

## Staff Report

**Subject:** Deed (Second District)  
**Author:** Samantha Easton, Planner II  
**Department:** Development Services  
**Meeting Date:** October 1, 2024  
**Item Description:** Talon Wagenkecht requests approval of the Deed for Sawyer Trail in Creekside.

### Summary Recommendation

Staff has reviewed the inspected the roads and drainage infrastructure identified in the warranty deed, and recommends approval.

### Executive Summary/Background

- This deed is to correct the name of the Road.
- The County Attorney has reviewed and approved the warranty deed and infrastructure agreement and approves.

### Alternatives

1. **Approve** the Deed for Sawyer Trail, and accept the roads and drainage infrastructure identified in the warranty deed.

2. **Take no action**

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services, County Attorney

**FUNDING:** N/A

**Attachments:** 1. Warranty Deed  
2. Property Description  
3. Plat

----- [ SPACE ABOVE THIS LINE FOR RECORDING DATA ] -----

**Return Recorded Document to:**  
Effingham Board of Commissioners  
804 S Laurel Street  
Springfield, GA 31329

Please Cross-reference to:  
Deed Book 2894, Page 190

**STATE OF GEORGIA  
COUNTY OF EFFINGHAM**

**WARRANTY DEED**

**THIS INDENTURE**, made this \_\_\_\_ day of \_\_\_\_\_, 2024, between **VILLAGE PARK HOMES, LLC**, a South Carolina limited liability company, as party of the first part, hereinunder called Grantor, and the **BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA**, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH:**

**WHEREAS**, that Grantor, for and in consideration of the sum of TEN AND 00/100 (\$10.00) Dollars and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto Grantee, the following described property, to-wit;

All those certain lots, tracts and parcels of land situate, lying, and being in the 9th G.M. District of Effingham County, Georgia, and being shown and designated as the streets and rights of ways known and depicted as "**SAWYER TRAIL**" on that certain Major Subdivision Plat of Creekside, Phase 2, prepared by Hussey Gay Bell, dated February 6, 2024, and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in **Plat Book 29, Page 787**, said plat is incorporated herein by specific reference for a more particular description of the property herein conveyed. It is the intention of the Grantor to convey to the Grantee all of its interest in the above-described streets and rights of way for public access.

TOGETHER WITH the water and sanitary sewer system and drainage improvements located within said properties, rights-of-way and public easements, all located within Creekside Subdivision, Phase 2, as shown on the aforementioned plat which is incorporated herein for descriptive and all other purposes but specifically excluding any sewer laterals, detention ponds, common areas, and any portion of the water system from the water meter to any residence.

TOGETHER WITH a perpetual, non-exclusive appurtenant, commercial, transmissible general utility easement for the installation, construction, maintenance, operation, repair and replacement of permanent above ground or underground utilities over, through and across and in those areas designated as utility easements and drainage easements, including the right to ingress and egress over the easements, all located within Creekside Subdivision, Phase 2, as shown on the aforementioned plat which is incorporated herein for descriptive and all other purposes.

**WHEREAS**, the previously recorded Warranty Deed dated February 6, 2024, and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia in Book 2894, Page 190 contained a typographical error in the legal description, wherein (i) the street and right of way was described as "Sawyer Court" and (ii) the plat was described as that "Final Plat of Phase 2A Creekside Subdivision". This deed is being recorded to correct said error by clarifying and confirming the name of the street and right of way is "Sawyer Trail" and the name of the plat is "Major Subdivision Plat of Creekside, Phase 2".

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantee forever in **FEE SIMPLE**. Grantor expressly covenants that Grantor is seized of said property in good fee simple title and that Grantor has the full right, power and authority to convey the same; that the said property and the Grantor thereof are free and clear of any liens, claims or encumbrances whatever whereby the title to said property may in anywise be charged, changed, impaired or defeated and that the Grantor will forever WARRANT and DEFEND the said premises against the claims of all persons whomsoever.

[Remainder of page intentionally left blank; signature pages to follow]

**IN WITNESS WHEREOF**, Grantor has executed this instrument by and through its duly authorized Corporate Officers with the Corporate Seal affixed thereto on the day and year first above written.

Signed, sealed and delivered  
in the presence of:

**VILLAGE PARK HOMES, LLC,**  
a South Carolina limited liability company

Sarah Connelly  
Witness

By:   
Andrew Charlson, Authorized Signer

Jacklyn Holton  
Notary Public

Jacklyn Holton  
Notary Public, State of South Carolina  
My Commission Expires January 2, 2034

My commission expires: 1/2/34

ACCEPTED AND AGREED TO THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

Signed, sealed and delivered  
in the presence of:

**BOARD OF COMMISSIONERS OF EFFINGHAM  
COUNTY, GEORGIA**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Wesley Corbitt  
Chairman

\_\_\_\_\_  
Notary Public

Attest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My commission expires: \_\_\_\_\_

