

## Staff Report

**Subject:** Final Plat Approval (Second District)  
**Author:** Samantha Easton, Planner II  
**Department:** Development Services  
**Meeting Date:** December 5, 2023  
**Item Description:** Beth Holley, requests approval of the final plat and infrastructure agreement for New Haven Phase II. Map #416 Parcel# 20F

### Summary Recommendation

Staff has reviewed the plat, and inspected the roads and drainage infrastructure identified in the warranty deed, and recommends taking no action.

### Executive Summary/Background

- Ernest Communities, LLC contractors have built roads and drainage infrastructure for Phase II of New Haven in order to sell the 42 lots in this PD subdivision.
- Effingham County will provide water and Sewer service.
- EOM inspected all roads, right-of-ways, and drainage infrastructure being dedicated to the county, and they have submitted their required changes.
- Development Services Staff reviewed the Final Plat and Final Plat Checklist. Changes have been requested. The updated Final Plat has not been submitted.
- Development Services Staff has completed an inspection on this site, and requested several changes.
- Neither Development Services nor EOM have received a Bond Recommendation; therefore, no review has been completed.
- The County Attorney has received the warranty deed or infrastructure agreement and has requested changes. We have not received the corrected deed.

### Alternatives

1. **Approve** the final plat and infrastructure agreement for New Haven Phase II, and accept the roads and drainage infrastructure identified in the warranty deed with the following conditions:
  - a. The applicant submits an Updated Final Plat, Warranty Deed, and Bond.

2. **Take no action**

**Recommended Alternative:** 2

**Other Alternatives:** 1

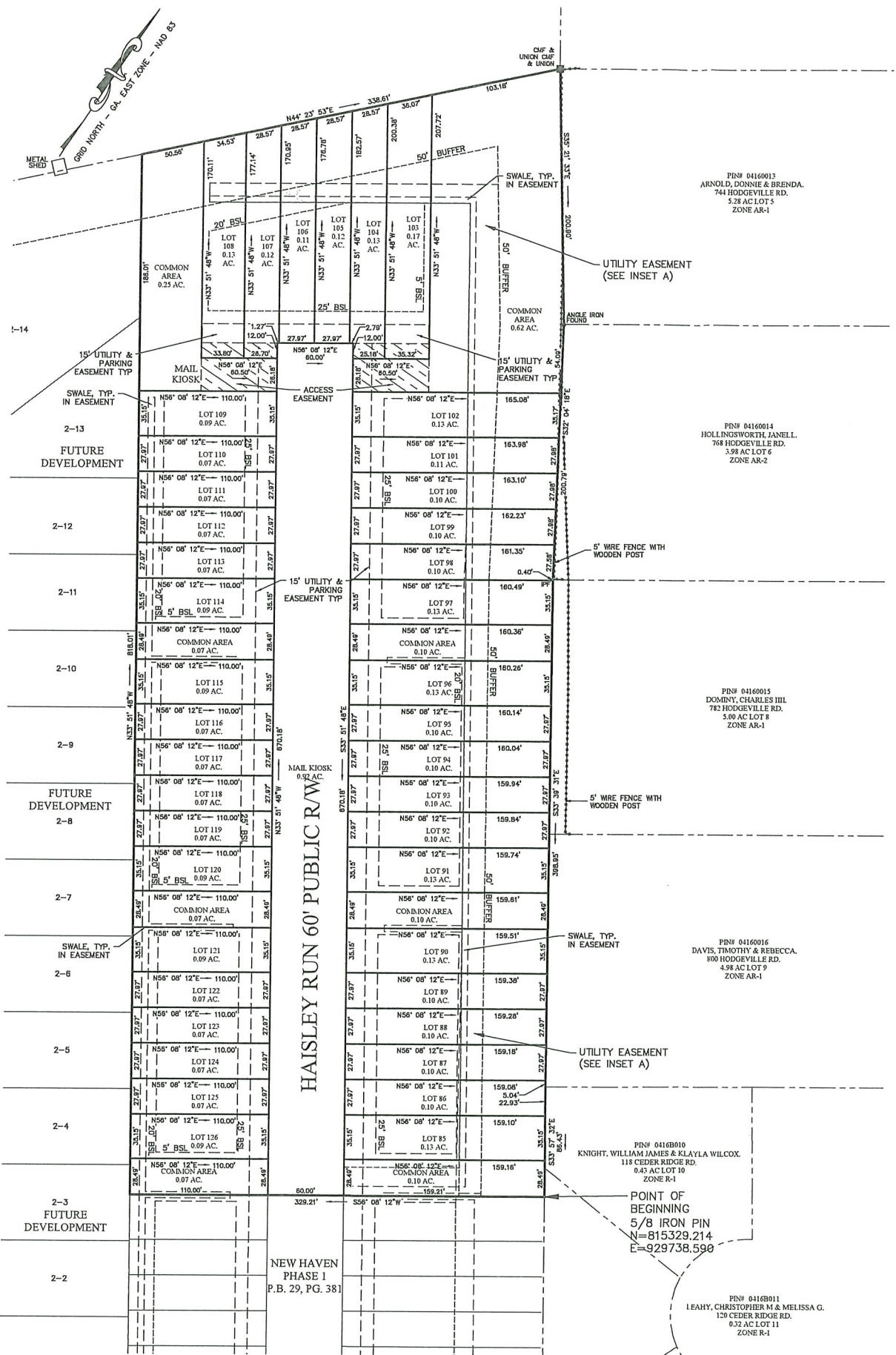
**Department Review:** Development Services, County Attorney

**FUNDING:** N/A

**Attachments:**

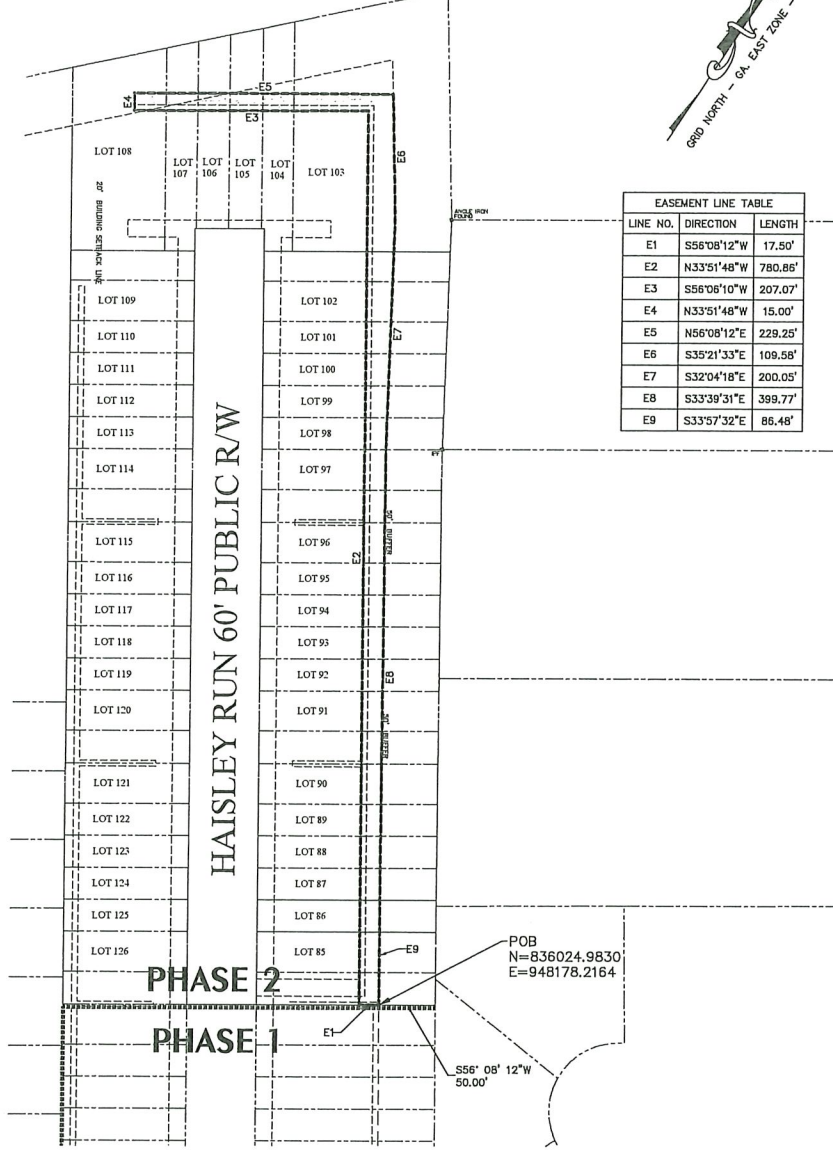
1. Incorrect Final Plat for New Haven, Phase II
2. Final Plat Submittal Form & Checklist
3. Incorrect Warranty Deed

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



# INSET A

1" = 150'

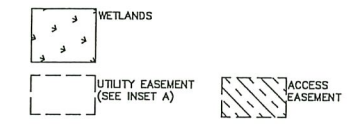


LINE NO.	DIRECTION	LENGTH
E1	S56°08'12"W	17.50'
E2	N33°51'48"W	780.86'
E3	S56°08'10"W	207.07'
E4	N33°51'48"W	15.00'
E5	N56°08'12"E	229.25'
E6	S35°21'33"E	109.58'
E7	S32°04'18"E	200.05'
E8	S33°39'31"E	399.77'
E9	S33°57'32"E	86.48'

REFERENCES:  
 1. COMPILATION PLAT BY HUSSEY GAY BELL OF TRACT "A" BEING A 492.08 ACRE PORTION OF TRACT 2, RINCON RESEARCH TRACT, ON OCTOBER 10, 2006 AND RECORDED IN PLAT BOOK C144 PAGE F.  
 2. PLAT BY THOMAS & HUTTON ENGINEERING FIRM OF THE RINCON RESEARCH TRACT AS SHOWN IN PB C57, PG. D1.

NOTES:  
 1. IN MY OPINION, IN ACCORDANCE WITH F.I.R.M. MAP NO. 1310303086 DATED MARCH 16, 2015, THE LOTS SHOWN IN NEW HAVEN PHASE 2 ARE NOT LOCATED IN THE FLOOD ZONE.  
 2. NO GUARANTEE, EITHER STATED OR IMPLIED IS MADE THAT THIS PROPERTY IS NOT SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, RESTRICTIONS, SUB-SURFACE CONDITIONS, OR ANY OTHER MATTERS OF TITLE THAT ARE NOT VISIBLE, NOT DISCLOSED, OR NOT DISCOVERED BY THE TITLE EXAMINATION.  
 3. THE COORDINATES AND BEARING, AS SHOWN HEREON, ARE IN ACCORDANCE WITH THE GEORGIA STATE PLANE GRID COORDINATE SYSTEM, EAST ZONE, NAD83.  
 4. PROPERTY IDENTIFICATION NUMBER IS 04160020P00.  
 5. OWNER: ERNEST COMMUNITIES LLC.  
 6. WETLANDS WERE TAKEN FROM WETLAND PERMIT MAPS OF RECORD. WETLANDS STATUS CHANGE OFTEN AND SHOULD BE VERIFIED BY A WETLAND COMPANY AND THE U.S. ARMY CORP OF ENGINEERS.  
 7. WETLANDS THAT MAY EXIST ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS AND/OR THE DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS AND THE DEVELOPER ARE SUBJECT TO PENALTY BY LAW FOR THE DISTURBANCE TO THESE PROTECTED AREAS WITHOUT PROPER PERMIT AND APPROVAL.  
 8. SITE MAY BE SUBJECT TO BUILDING SETBACKS.  
 9. ALL CORNERS ARE 5/8" IRON PINS SET UNLESS NOTED OTHERWISE.  
 10. SIDEWALKS SHALL BE PRIVATELY MAINTAINED BY THE HOME OWNERS ASSOCIATION.

LEGEND  
 ■ CMF = CONCRETE MONUMENT FOUND  
 ○ IFS = IRON PIN SET  
 ● IFF = IRON PIN FOUND



IT IS HEREBY CERTIFIED THAT A CORPORATION DULY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF GEORGIA BY ERNEST COMMUNITIES LLC, IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED THEREON, AND THAT ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES SHOWN HEREON ARE DEDICATED TO PUBLIC OR PRIVATE USE AS NOTED.

WITNESS \_\_\_\_\_ ERNEST COMMUNITIES LLC  
 CORPORATE NAME  
 WITNESS \_\_\_\_\_ OWNER

THE SUBDIVISION PLAT KNOWN AS NEW HAVEN PHASE 1 HAS BEEN FOUND TO COMPLY WITH THE EFFINGHAM COUNTY SUBDIVISION REGULATIONS AND WAS APPROVED BY THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS FOR RECORDING IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA

DATE \_\_\_\_\_  
 CHAIRMAN OF EFFINGHAM COUNTY BOARD OF COMMISSIONERS  
 WITNESS \_\_\_\_\_  
 CLERK OF EFFINGHAM COUNTY BOARD OF COMMISSIONERS

ENGINEER'S CERTIFICATE OF APPROVAL  
 I HEREBY CERTIFY THAT THE STREETS, DRAINAGE SYSTEM, SEWER SYSTEM, AND WATER SYSTEM IN THE SUBDIVISION KNOWN AS NEW HAVEN PHASE 1 SHOWN ON THE PLAT DATED JANUARY 19, 2022 PREPARED BY HUSSEY GAY BELL HAS BEEN INSTALLED IN ACCORDANCE WITH THE PRELIMINARY PLAN (CONSTRUCTION DRAWINGS) APPROVED JULY 18, 2020.

AS REQUIRED BY SUBSECTION (b) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR STATEMENTS SHOULD BE KEPT BY ANY PURCHASER OR USER OF THIS PLAT AS TO THE VALIDITY OF ANY FUTURE EVIDENCING THE UNDISPONED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE HANDBOOK TECHNIQUE STANDARD FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE, CORRECT, AND ACCURATE SURVEY AS REQUIRED BY EFFINGHAM COUNTY SUBDIVISION REGULATIONS AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, AND THAT THE MONUMENTS SHOWN HAVE BEEN LOCATED AND PLACED TO THE SPECIFICATIONS SET FORTH IN SAID REGULATIONS.

REGISTERED ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_ P. NATHAN BROWN, RLS

MAJOR SUBDIVISION  
 NEW HAVEN, PHASE 2, PORTION OF PARCEL 5 & 6, FORMERLY PORTION OF TRACT 2 OF THE RINCON RESEARCH TRACT, LANDS OF ERNEST COMMUNITIES LLC, 9TH G.M.D., EFFINGHAM COUNTY, GEORGIA  
 FOR: ERNEST COMMUNITIES LLC.

PLAT DATE: MAY 31, 2023  
 REVISIONS:  
 JOB NO.  
 SCALE: 1" = 40'

ERROR OF CLOSURE: FIELD - 1/75,000  
 ERROR OF CLOSURE: PLAT - 1/250,578  
 ANGULAR ERROR: 1" PER POINT  
 NUMBER OF LOTS: 42  
 AREA: 4.4 ACRES  
 EQUIPMENT USED: TOTAL STATION  
 SCALE: 1" = 40'

**HUSSEY GAY BELL**  
 Established 1958  
 329 COMMERCIAL DRIVE, SAVANNAH, GA 31406 / T:912.354.4626



**EFFINGHAM COUNTY**  
**FINAL PLAT SUBMITTAL FORM**

**OFFICIAL USE ONLY**

Date Received: \_\_\_\_\_ Project Number: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

Name of Subdivision New Haven Phase 2

Name of Applicant/Agent Beth Holley Phone 912.398.6779

Company Name Ernest Communities LLC

Address 10393 Ford Ave, Richmond Hill, GA 31324

Owner of Record\* Ernest Communities LLC Phone 912.398.6779

Address 10393 Ford Ave, Richmond Hill, GA 31324

Engineer\* Hunter Whitfield - Hussey Gay Bell Engineers Phone 912.354.4626

Address 329 Commercial Drive, Savannah, GA 31406

Surveyor\* Nathan Brown - Hussey Gay Bell Engineers Phone 912.354.4626

Address 329 Commercial Drive, Savannah, GA 31406

\*Information may be left blank if it is the same as indicated on the sketch plan submittal form

Total acreage subdivided 6.49 ac. Zoning PD Number of Lots 42

Date of sketch plan approval April 22, 2019 Date of preliminary plan approval June 18, 2020

Map#/Parcel# to be subdivided 04160020F00 List all contiguous holdings in the same ownership:

Map#/Parcel# \_\_\_\_\_

Water supply Effingham County

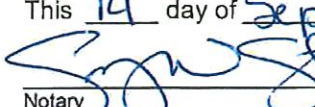

Sewer supply Effingham County

Have any changes been made since this Subdivision was last before the County Commission? No

If so, please describe: \_\_\_\_\_

The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This 14 day of September, 2023

Notary   


Applicant Beth Holley  
Owner Beth Holley

# EFFINGHAM COUNTY

## FINAL PLAT CHECKLIST

**OFFICIAL USE ONLY**

Subdivision Name: \_\_\_\_\_ Project Number: \_\_\_\_\_  
 Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

The following checklist is designed to inform applicants as to what is required in preparing final plats for review by Effingham County. The Final Plat must be drawn in ink by a Georgia Registered Land Surveyor on Mylar, and four (4) paper copies must be included. The Final Plat must have all necessary signatures before consideration by the Board of Commissioners. After the Final Plat is approved, the County Clerk will record the Final Plat with Clerk of Superior Court of Effingham County.

Office Use	Applicant Use	
<b>Project Information:</b>		
	X	1. Graphic scale.
	X	2. Lot areas in accordance with the applicable zoning regulation or preliminary plan for planned development.
	X	3. North arrow.
	X	4. Land reference point.
	X	5. Point of beginning designated.
	X	6. Date of preparation (under Surveyor's signature).
	X	7. Name of Subdivision.
	X	8. Names of adjacent subdivisions and owners of adjoining parcels of land.
	X	9. Names and widths of adjacent streets.
	X	10. Names and widths of streets within subdivision. Names either match existing street names that align with proposed streets, <b>or are not used elsewhere in Effingham County.</b>
	X	11. Plat boundaries darkened.
	X	12. Proposed building setback lines.
	X	13. Location of all existing easements or other existing features.
	X	14. New easements required by Planning Department, County Utilities, Public Works Department, Telephone Company, etc.
	X	15. Lots in new subdivisions are to be numbered consecutively from one to the total number of lots.
	X	16. Lot lines with accurate dimensions in feet and tenths, and angles or bearings to the street when other than 90°.
	X	17. Express dedication statement to the public for streets, alleys, access limitations, right-of-way, parks, school sites, and other public places shown on the attached plat.
	X	18. Name, registration number, and seal of registered land surveyor or professional engineer (signed and dated).
	X	19. Location of city limits and county lines, if applicable.

X	20. Location on the property to be subdivided of natural features such as streams, lakes, swamps, wetlands, and land subject to flood based on current effective FEMA Flood Insurance Rate Map (FIRM).
X	21. Digital copy of final plat geographically referenced to Georgia State Plane Coordinate System as further described on SUBMITTAL OF FINAL PLATS AND RECORD DRAWINGS
X	22. Certificate of Approval – To be signed by County Commission chair.
X	23. Signed Certificate of Accuracy.
X	24. Signed Certificate of Ownership and Dedication – Individuals.
X	25. Signed Certificate of Ownership and Dedication – Corporation (Corporate Seal must be affixed to plats; signature of one corporate officer).
	26. Signed Certificate by Registered Engineer that all permitted improvements were installed in accordance with approved plans, accompanied by two complete sets of as-built construction plans as record drawings.
	27. Signed Warranty Deed conveying all streets, utilities, parks, easements, and other government uses (except ponds), in a form approved by the county attorney.
	28. Maintenance bond, letter of credit, escrow account, or certified check, which is available to the County to cover any necessary repair of infrastructure conveyed by warranty deed for a minimum of 10% of the total construction cost of such improvements.

The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This 14 day of September, 2023

[Signature]  
Notary

[Signature]  
Applicant  
[Signature]  
Owner



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STATE OF GEORGIA                    )  
COUNTY OF \_\_\_\_\_        )

**WARRANTY DEED**

THIS INDENTURE made this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between **ERNEST COMMUNITIES, LLC**, a Georgia limited liability company, as Party of the First Part, hereinafter referred to as Grantor, and the **BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA**, as Party of the Second Part, hereinafter referred to as Grantee (the words “Grantor” and “Grantee” to include their respective, successors and assigns where the context requires or permits).

**WITNESSETH:**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid, at and before the sealing and delivery of these presents, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee the following described property:

ALL THOSE CERTAIN LOTS, TRACTS, OR PARCELS OF LAND SITUATE, LYING AND BEING IN THE 9<sup>TH</sup> G. M. DISTRICT OF EFFINGHAM COUNTY, GEORGIA, AND BEING SHOWN AND DESIGNATED AS THE STREET AND RIGHT-OF-WAY KNOWN AS “HAISLEY RUN” ON THAT CERTAIN PLAT OF NEW HAVEN, PHASE 2, BEING A PORTION OF PARCEL 5 & 6, FORMERLY PORTION OF TRACT 2 OF THE RINCON RESEARCH TRACT, 9<sup>TH</sup> GM DISTRICT, EFFINGHAM COUNTY, GEORGIA, PREPARED BY P. NATHAN BROWN, GRLS 3185, HUSSEY, GAY, BELL AND DEYOUNG, INC., DATED MAY 31, 2023, AND RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA, IN PLAT BOOK \_\_\_\_\_, PAGE(S)\_\_\_\_\_.

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 AFORENAMED STREET OR RIGHT-OF-WAY FOR PUBLIC ACCESS.

TOGETHER WITH the water and sanitary sewer systems and drainage improvements located within said right-of-way and public easements, all located within New Haven 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, sidewalks, 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 New Haven Subdivision, Phase 2, as shown on the aforementioned plat which is incorporated herein for descriptive and all other purposes.

TO HAVE AND TO HOLD said property 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 behoof of the said Grantee forever, in fee simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor, by and through its authorized agent, has hereunto set its hand and seal, on the day and year first above written.

**ERNEST COMMUNITIES, LLC**

BY: \_\_\_\_\_ (Seal)  
Elizabeth K. Williams-Holley, Manager

Signed, sealed, and delivered  
in the presence of:

\_\_\_\_\_  
Witness

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

The foregoing conveyance of streets and drainage, water and sewer improvements in New Haven Subdivision, Phase 2, Effingham County, Georgia is hereby accepted by the Grantee.

**ACCEPTED AND AGREED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

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

BY: \_\_\_\_\_ (Seal)  
Wesley Corbitt  
Chairman

ATTEST: \_\_\_\_\_ (Seal)  
Stephanie Johnson  
Effingham County Clerk

Signed, sealed, and delivered  
in the presence of:

\_\_\_\_\_  
Witness

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