

# Why Are SCTA Trails Open to the Public?

In the past 2 years, we have gained over 70 new residents! WOW! Current properties are selling and we are growing due to South Fork Properties and Allardt Land Co expansions off Spruce Creek Dr. Our new folks are often curious about the SCTA and our special relationship with the Big South Fork National River & Recreation Area (BSFNRRRA; more affectionately, BSF).

## SCTA entrances to BSF

We are blessed to have 4 direct, and somewhat unique, entrances to BSF:

1. **Proctor Ridge** from the Spruce Creek Drive Extension
2. **Sawtooth/Hicks Ridge** from our Wild Cat Den Trail (thanks to the generosity of the Sloan family)
3. **Cumberland Valley Trail Head** special trail access from our Spruce Creek Trail
4. **Troxel/Woods Trail Head** off Obey Blevins Rd (across Leatherwood Ford Rd from Spruce Creek Acres main entrance; thanks to the Troxel and Woods families and BSF)

These entrances are shown on our Trail map which can be accessed from our website:

[www.sprucecreektrails.com](http://www.sprucecreektrails.com)

These entrances would not be approved today as they do not meet the current National Park Service (NPS) standards for access; which include parking lots, access from state/federal highways, usage studies, etc. Per our annual meetings with the BSF park superintendent, our entrances were "grandfathered" as part of the [BSFNRRRA General Management Plan](#) (BSFGMP) that was approved in early 2005.

**Our four entrances will remain as long as we continue to meet NPS standards for public access, maintenance and safety.** As stated in our meetings with them: "No one person, or group, is allowed to have exclusive access to public lands-period". If our trails were declared private or exclusive, the Park would simply close the entrance(s) completely.

We also learned: Crossing the boundary of a national park is only allowed on foot. (even if you own land next to the park.) Entrance on horseback, vehicle, etc. is only allowed at designated entrances.

The above is why the Spruce Creek Trail Association trails are open to the public. Continue reading for more detailed information and a brief history of SCTA.

## BSF General Management Plan Excerpts

Due to the vast number of pages in the GMP, we have included some important excerpts from the **BSF General Management Plan** concerning public access that directly apply to SCTA trails.

**Public Comments and Responses** (p 341-342): "It should be noted that in recent years a number of residential developments have been constructed adjacent to the National Area that take advantage of local recreational opportunities. We expect this trend to continue. The proposed system of access points is designed to serve visitors from these areas as well as all other visitors to the National Area. As noted in chapter 3 of the GMP, **all access points must be open to use by the general public.**" (emphasis added)

**Public Comments and Responses** (p, 348): "It is important to note that any trailhead that provides access to the official trail system, whether on public or private property, must be open to use by the general public." (emphasis added)

**Chapter 3 Alternatives** - including the General Management Plan, (p 67) - "At some locations, unofficial trails cross the boundary providing what amounts to private access to individual adjacent landowners. This practice is not allowed under the Preferred Alternative. A proposed solution is for landowners to cooperate in providing each other trail access across their lands to a central point along the boundary where a public trail head would be provided. A good example of this already exists in the Spruce Creek subdivision where a collector trail on private lands enters the boundary at the Cumberland Valley Trailhead, just off TN 297. Connections with outside trails or trail heads can provide a larger, regional system available to users."

## SCTA Mission Statement

In 2003, the SCTA adopted a mission statement with the following guiding principles. The full document can be found on the SCTA website as well as at the end of this document.

1. Trails shall be maintained in such a condition as to protect the beauty of the land and the safety of the users.
2. A good-neighbor policy shall allow the sharing and reciprocity of Spruce Creek trails with other organizations and members of the community as long as trails can be maintained without deterioration to the point of becoming unsustainable.
3. SCTA shall actively pursue harmonious relationships with BSFNRRRA, the county of Fentress, and equestrian community neighbors. The common interests related to equestrian activities are hereby recognized as important to Spruce Creek's interest and goals.

## SCTA History

### 1974 NPS Establishes the BSFNRRRA

**1997/1998 First properties sold** in Spruce Creek Acres (Spruce Creek Dr. and Evergreen)

The original 3 developers L M & R (Livingston, Mitchell & Rains) plotted various phases. We are now up to 26!

The various phases have different deed restrictions. For instance, Phases 1-4 allow horse related businesses and have minimal restrictions. Some of the later phases have quite comprehensive restrictions. The deed restrictions for your property are in each deed. They "run with the land" and thus must be passed to subsequent owners.

Keith Mitchell passed away in 2007. His heirs offer their remaining lots through Mitchell Realty.

Robert Livingston has lots remaining under L & M/Southern Star Realty.

The Rains family offers lots and new development as South Fork Properties/American Realty.

Joyce and Tom Pickard are some of our earliest resident "pioneers."

**2003 SCTA formed** as a Tennessee not-for-profit (NFP) corporation.

The SCTA Charter and by-laws were carefully written to comply with the extensive laws covering TN NFP corporations. To ensure we would serve our equestrian community, the SCTA charter and by-laws include classes of membership for property owners and non-property owners. Fortunately, we have always enjoyed the support of our surrounding community members. Historically, approximately 25% of our membership has come from non-property owners.

TN laws governing NFP organizations are very protective of membership class rights, so that membership structure and intent of the Corporation can not be easily changed.

It should be noted that other equestrian communities do not have the blessing of our direct entrances to BSF, or may not meet the requirements of a tax exempt not-for-profit organization as explained below. Therefore, those organizations may have different criteria for membership.

<https://law.justia.com/codes/tennessee/2010/title-48/chapter-60/part-1/48-60-104/>

#### **2007 Troxel/Woods Trail head completed - \$2,600**

This was a major partner project with BSF at a cost to SCTA of \$2,600. This trail head provides access to Yellow Cliff and other BSF trails. NPS provided the heavy equipment. SCTA provided the materials.

#### **2008 SCTA pavilion completed**

Robert Livingston donated/deeded the 1 acre lot to SCTA. The pavilion was a 3-year project, with many of the early members providing MUCH labor and materials. Upgrades and clearing continue to this day. We can not thank them enough for providing our community a special gathering place.

#### **2012 Proctor Ridge Trail Reroute - \$5,000**

This was a major project partnership between SCTA, Allardt Land Company and the BSF. This undertaking spanned multiple years and served to reroute the trail and remove old/exposed gas pipelines in the Park. Costs for materials and equipment were shared: SCTA did fundraisers to contribute \$5,000 and many hours of volunteer labor; Allardt Land Co provided tractor work; BSF provided layout expertise and heavy equipment.

#### **2014 SCTA Received Not-for-profit status - 501(c)(4)**

Major milestone for us! A 501(c)(4) is a social welfare organization and enjoys federal income tax exempt status. SCTA no longer pays any state or federal corporate taxes. This saves us hundreds of dollars per year. In essence, any money contributed to SCTA stays right in the community to benefit the trail system and the community. (In 2013 alone we paid almost \$1,000 in taxes.)

The qualifications for 501(c)(4) status must continue to be met each year. **We must be an organization that serves a "community" need.** A homeowners association or group which serves an "exclusive" membership does not qualify.

In addition to welcoming our surrounding neighbors to be members, we sponsor activities for the benefit of the community and the Park; such as the September 2019 Proctor Ridge Park Work Day, and the November 2019 Emergency Information Community event.

More information about 501(c)(4) can be found on the IRS website: <https://www.irs.gov/charities-non-profits/other-non-profits/social-welfare-organizations>

### **2014 Wild Cat Den Trail Reroute - \$2,000**

The Wild Cat Den trail required a reroute due to unsafe trail conditions. Working with the Sloan family, the SCTA spent \$2,000 to obtain a license and safely route the 2 miles of trail to the BSF Sawtooth Ridge and Hicks Ridge trail entrance.

### **2018/2019 Multiple Major Projects - \$20,000**

The last two years saw several major projects completed thanks to our wonderful members who volunteered their time and/or donated their money to help keep our trails safe.

- Evergreen Trail was rerouted around a dangerous, steep and muddy climb.
- Wild Cat Den Trail Hatfield Creek crossing was reworked. The entire trail was also smoothed and widened.
- Spruce Creek Trail to the Cumberland Valley Trailhead drainage was significantly improved.
- Trail off Crockett Creek Road, the drainage was corrected with culverts and a bridge
- TeePee Loop erosion and area by the water crossing was fixed

### **2020 and beyond?**

Looking forward to the things we will accomplish as an open trails and equestrian community in the years to come. Welcome to all our new members and neighbors.

**Spruce Creek Trails Association, Inc.**  
**Mission Statement**  
**July 26, 2003**

It shall be the mission of the Spruce Creek Trails Association, Inc., to enhance and protect the property investment of Spruce Creek Acres Subdivision landowners through its trails program. This investment is affected significantly by the drawing power of the trails located within Spruce Creek Acres leading to trails in the Big South Fork National River & Recreation Area and to other locations in Fentress County. Not only does Spruce Creek have scenic beauty within its own trail system, but property owners have the ability to travel by horse onto Big South Fork and other areas and to visit the unique beauty of cliff overlooks into the gorge, archeological formations, cultural landscapes, rivers and streams, and other natural wonders.

Spruce Creek Trails Association, Inc., shall have the following guiding principles to accomplish its mission:

1. Trails shall be maintained in such a condition as to protect the beauty of the land and the safety of the users.
2. A good-neighbor policy shall allow the sharing and reciprocity of Spruce Creek trails with other organizations and members of the community as long as trails can be maintained without deterioration to the point of becoming unsustainable.
3. Spruce Creek Trails Association, Inc., shall actively pursue harmonious relationships with Big South Fork National River & Recreation Area, the County of Fentress, and equestrian community neighbors. The common interests related to equestrian activities are hereby recognized as important to Spruce Creek's interests and goals.

To relieve any anxiety any Spruce Creek landowner might have related to property outside of trails, it is hereby stated that this mission shall in no way impinge upon or attempt in any manner to regulate, control, or otherwise influence a landowner's property rights except trail property owned by Spruce Creek Trails Association, Inc.

*Note:*

*Officially Approved & Adopted  
Meeting Minutes: May 29, 2004*

**L&M Land Company**

**Spruce Creek Properties**

Jamestown, Tennessee

July 26, 2003

Dear Spruce Creek Property Owner:

This letter is to inform you of an important milestone concerning your investment in Spruce Creek Acres. We recognize, as we are sure you do, that trails within Spruce Creek are an integral and vital aspect of your land investment. They hold the drawing power to what has been dubbed the "Jewel of the Cumberland," Big South Fork National River & Recreation Area. They provide you the means of easy access to some of the most spectacular views of canyon bluffs, gorges, streams, rock formations, and woodlands in the east.

As you may be aware, the developers of Spruce Creek held the concept that upon completion, or near completion, of Spruce Creek an organization would assume ownership of the trails.

Because we feel the time has now come for this transition, we have organized and incorporated the Spruce Creek Trails Association. An initial transfer of some plated trails will occur with future transfers occurring as the developers deem appropriate. This corporation will be run by a nine-member board of directors. The Board has conducted the organizational meeting and has begun operation of the corporation. Attached is a newsletter giving you information on their organizational activities and a questionnaire seeking your input.

We are excited about this new development. This organization is very necessary, not only in terms of managing Spruce Creek trails, but also in interfacing with the National Park Service. Corporate headquarters will be located at Ricky Rains' property at 463 Spruce Creek Drive.

We look forward to working with this organization and know that you are eager to do the same.

Sincerely,

L&M LAND COMPANY

  
Robert L. Livingston, Partner

SOUTH FORK PROPERTIES

  
Ricky Raines, Partner