

Staff Report

Subject: Approval of Development Agreement for Water and Sanitary Sewer Facilities – Braly Investment Properties, LLC

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Department: Engineering

Meeting Date: March 3, 2026

Item Description: Consideration to approve a Development Agreement between Effingham County and Braly Investment Properties, LLC for the design, construction, installation, and conveyance of water and sanitary sewer facilities to serve approximately 59 single-family residential units on +/- 17.766 acres identified as Tract #1 (Map 17, Parcel 2), Blue Jay Road, Effingham County, Georgia.

Summary Recommendation: Staff recommends approval of the Development Agreement with Braly Investment Properties, LLC.

Executive Summary/Background: Braly Investment Properties, LLC (the “Developer”) is the owner of approximately 17.766 acres located on Blue Jay Road in Effingham County, identified as Tract #1 (Map 17, Parcel 2), as further described in Exhibit “A” of the attached agreement. The Developer proposes construction of up to fifty-nine (59) single-family residential units on the property.

The Development Agreement establishes the responsibilities of the Developer and the County regarding the reservation of water and sewer capacity and the construction of required infrastructure improvements. The County has issued a Water and Sewer Utility Will Serve Letter dated September 12, 2025 (Exhibit “B”) confirming system capacity availability for the project.

Under the Agreement:

- The Developer will design, construct, and install all water and sewer facilities necessary to serve the project at its sole cost and expense.
- All plans must comply with County engineering standards and be approved by Development Services prior to construction.
- Upon completion, inspection, and approval, the water and sewer facilities will be conveyed to Effingham County, including required easements and warranty documentation.
- The Developer will provide a one-year warranty and performance surety as required by County ordinance.
- Final acceptance by the County must occur prior to issuance of the final Certificate of Occupancy within the project.

The agreement also outlines provisions related to inspections, indemnification, default, assignment, termination (five-year term unless extended or competed earlier), and other standard contractual protections for the County.

This Agreement ensures that infrastructure serving the development is constructed in accordance with County standards, transferred free and clear of liens, and integrated into the County's public utility system following inspection and acceptance.

Alternatives for Commission to Consider:

1. Approve the Development Agreement between Effingham County and Braly Investment Properties, LLC for water and sanitary sewer facilities.
2. Do not approve the Development Agreement.
3. Provide staff with direction.

Recommended Alternative: Staff recommends Alternative number 1 – Approval of the Development Agreement.

Other Alternatives: N/A

Department Review: Engineering, County Manager, County Attorney

Funding Source: There is no direct County funding required for the construction of the water and sewer infrastructure. All design, permitting, construction, and installation costs are the responsibility of the Developer. Ongoing system operation and maintenance will be incorporated into the County's utility system following final acceptance.

Attachments:

1. Development Agreement for Water and Sanitary Sewer Facilities – Braly Investment Properties, LLC
2. Exhibit "A" – Legal Description
3. Exhibit "B" – Water and Sewer Will Serve Letter (September 12, 2025)