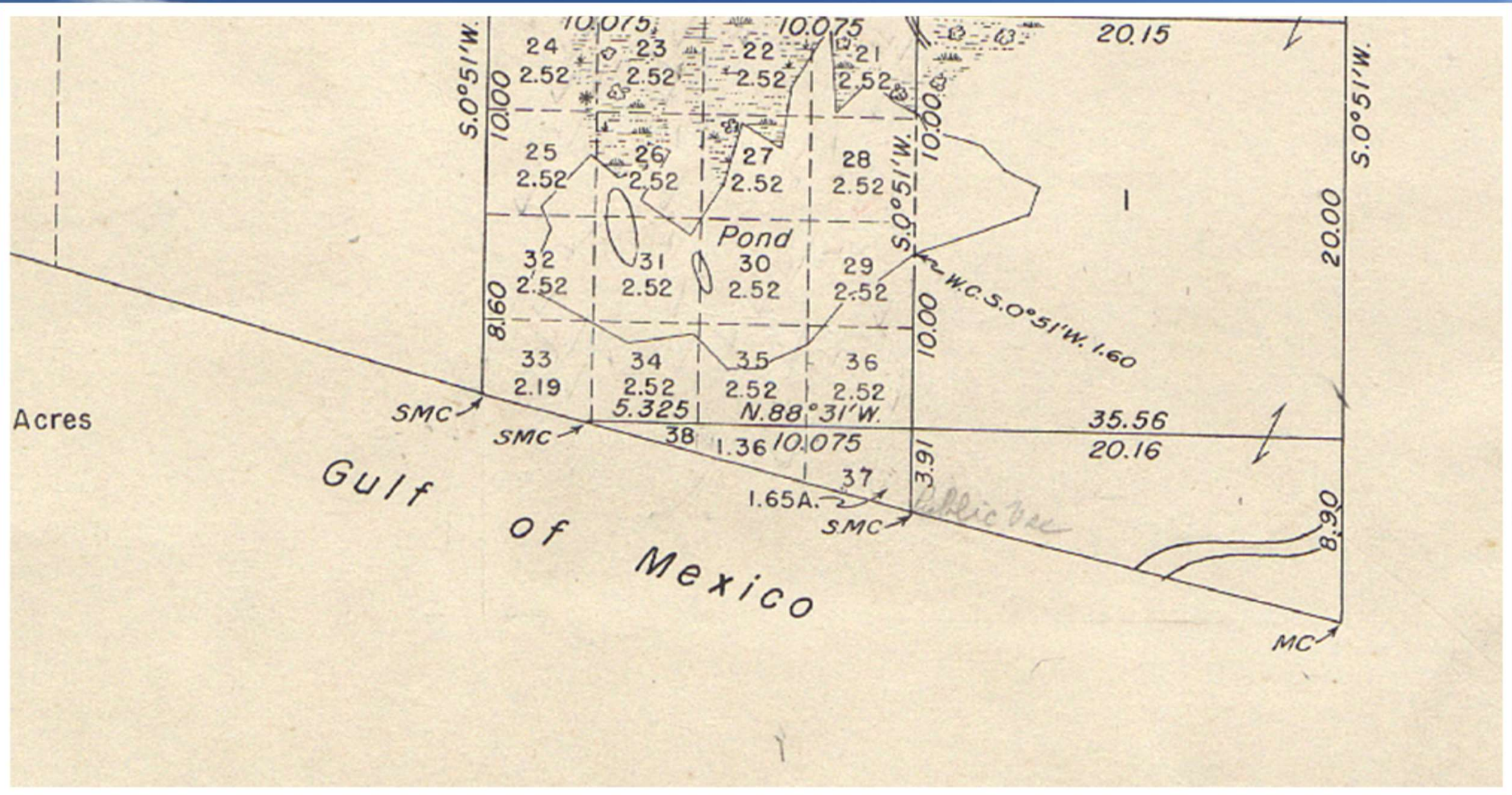
OPEN FRI, 1PM TO 3PM

\$595,000

Government Land Patent 1949



Government Land Patent Lot 38



4-1222 A
(Dec. 1954)
71900

Bureau of Land Management 020905

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Eastern States Office at Washington, District of Columbia is now deposited in the Bureau of Land Management, whereby it appears that full payment has been made by the claimant

Edward Fischer
pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following described land:

Tallahassee Meridian, Florida.

T. 3 S., R. 20 W.,

sec. 4, Lot 38.

The area described contains **1.36** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever. Excepting and reserving, however, to the United States, all coal, oil, gas, and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938.

This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **along the north and east boundaries of said land.**

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in the District of Columbia, the **THIRTEENTH** day of **JANUARY** in the year of our Lord one thousand nine hundred and **FIFTY-FIVE** and of the Independence of the United States the one hundred and **SEVENTY-NINTH.**

For the Director, Bureau of Land Management,

By

E. C. [Signature]
Chief, Patents Unit.

Patent No. **1113101**



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Florida Property Owner Bill of Rights

Your rights and protections include:

- 1. The right to acquire, possess, and protect your property.
- 2. The right to use and enjoy your property.
- 3. The right to exclude others from your property.
- 4. The right to dispose of your property.
- 5. The right to due process.
- 6. The right to just compensation for property taken for a public purpose.
- 7. The right to relief, or payment of compensation, when a new law, rule, regulation, or ordinance of the state or a political entity unfairly affects your property.
- Chapter 70.002, Fla. Statutes; History.—s. 3, ch. 2019-155.

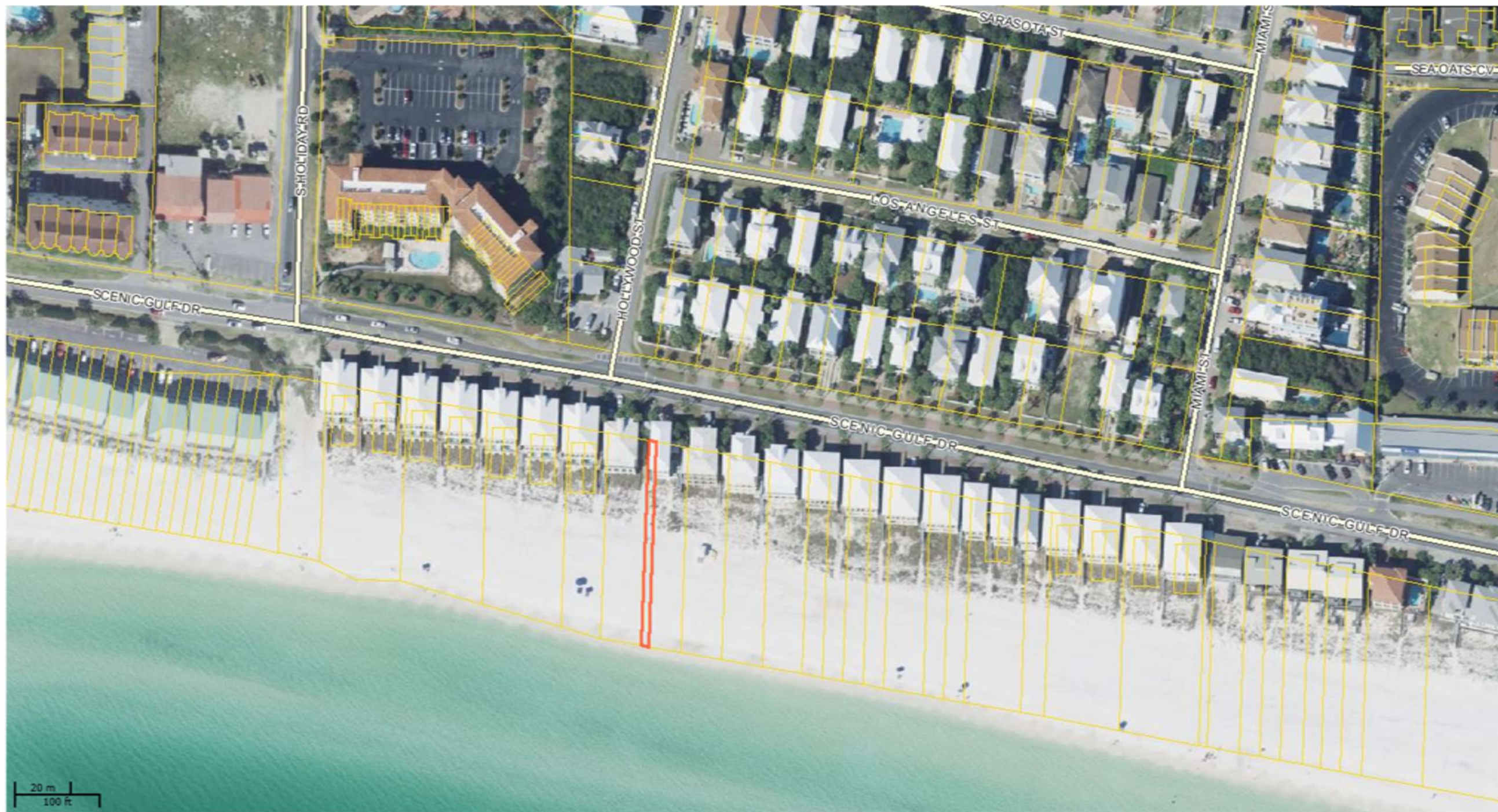


[REDACTED] Frangista Beach has over 400' of deeded beach accessible through gated coded entry, Frangista also have access to the large community pool complete with a waterfall and restroom facilities. It has established itself as one of the most popular rental destinations in the area!



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Sub 2 Page 47

FRANGISTA BEACH

A SUBDIVISION

WALTON COUNTY FLORIDA

JOHN NITSOS, OWNER

STATE OF FLORIDA
WALTON COUNTY

KNOW ALL MEN BY THESE PRESENTS, That John Nitsos and Ruth Nitsos, husband and wife, do hereby dedicate to the public use of the land described in the plat, do hereby dedicate said plat and subdivision as required by § 172.06, FLORIDA STATUTES, 1944.

Witnesses: _____ (SEAL)
_____ (SEAL)

STATE OF FLORIDA
WALTON COUNTY

Before the undersigned personally appeared John Nitsos and Ruth Nitsos, husband and wife, known to me to be the individuals described and who executed the foregoing dedication, each of whom acknowledged before me that they executed the foregoing dedication for the uses and purposes therein expressed and set forth.

Given under my hand and official seal, this 20th day of August, 1949

Henry Public, State of Florida
at Large
My commission expires: _____

DESCRIPTION OF LAND

Beginning at a point 25' south of the corner of Sections 22, 23, 24 & 25, T-2-S, R-2-W, Thence easterly along the south R.O.W. line of U.S. Highway No. 98 a distance of 100' to the west line of Lot 100, thence north along the west line of Lot 100 a distance of 210' to the Gulf of Mexico; Thence westerly along the water edge of the Gulf of Mexico, a distance of 200' to the west line of Section 22; Thence north along the west line of Section 22 290' to the Point of Beginning, being parcel Lot 2, Section 22, T-2-S, R-2-W.

No dedication of beach

CLERKS FILING CERTIFICATE

I, Kate Gillis, Clerk of the Circuit Court of Walton County, Florida, do hereby certify that this foregoing plat conforms to the provisions of Section 2, Chapter 20225, Laws of Florida, and that it was filed for record in my office on the 2 day of August, 1949, and recorded in the public records of said County on the 2 day of August, 1949, in Plat Book _____ Page _____

Kate Gillis
Clerk of Circuit Court

COMMISSIONERS APPROVAL

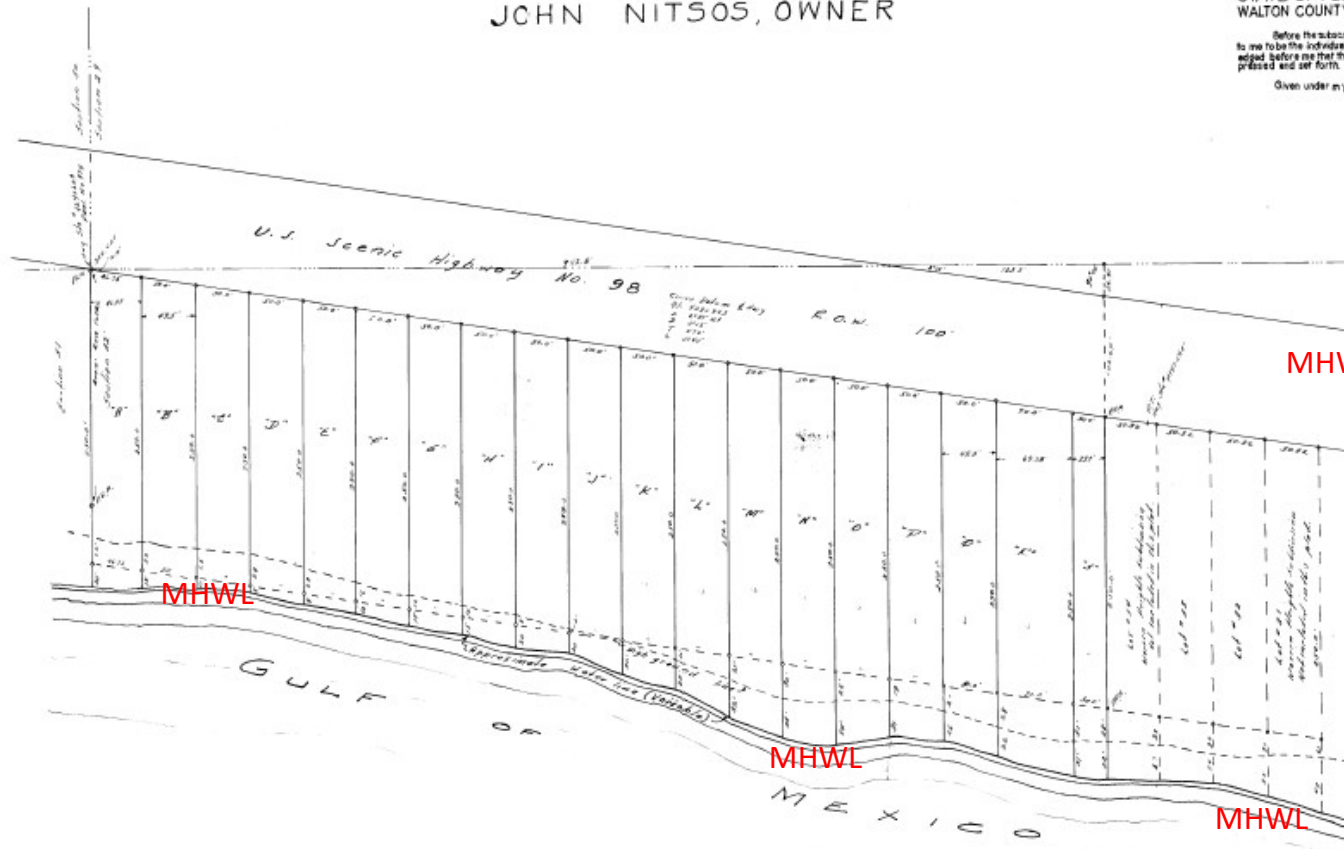
This certifies that this plat was presented to the Board of County Commissioners of Walton County, Florida, and approved by them for record on the _____ day of _____, 1949.

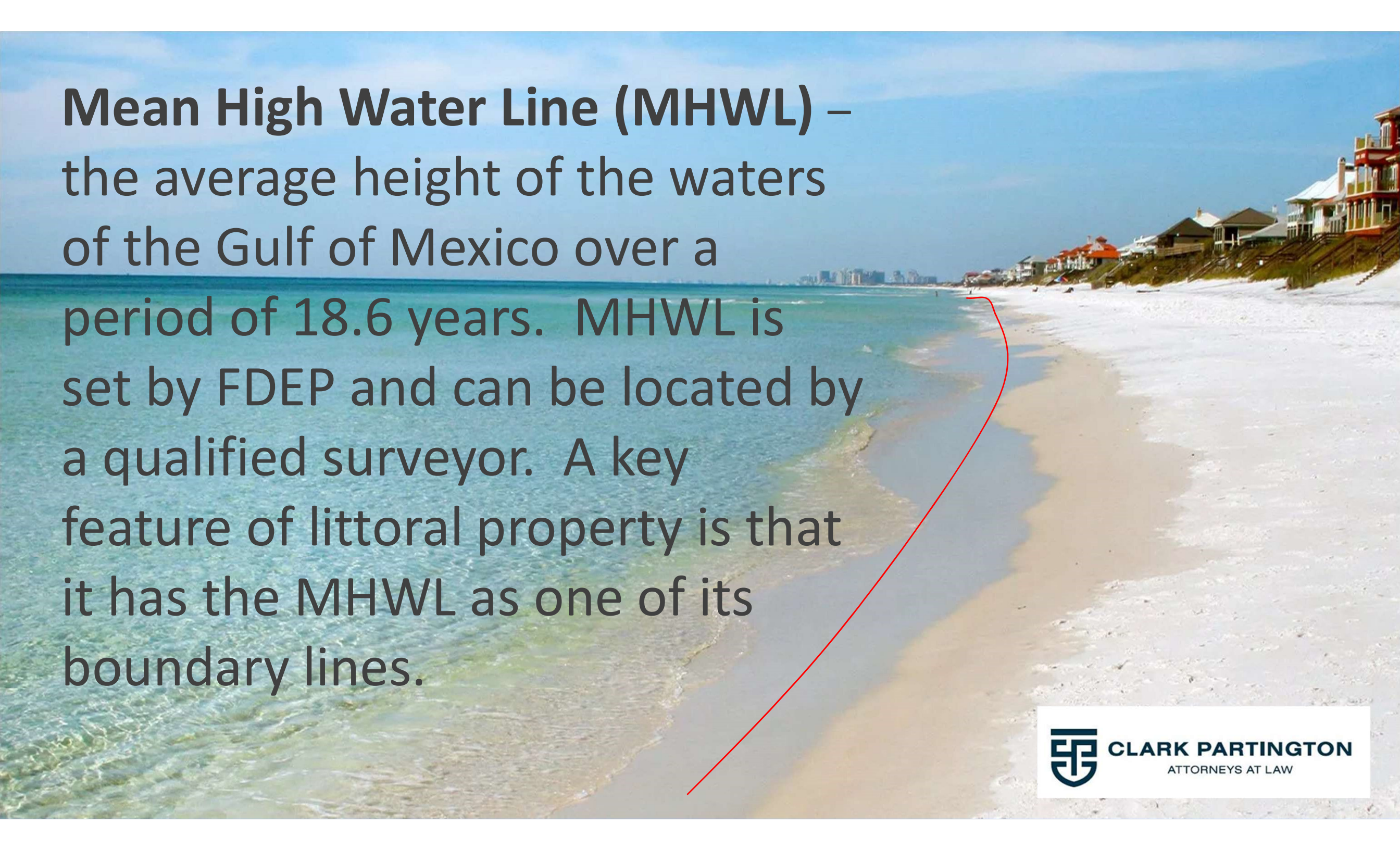
SURVEYORS CERTIFICATE

I hereby certify that this plat is a true and correct representation of the land plotted, and that permanent reference monuments have been placed in accordance with Section 2, Chapter 20225, Laws of Florida.

Scale 1" = 50'
Date June 2, 1949
Surveyed by: R. B. Gillis
Bill & Gillis
Land Surveyors
Fort Walton, Fla.

R. B. Gillis
C. E. Gillis, Land Surveyor
Florida Certificate No. 26





Mean High Water Line (MHWL) – the average height of the waters of the Gulf of Mexico over a period of 18.6 years. MHWL is set by FDEP and can be located by a qualified surveyor. A key feature of littoral property is that it has the MHWL as one of its boundary lines.



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Mean High Water Line (MHWL) –

Chapter 177.28, Fla. Stat. Legal significance of the mean high-water line.—

(1) Mean high-water line along the shores of land immediately bordering on navigable waters is recognized and declared to be the boundary between the foreshore owned by the state in its sovereign capacity and upland subject to private ownership.



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Mean High Water Line (MHWL) – 177.37 Notification to department [FDEP].—

Any surveyor undertaking to establish a local tidal datum and to determine the location of the mean high-water line or the mean low-water line shall submit a copy of the results thereof to the department within 90 days after the completion of such work, if the same is to be recorded or submitted to any court or agency of state or local government. History.--s. 13, ch. 74-56.



CLARK PARTINGTON
ATTORNEYS AT LAW

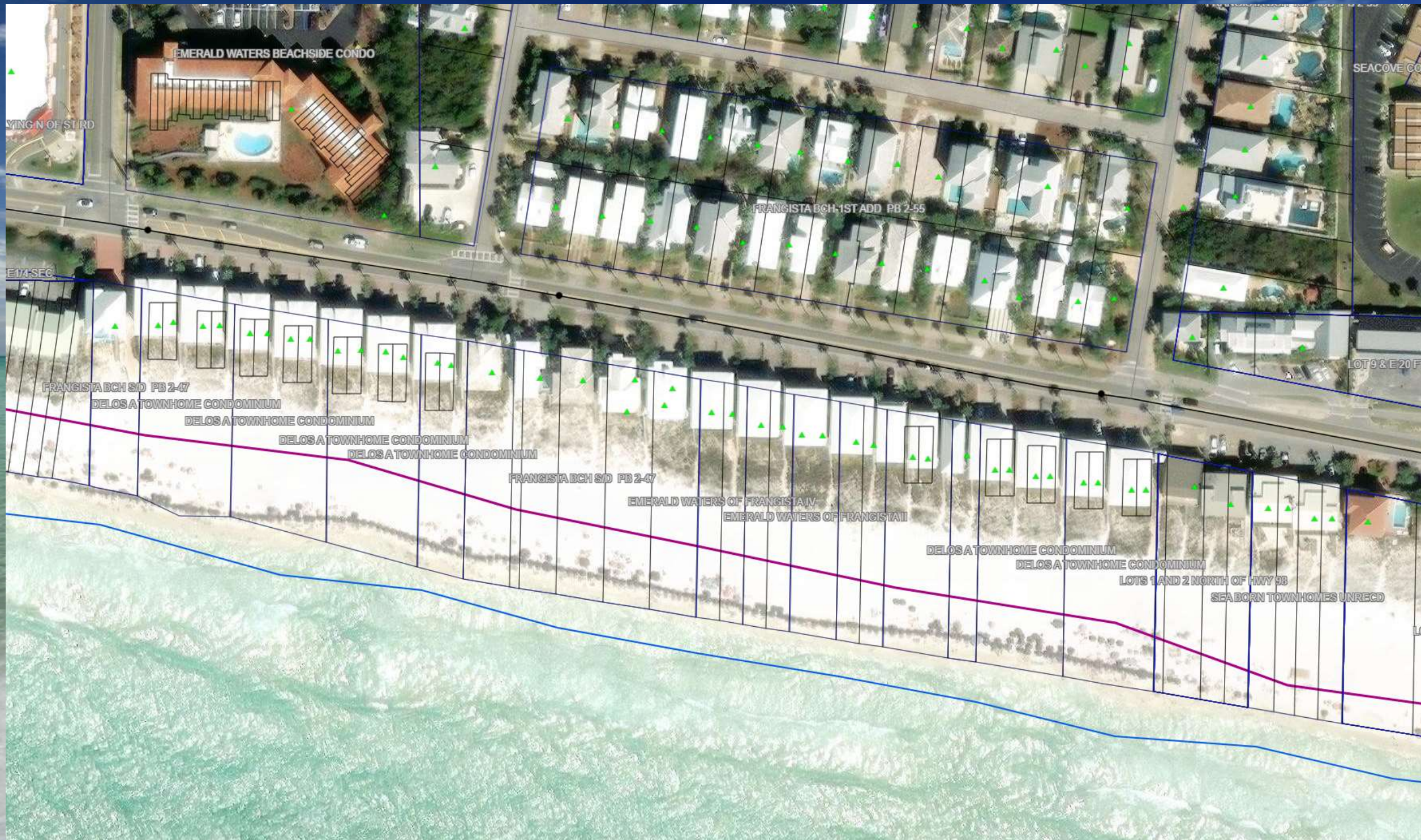
Erosion Control Line (ECL)-

An Erosion Control Line is a requirement by the State of Florida to establish the limits of upland ownership by the State before a beach restoration project can commence. The ECL is set at the then existing MHWL. All sand placed seaward of the ECL is placed in state waters and becomes public beach. All sand placed landward of the Erosion Control Line remains in ownership of the upland landowner. The ECL is a fixed southern boundary.



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-  Regional Beach Access ☒
-  Neighborhood Beach Access ☒
-  County Owned Beach ☒
-  County Vendor Managed Beach ☒
-  State Park Beach ☒
-  Bay & Lake Access ☒
-  Owner-Managed Private Beach ☒
-  Resort/Vacation Rental-Managed Private Beach ☒

Search →

COUNTY OWNED BEACH

Public beaches with no restrictions on access or recreation.

Currently: 74°F and Yellow Flags - Medium Hazard - Moderate Surf and/or Currents..

SEAHIGHLAND

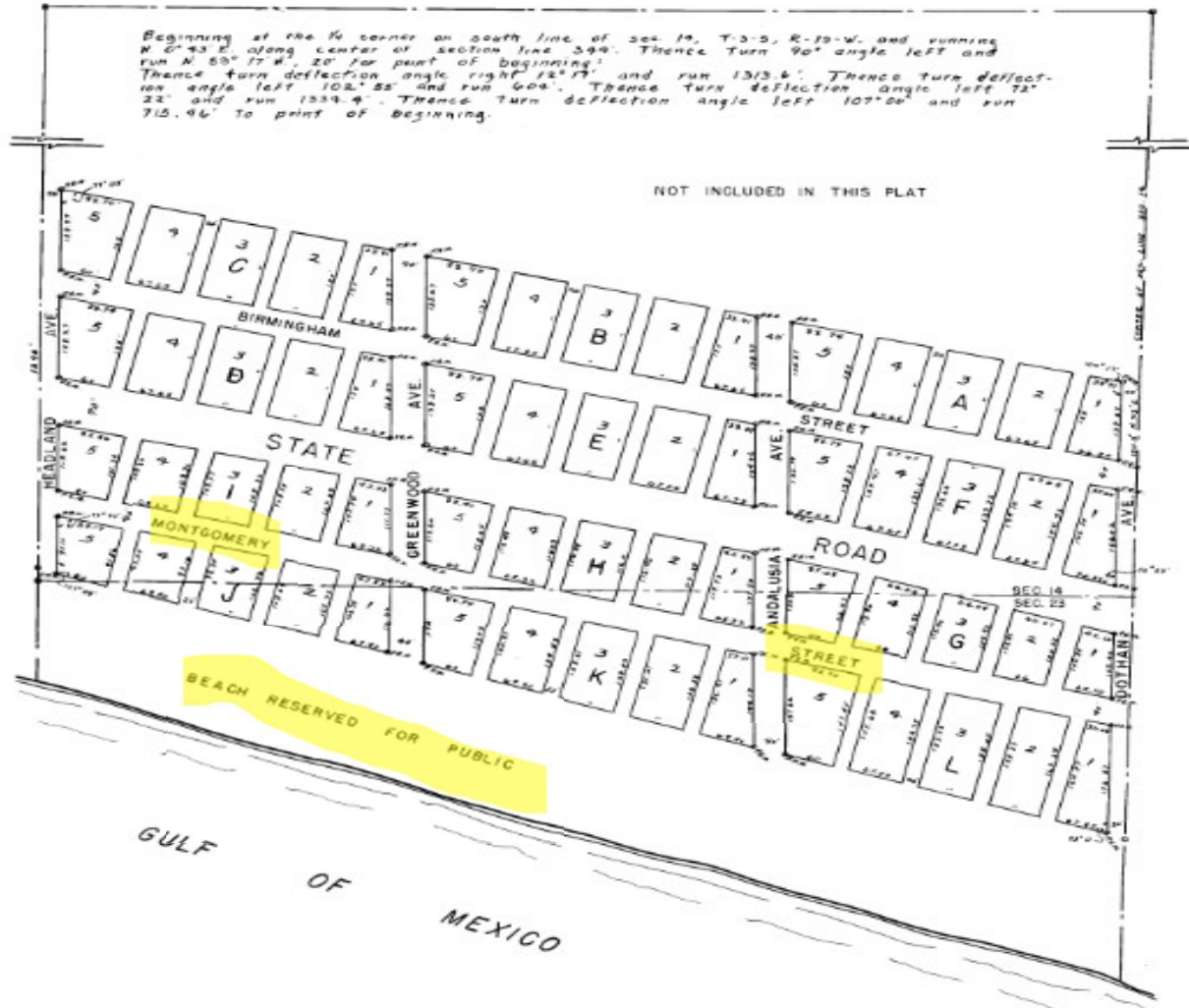
WALTON COUNTY, FLORIDA

Being a subdivision of a part of the S.E. 1/4 of S.W. 1/4 of sec. 14, and that part of fractional sec. 23, T-3-S, R-19-W. which lies directly south of S.E. 1/4 of S.W. 1/4 sec. 14.

August, 1948

Scale 1" = 100'

J. R. BATHURST Engineer, Panama City, Florida



1949

Dedication

KNOW ALL MEN BY THESE PRESENTS, that we, the owners of the land herein subdivided, hereby dedicate to the public all of the streets, roads and parks as designated herein.

Signed, sealed and delivered in the presence of:

J. R. Bathurst (seal)

[Signature] (seal)

[Signature] (seal)

[Signature] (seal)

State of Florida

County of Jackson

Before me, the subscriber personally appeared J. R. Bathurst known to me and known to me to be the individuals described in and who executed the foregoing instrument and acknowledged that they executed the same for the uses and purposes therein set forth.

Given under my hand and official seal this the 10th day of August, A.D. 1948.

(seal)

Note: If the owners of the property are married, all the plats that we have on file are executed by the husband and wife.

Engineer's Certificate

The undersigned hereby certifies that this plat is a correct representation of the land herein described; that the said land has been subdivided and staked as indicated; that permanent reference monuments indicated R.R.M. have been placed as required by the Plat Act (chapter 10275).

J. R. Bathurst
Registered Florida Engineer No. 2369

Certificate of approval of County Commissioners

I, Kate Gilles, County Clerk of Walton County, Florida, hereby certify that the within plat being presented to the Board of County Commissioners of said county, at their meeting held on the 11th day of August, 1948, was approved for filing by said Board and I, as clerk of said board, was by it instructed to so certify hereon.

(Board's seal)

Kate Gilles
County Clerk
Walton County, Florida

County Clerk's Certificate

I, Kate Gilles, County Clerk of Walton County, Florida, hereby certify that this plat complies with all the requirements of the plat Act (Chapter 10275 of the 1928 Acts of the Legislature of Florida) and the same was filed in plat book 2 of said County, page 46.

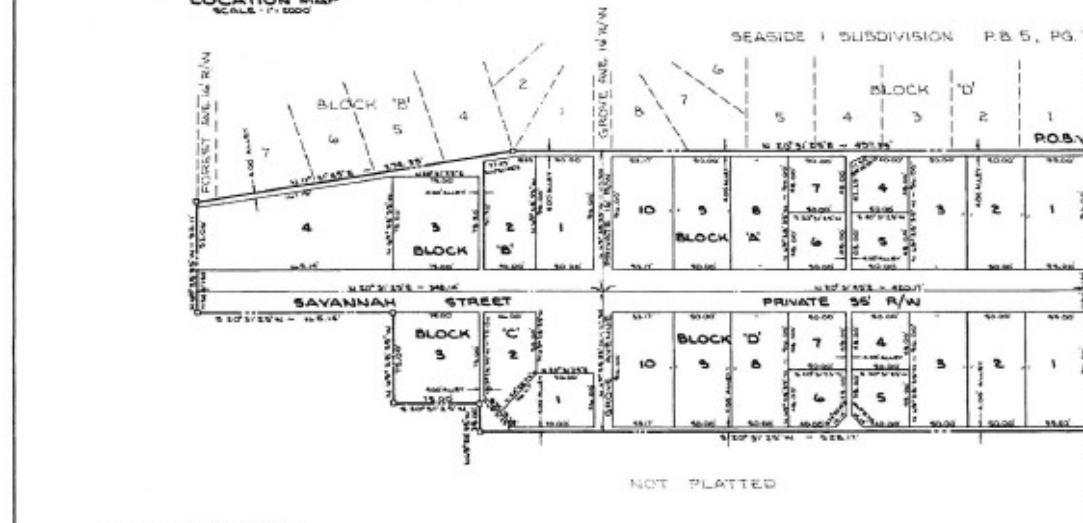
(seal of circuit court)

Kate Gilles
Clerk of Circuit Court
Walton County, Florida

LOCATION MAP
SCALE = 1" = 1000'

A SUBDIVISION OF A PORTION OF SECTION 15, TOWNSHIP 3 SOUTH RANGE 19 WEST
WALTON COUNTY, FLORIDA

Book 6 page 10

[illegible][illegible]

I, CATHERINE KING, CLERK OF THE CIRCUIT COURT OF WALTON COUNTY, FLORIDA, DO HEREBY CERTIFY THAT THE FOREGOING PLAT CONFORMS WITH CHAPTER 11-395, ACTS OF THE 75TH FLORIDA LEGISLATURE, AND WAS FILED IN MY OFFICE AND PLACED IN THE PUBLIC RECORDS OF WALTON COUNTY ON THE 29th DAY OF July, 1958, IN PLAT BOOK 12 AT PAGE 2.

Catherine King
CATHERINE KING
CLERK OF THE CIRCUIT COURT OF WILSON CO, FLORIDA

NACON ALL HEREBY DECLARES PRESENTS THAT SEABIDE COMMUNITY DEVELOPMENT CORPORATION, A CORPORATION UNDER THE LAWS OF THE STATE OF FLORIDA, ACTING BY AND THROUGH THE DULY QUALIFIED AND ELECTED OFFICERS, IS THE OWNER OF THE SEABIDE COMMUNITY DEVELOPMENT CORPORATION, A CORPORATION UNDER THE LAWS OF FLORIDA, ACTING BY AND THROUGH THE DULY QUALIFIED AND ELECTED OFFICERS, IS NOT THE INTENT OF THE UNDERSIGNED BY ADOPTING AND RECORDING THIS PLAN, TO DEDICATE ANY PORTION OF THE SEABIDE COMMUNITY DEVELOPMENT CORPORATION AS PRIVATE STREETS AND PRIVATE COMMON AREAS; HOWEVER, AREAS SO DESIGNATED ARE HEREBY INTENDED FOR THE EXCLUSIVE USE AND ENJOYMENT OF THE PROPERTY OWNER OF THE SEABIDE COMMUNITY DEVELOPMENT CORPORATION.

July 1980

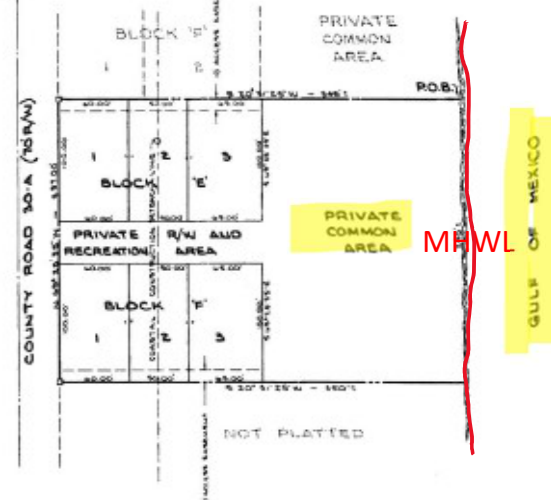

 WITNESSES



 ROBERT S. DAVIS - PRES.
 SAUNDERS COMMUNITY
 DEVELOPMENT CORP.

BEFORE THE SUBSCRIBER PERSONALLY APPEARED ROBERT S. DEAN, HUGON TO ME TO BE THE PRESIDENT OF SEASIDE COMMUNITY DEVELOPMENT CORP., HUGON TO ME TO BE THE INDIVIDUAL WHO EXECUTED THE FOREGOING DECLARATION AND SEVERALLY ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE USES AND PURPOSES HEREIN SET FORTH. GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 1965.

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES 12-1-14



THE UNDERSIGNED HEREBY CERTIFIES THAT THIS
 PLAN IS A CORRECT REPRESENTATION OF THE
 LAND DESCRIBED HEREIN, THAT SAID LANDS HAVE BEEN
 SURVEYED AS INDICATED, THAT PERMANENT
 MONUMENTS HAVE BEEN PLACED AT THE CORNERS
 OR POINTS REQUIRED BY THE PLAT ACT (CHAPTER 17-336
 OF THE 19TH ACTS OF THE FLORIDA LEGISLATURE),
 THAT SAID MONUMENTS ARE OF THE FOLLOWING KINDS: (X)
 () MEASURES FEET OR INCHES, () THE IRON "C"
 MEASURES SECONDS, THAT ALL DIMENSIONS SHOWN
 ON CURVED ARE AND DIMENSIONS ARE IN FEET
 AND INCHES, THE RIGHT OF WAY IS TO THE STREET
 RIGHTS OF WAY UNLESS NOTED OTHERWISE, THAT
 DIMENSIONS OF ALL CORNER LOTS ARE TO THE
 INTERSECTION OF THE CENTER LINES, LINES
 SIGNED ON THIS 1897 DAY OF JULY 1905

Paul J. McCarty
REGISTERED FLORIDA LAND SURVEYOR No. 540

THIS CERTIFIES THAT THIS PLAN WAS
PRESENTED TO THE BOARD OF COUNTY
COMMISSIONERS IN A REGULAR MEETING
THIS 12TH DAY OF JULY 1988, AND
WAS APPROVED BY THEM FOR PLACING IN
THE PUBLIC RECORDS OF WALTON COUNTY,
FLORIDA.

BOARD OF COUNTY COMMISSIONERS

Stewart Dickson
 Sam Rife
 Bruce Johnson
 11.7 M-L

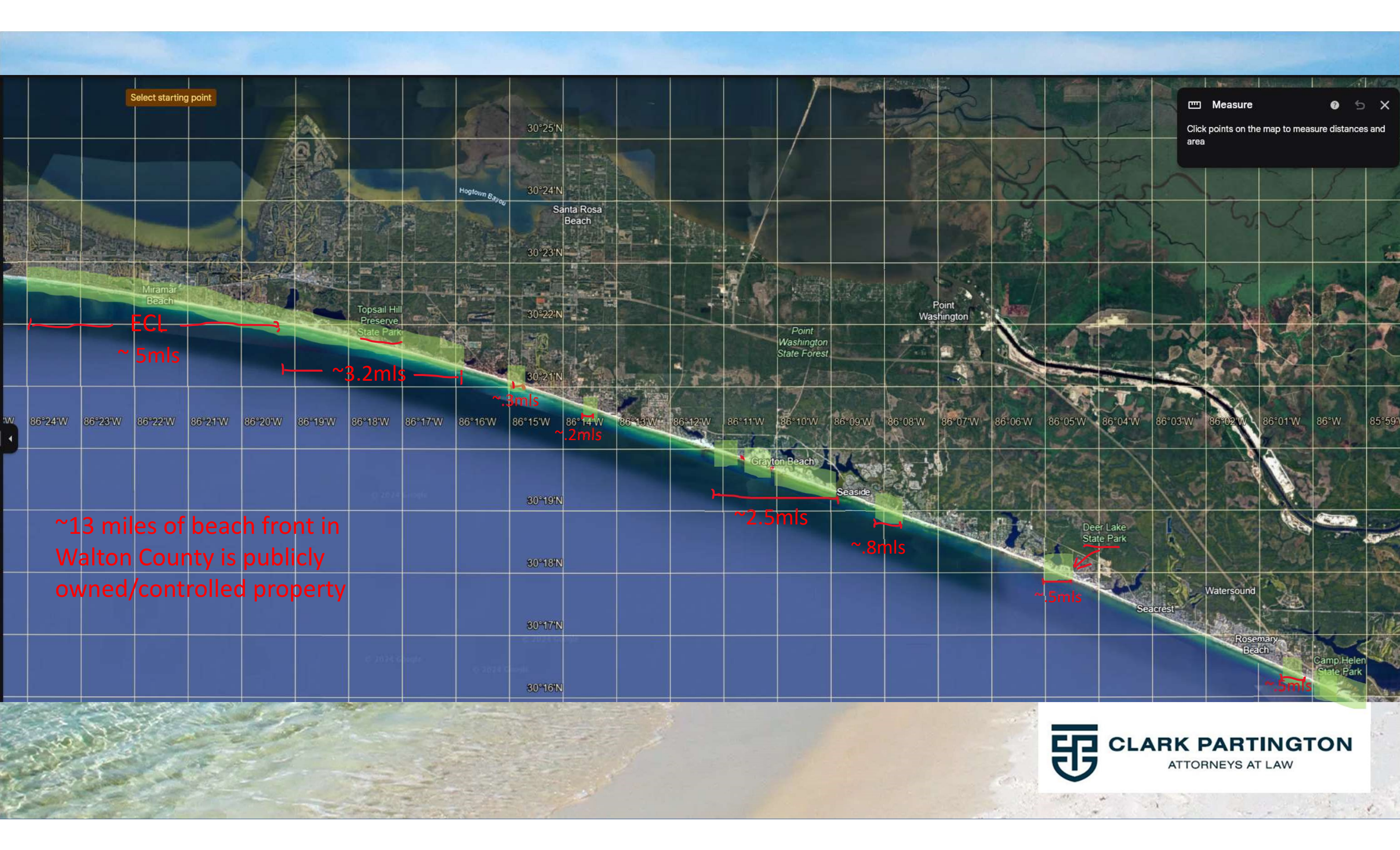


Customary Use is public use
of private property.

Customary Use cannot be
established against the
Sovereign (government).



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Select starting point

Measure

Click points on the map to measure distances and area

~13 miles of beach front in
Walton County is publicly
owned/controlled property



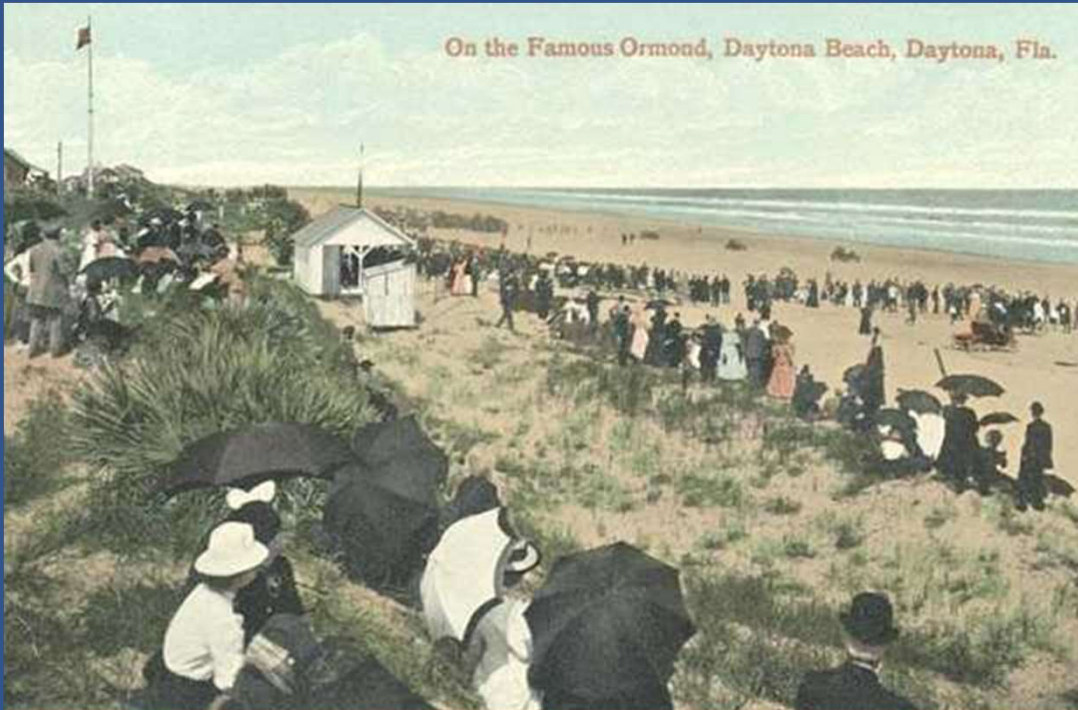
The right of the public to
use private property may be
established if that use is
“...ancient, reasonable,
without interruption, and
free from dispute.”



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City of Daytona Beach v. Tona-Rama, Inc.,
294 So. 2d 73 (Fla. 1974)





“While some may find it preferable that proof of these elements of custom be established for the entire state by judicial fiat in order to protect the right of public access to Florida's beaches, it appears to us that the acquisition of a right to use private property by custom is intensely local and anything but theoretical. "Custom" is inherently a source of law that emanates from long-term, open, obvious and widely-accepted and widely-exercised practice. It is accordingly impossible precisely to define the geographic area of the beach for which evidence of a specific customary use must be shown, because it will depend on the particular geography and the particular custom at issue.”

Trepanier v. Volusia, 965 So. 2d 276 (5th DCA 2007)



Walton County



Customary use in Walton County: Ordinance No.: 2017-10



“The public’s long standing customary use of the dry sand areas of all of the beaches in the County for recreational purposes is hereby recognized and protected.”



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GULF PINES
PRIVATE BEACH
State Law 16D2 FAC

**POSTED
PRIVATE PROPERTY**

Florida Statutes
Title XLVI
CHAPTER 810.115

(1) "WHOEVER WILLFULLY AND MALICIOUSLY BREAKS DOWN, MARS, INJURES, DEFACES, CUTS OR OTHERWISE CREATES OR CAUSES TO BE CREATED AN OPENING, GAP, INTERRUPTION, OR BREAK **IN ANY FENCE, OR ANY PART THEREOF** BELONGING TO OR ENCLOSING LAND NOT HIS OR HER OWN, OR WHOEVER CAUSES TO BE BROKEN DOWN, MARRED, INJURED, DEFACED, OR CUT ANY FENCE BELONGING TO OR ENCLOSING LAND NOT HIS OR HER OWN, COMMITS A MISDEMEANOR OF THE FIRST DEGREE, PUNISHABLE AS PROVIDED IN S. 775.082 OR S.775.083. **A PERSON WHO COMMITS A SECOND OR SUBSEQUENT OFFENSE UNDER THIS SUBSECTION COMMITS A FELONY OF THE THIRD DEGREE,** PUNISHABLE AS PROVIDED IN S. 775.082, S. 775.083, OR S. 775.084.
(2) IF THE OFFENDER BREAKS OR INJURES A FENCE AS PROVIDED IN SUBSECTION (1) AND THE FENCE OR ANY PART THEREON IS USED TO CONTAIN ANIMALS AT THE TIME OF THE OFFENCE, THE OFFENDER COMMITS A FELONY OF THE THIRD DEGREE, PUNISHABLE AS PROVIDED IN S. 775.082, S. 775.083, OR S. 775.084.
(3) THE COURT MAY REQUIRE FULL COMPENSATION TO THE OWNER OF THE FENCE FOR ANY AND ALL DAMAGES OR LOSSES RESULTING DIRECTLY OR INDIRECTLY FROM THE ACT OR COMMISSION PURSUANT TO S. 775.089.

CHAPTER 81.12

(1) "THE UNAUTHORIZED ENTRY BY ANY PERSON INTO OR UPON ANY ENCLOSED AND POSTED LAND **SHALL BE PRIMA FACIE EVIDENCE OF THE INTENTION OF SUCH PERSON TO COMMIT AN ACT OF TRESPASS...**"

OWNER: E.C. Goodwin, PO Box 2102, Santa Rosa Beach, FL 32459

THE NEIGHBORHOOD OF
Tang-O-Mar
PRIVATE BEACH
FLORIDA STATUTE O. 16D2 FAC

**STATE PARK
BOUNDARY**
ALL TREES, PLANTS AND ANIMALS ARE
PROTECTED BY STATE LAWS
**FLORIDA DEPT. OF
ENVIRONMENTAL
PROTECTION**

THE NEIGHBORHOOD OF
CARIBE
**PRIVATE
BEACH**
FLORIDA STATUTE NO. 16D2 FAC
NO TRESPASSING

House Bill 631/ Florida Statute Section 163.035

- “A governmental entity may not adopt or keep in effect an ordinance or rule that finds, determines, relies on, or is based upon customary use of any portion of a beach above the mean high-water line...**unless...**”
- Two-step process:
 1. Adopt a formal notice of intent to affirm the existence of recreational customary use on private property at a public hearing.
 2. File a Complaint for Declaration of Recreational Customary Use with the circuit court in the county in which the properties are located. The property owner must be permitted to intervene in the proceeding. The County has the burden of proof to establish “that the recreational customary use for the use or uses identified in the notice of intent have been ancient, reasonable, without interruption, and free from dispute.”



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Customary Use Litigation Timeline – Abbreviated!

- September 2018 – Public Hearing / Notice of Intent.
- November 2018 – County files Complaint against 1,194 private parcels.
- Approx 600 parcel owners Intervene in the litigation.
- Four years of discovery and motion practice = trial date of May 2023
 - Hundreds of depositions; thousands of pages of document, deeds, photos, affidavits, surveys, plats, witnesses, motions, hearings, etc.
- May 2023 trial date delayed for final settlement negotiations.
- June 2023 – Judge Green approves the Settlement Agreement; trial canx.
- Oct 2023 – Final hearing – all Interveners Dismissed or signed Settlement.
- November 2023 – Jan 2024 – County cleaning up pleadings/maps.
- February 19, 2024 – Judge Green enters Final Judgment / closes case.

Break



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Customary Use Litigation – Outcome

- Of the 1,194 original parcels:
 - 1,058 parcels were Dismissed with Prejudice – No customary use;
 - On 81 parcels who did not intervene to dispute, the Court made a finding affirming a right by the public to the customary use of traversing the beach and sitting on the beach within a 20' transitory zone from 9am-4pm;
 - 55 parcels signed the Settlement Agreement, which:
 - Allows the public to traverse and sit on a 20' transitory Zone during the hours of 9am-4pm;
 - No finding of customary use on these parcels.





** County Maps **

Addressing

Address Search and
Verification

GIS Data

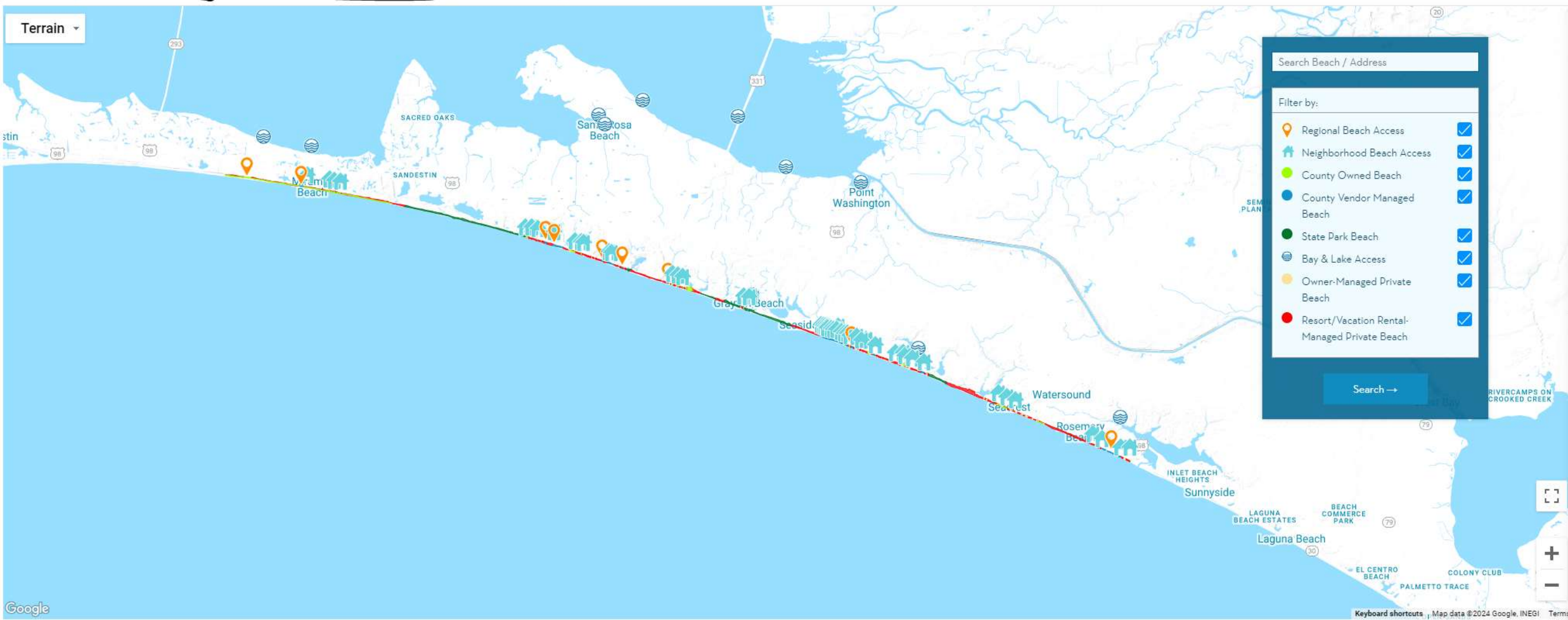


Home > Departments > Geographic Information Systems (GIS) > ** County Maps **

Map Portal

Walton County Interactive Maps:

We recommend using google chrome for the interactive maps. A short instructional guide for the interactive maps is available at: [Quick Reference Guide](#).



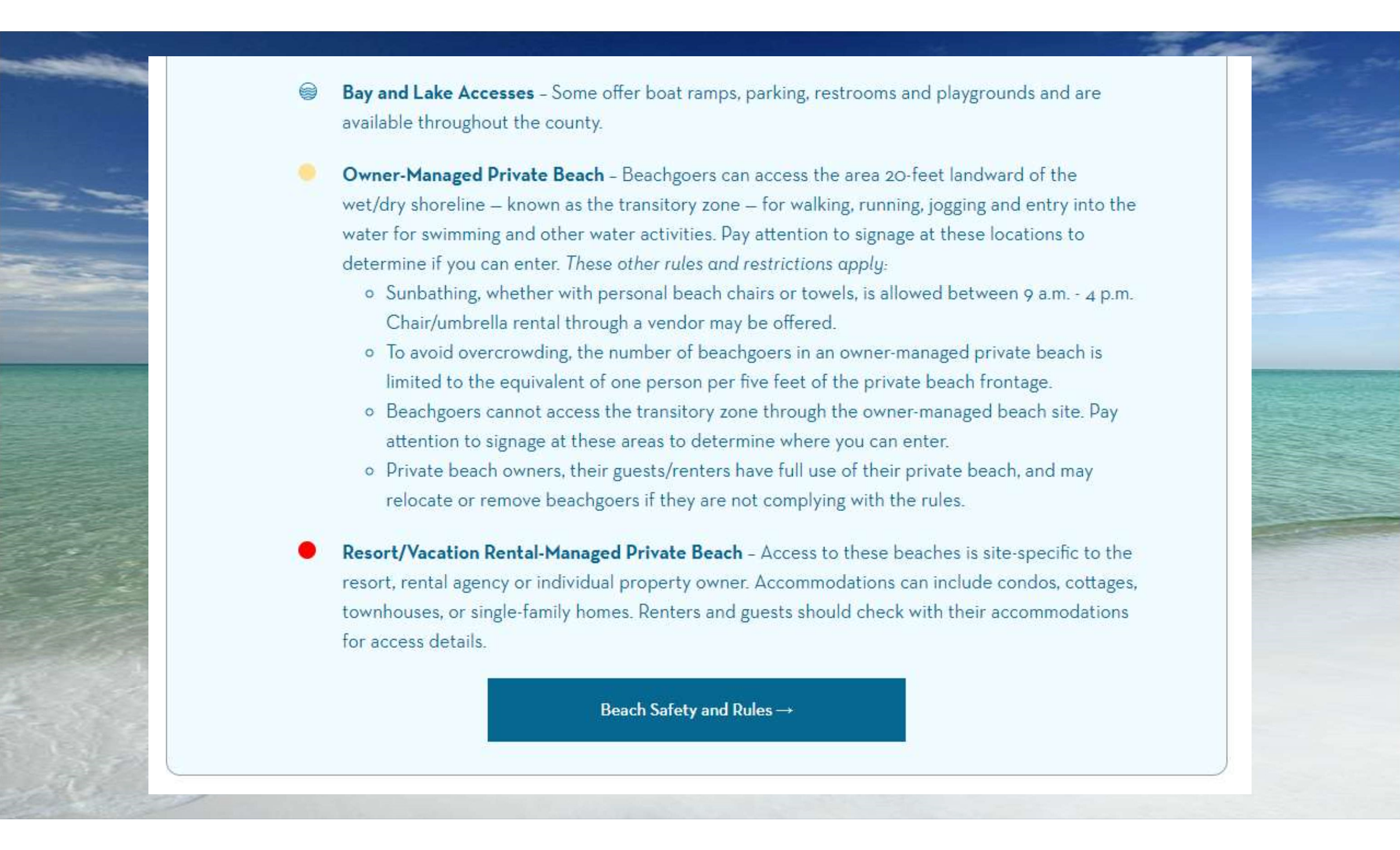
Filter by:

	Regional Beach Access	☒
	Neighborhood Beach Access	☒
	County Owned Beach	☒
	County Vendor Managed Beach	☒
	State Park Beach	☒
	Bay & Lake Access	☒
	Owner-Managed Private Beach	☒
	Resort/Vacation Rental-Managed Private Beach	☒

Search →

Beach Icon Key

-  **Regional Beach Accesses** – Our 9 RBAs can be found on public beaches from Miramar Beach in the west to Inlet Beach in the east. They offer restrooms, parking, showers and bike racks; several offer ADA access. Each RBA also has a flag indicating current surf conditions, as well as a lifeguard on duty between March and October. Vendor-operated beach chair and umbrella services are offered.
-  **Neighborhood Beach Accesses** – These smaller public beach accesses are located within neighborhoods and designed primarily for walk-up traffic. Many of these NBAs also have flags indicating current surf conditions.
-  **County Owned Beach** – Public beaches with no restrictions on access or recreation.
-  **County Vendor Managed Beach** – County-owned public beaches where rentals, including beach chairs and umbrellas, are available. These beaches have no restrictions on access or recreation.
-  **State Park Beach** – Walton County is home to four state parks, three of which offer access to the Gulf of Mexico: [Deer Lake State Park](#), [Grayton Beach State Park](#) and [Topsail Hill Preserve State Park](#). There is an entry fee into these parks, but the small cost is definitely worth experiencing the natural beauty tucked beyond their entrances.
-  **Bay and Lake Accesses** – Some offer boat ramps, parking, restrooms and playgrounds and are available throughout the county.

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- 🌊 **Bay and Lake Accesses** – Some offer boat ramps, parking, restrooms and playgrounds and are available throughout the county.
 - 🟡 **Owner-Managed Private Beach** – Beachgoers can access the area 20-feet landward of the wet/dry shoreline – known as the transitory zone – for walking, running, jogging and entry into the water for swimming and other water activities. Pay attention to signage at these locations to determine if you can enter. *These other rules and restrictions apply:*
 - Sunbathing, whether with personal beach chairs or towels, is allowed between 9 a.m. - 4 p.m. Chair/umbrella rental through a vendor may be offered.
 - To avoid overcrowding, the number of beachgoers in an owner-managed private beach is limited to the equivalent of one person per five feet of the private beach frontage.
 - Beachgoers cannot access the transitory zone through the owner-managed beach site. Pay attention to signage at these areas to determine where you can enter.
 - Private beach owners, their guests/renters have full use of their private beach, and may relocate or remove beachgoers if they are not complying with the rules.
 - 🔴 **Resort/Vacation Rental-Managed Private Beach** – Access to these beaches is site-specific to the resort, rental agency or individual property owner. Accommodations can include condos, cottages, townhouses, or single-family homes. Renters and guests should check with their accommodations for access details.

[Beach Safety and Rules →](#)



MICHAEL A. ADKINSON, JR., SHERIFF
Office of the Sheriff, Walton County

Standard Operating Procedure

Title: **Trespassing on Gulf Front Beaches**

Number: **2.1.1**

Effective Date: **10/01/23**

Amends: **06/11/18**

Applicable Standards

CFA: None

FCAC: None

Approved by:

A handwritten signature in blue ink, appearing to read "Michael A. Adkinson, Jr.", written over a horizontal line.

Sheriff Michael A. Adkinson, Jr.

I. Purpose: To provide direction to agency members when answering calls for service related to claims of trespass on Gulf front/beach property in Walton County.

II. Authority:

Chapter 30, Florida Statutes

Chapter 161, Florida Statutes

Chapter 177, Florida Statutes

Chapter 810, Florida Statutes

Florida Constitution Article X § 11

Walton County Customary Use Settlement Agreement

Questions?



CLARK PARTINGTON
ATTORNEYS AT LAW