

# TOWN COUNCIL

## STAFF REPORT

### Growth Management Department



<b>MEETING DATE:</b>	September 9, 2025
<b>PROJECT:</b>	Consideration of an Ordinance Approving a Real Property Exchange Agreement between the Town of Bluffton and the Beaufort County School District for Certain Real Property Owned by the Town of Bluffton within Buckwalter Planned Unit Development Identified as R610-022-000-1094-0000; and Authorizing Execution and Recording of Certain Documents Therewith
<b>PROJECT MANAGER:</b>	Kevin Icard, AICP Growth Management Director

**REQUEST:** Town Staff requests that Town Council approve an Ordinance for a Real Property Exchange Agreement between the Town of Bluffton and the Beaufort County School District for Certain Real Property Owned by the Town of Bluffton within Buckwalter Planned Unit Development Identified as R610-022-000-1094-0000; and Authorizing Execution and Recording of Certain Documents.

**INTRODUCTION:** The Beaufort County School District ("BCSD") is currently under contract with Indian Hill Associates, LLC ("Indian Hill") to acquire the Indian Hill Property. Indian Hill is the owner of certain parcels, three (3), consisting of 142.551 acres (102.511, 10.040 & 30 acres respectively). The Town is the owner of that certain parcel consisting of 19.753 acres, more or less, and is owned by the Town of Bluffton. Collectively these properties are known as the Willow Run Tract.

The School District has identified the Willow Run Tract as a potentially suitable development site for needed school facilities, which may include a lower school complex (K-8)/Middle School and/or associated athletic fields, courts, administrative offices, and other structures intended to support school operations.

***Easement Agreement*** - Amendment to the existing Easement Agreements associated with Indian Hill Associates, the Town of Bluffton, Mooney Enterprises, LLC and Johnnie and Raymond Boyles Trustees. Which includes the termination of the 50' easement providing access to the Town owned property within the Willow Run Tract.

December 2010, the Town of Bluffton and Indian Hills Associates, LLC entered into an Easement Agreement for the purpose of Indian Hill granting certain easement on, over across and through the Indian Hill Property for the benefit of the Town for with a non-exclusive 50' access easement.

The Agreement was recorded with the Beaufort County Register of Deeds on December 16, 2010, Book 03019 Pages 1655-1663.

Once the School District closes on the property, and as part of the other processes listed in this report, the 50' access easement can be terminated based on a mutual agreement between both parties. As part of the Land Swap Agreement, this easement would no longer be necessary. Attached to this report is a draft copy of the Extinguishment of Easement and recorded plat showing the easement. (See Attachments 1 & 2)

**Land Swap Agreement** - Preparation of a Land Swap Agreement with Beaufort County School District for property that consists of 10.996 upland acres within the Willow Run Tract.

The Town owned portion of Willow Run is located at the southern most portion of the Willow Run Tract. As part of the agreement with the School District, the Town will swap the 19.753 acres of land for 10.996 acres of upland acres located along HWY 278. (See Attachment 2) For various reasons, including safety and security, the School District prefers to have any and all facilities located towards the interior of the Willow Run Tract. (See Attachment 3)

**Purchase and Sales Agreement** –Purchase and Sales Agreement with Beaufort County School District for the Development Rights held by Indian Hills, Associates.

As outlined in the 9<sup>th</sup> Amendment to the Buckwalter Development Agreement, there are 260 residential dwelling units, 162 acres of General Commercial and two 150-unit hotels. These rights would go into the Town's Development Bank.

It is intended that once the School District purchases the properties from Indian Hill Associates, LLC, and as part of the Town's agreement with the District, the Town will purchase all Development Rights for \$2.5 Million Dollars, with all titles, rights, and interests to such development rights on the closing date but after the District's acquisition of the development rights.

The Town has prepared in conjunction with the School District a Purchase and Sale Agreement (PSA). It is a legally binding contract that outlines the terms and conditions under which the School District is agreeing to sell the Development Rights (outlined above) to the Town. The School District has indicated that they have every intent in building school facilities on the property (which don't require development rights). However, if they decide to construct something other than the contemplated School Facilities (as defined in the MOU) that require development rights, sell a portion of the Willow Run Tract to a third party they have a one-time option to purchase from the Town any or all of the 162 acres of commercial development rights for a fixed price per acre. This option shall become available after five (5) years and expire either twenty-five (25) years after the Closing Date or upon the development of any portion of the School Facilities upon the Willow Run Tract whichever occurs first. (See Attachment 3)

**NEXT STEPS:**

Item for Consideration	Development Review Committee	Planning Commission		Town Council		
		Workshop	Public Hearing & Recommendation to Town Council	Resolution	Ordinance	
					1 <sup>st</sup> Reading	2 <sup>nd</sup> & Final Reading
Easement Agreement	N/A	N/A	N/A	N/A	✓	
Land Swap Agreement	N/A	N/A	N/A	N/A	✓	
Purchase & Sale Agreement	N/A	N/A	N/A	N/A	✓	

**ATTACHMENTS:**

1. Extinguishment of Easement
2. Indian Hill to Town 19.753 Acre Donation PB131 PG156
3. Land Swap Agreement and Agreement to Purchase Certain Development Rights
4. Proposed Subdivision TOB 08-06-2025
5. Proposed Motion