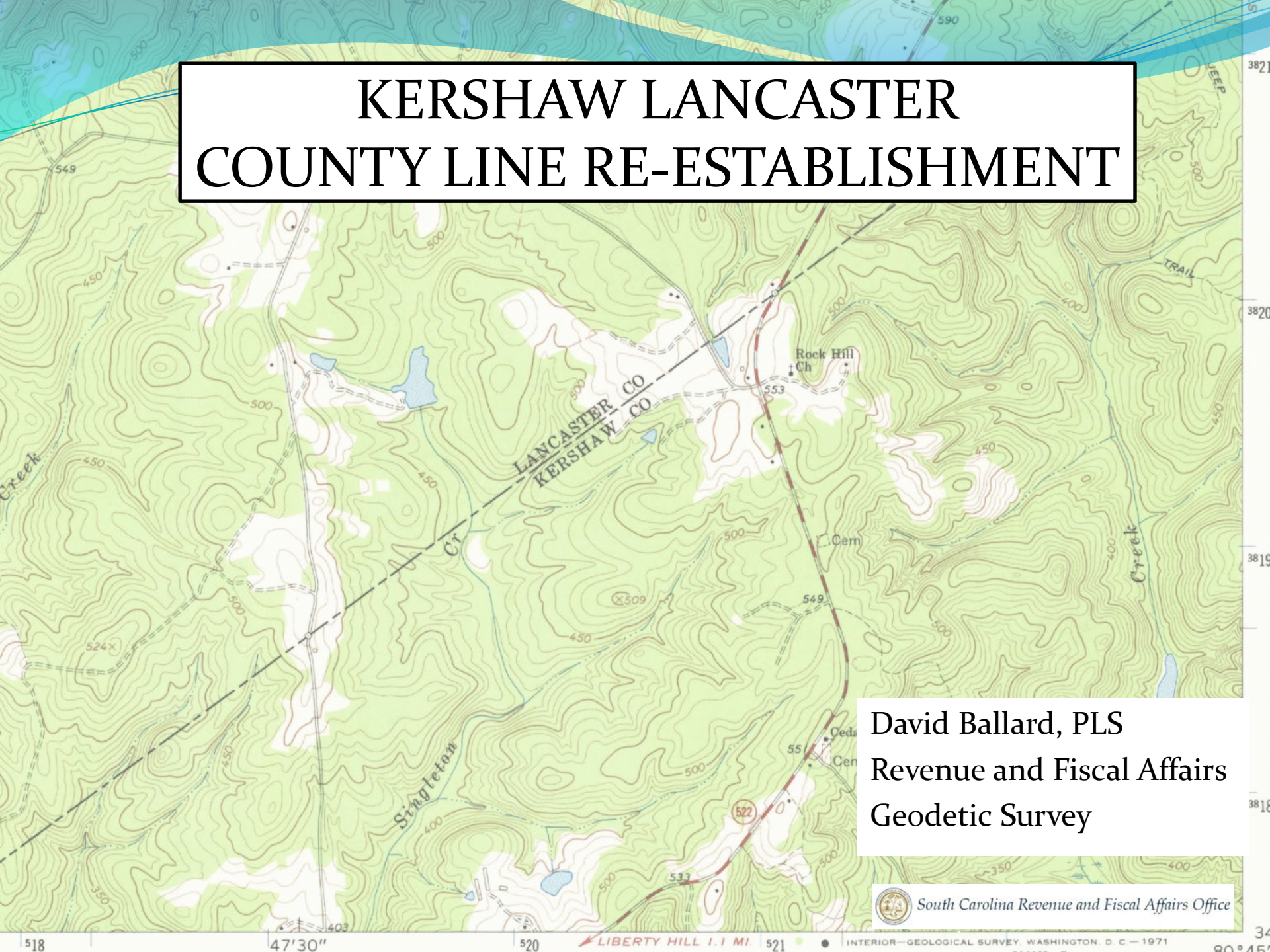


# KERSHAW LANCASTER COUNTY LINE RE-ESTABLISHMENT



David Ballard, PLS  
Revenue and Fiscal Affairs  
Geodetic Survey

# Act No. 262 of 2014

- An Act to amend **Section 27-2-105**
- Relating to the duties of the SC Geodetic Survey (SCGS) with respect to determining county boundaries
- **Purpose:**
  - Exact and precise locations and boundaries of state's political subdivisions are critical for services, enforcement of property rights and election of public officials.
  - Passage of time and growth has led to confusion over statutory county descriptions and the locations of county boundary lines
  - Technology exists now to cost-effectively provide definite and permanent markers of boundary lines
  - Necessary for state government and political subdivisions
  - SCGS is the appropriate instrument to vest with the necessary authority to resolve county boundary issues



# SC Code of Law and Act 262 Of 2014

- **Role of South Carolina Geodetic Survey**

- (1994) Dispute between two or more counties- SCGS will act as mediator to resolve the dispute
- (1994/2014) SCGS to assist counties in defining and monumenting the locations of county boundaries and positioning the monuments using geodetic surveys where counties are ill-defined, unmarked, or poorly marked
- (2014) SCGS will clarify county boundaries as defined in Chapter 3, Title 4
- (2014) SCGS will analyze archival and other evidence and perform field surveys to position geographically all county boundaries in accordance with statutory descriptions
- (2014) To amend section 27-2-105, Code of Laws of South Carolina, 1976, relating to the duties of the South Carolina Geodetic Survey (SCGS) with respect to determining county boundaries, so as to authorize and direct the SCGS to clarify county boundaries and mediate boundary disputes between counties by providing a procedure allowing the SCGS administratively to adjust county boundaries, to provide the procedures including notice that SCGS must follow in making such adjustments, to provide that affected parties may appeal these adjustments to the Administrative Law Court in a de novo hearing, to provide the method of determining the effective date of these administrative county boundary adjustments and the notice requirements for these adjustments to be effective and to provide that nothing contained in this administrative process restricts the authority of the General Assembly by legislative enactment to adjust or otherwise clarify county boundaries by legislative enactment.

Op. S.C. Atty. Gen. 2016 (S.C.A.G. March 1, 2016)


Op. S.C. Atty. Gen. 2018 (S.C.A.G. May 22, 2018)

# Steps for Clarifying Boundaries

- Conduct historical research for documentary evidence of boundaries
- Perform field work to locate monuments and corroborating evidence and position on State Plane Coordinates
- Share preliminary findings with county officials for impact analysis and to plan public meetings
- Receive feedback and input from local officials and public
- Review and update findings, as appropriate
- Work to build cooperation with affected parties



# Public Meeting Notification (Example)

  
SOUTH CAROLINA  
REVENUE AND FISCAL AFFAIRS OFFICE

EDWARD B. GRIMBALL, Chairman  
HOWELL CLOUTING, JR.  
EMERSON F. GOWER, JR.

FRANK A. RAINWATER  
Executive Director

July 25, 2017

Re: *<Street\_Address>*, County: *<County>* TMS /PID *<TMS\_Number>*

Dear Sir or Madam,

Berkeley County and Dorchester County contacted the South Carolina Geodetic Survey (SCGS) requesting the SCGS's assistance to clarify and re-establish their common boundary. Uncertainty regarding the location of the boundary that was established by the creation of Dorchester County in 1897 is causing confusion about jurisdiction. So that this confusion will not continue, Berkeley and Dorchester counties have committed to accurately determining the location of the boundary as defined by the SC Code of Laws, marking it with proper monuments, and referencing it to geographic coordinates. A draft of the survey and other information will be found on the SCGS' website at: [http://rfa.sc.gov/geodetic/cb\\_projectlist/berkdor](http://rfa.sc.gov/geodetic/cb_projectlist/berkdor)

The reason for this letter is two-fold:

The first reason is to inform you of how the proposed re-established Berkeley-Dorchester boundary will/might affect you as a property owner. Included, with this letter, is an aerial photograph showing your property, the proposed re-established Berkeley-Dorchester county line and the parcel (property) lines used by each county.


**For the property referenced in this letter, it appears that there is or may be a significant impact. A significant impact is defined as a residence, place of business, or the majority of a parcel being found in a different county based on the proposed re-established boundary and county GIS lines. The final determination of taxation will be decided by the counties.**

The second reason is to inform you that the SCGS will present its findings and work performed in re-establishing the Berkeley-Dorchester boundary at a public meeting. The meeting will be held in the Dorchester County Council Chambers, 500 N. Main Street (Use Cedar Street Entrance); Summerville, South Carolina 29483; Tuesday August 22nd at 6:00 pm.

If you have any historical or legal information regarding the location of the Berkeley-Dorchester boundary, please bring it to the attention of the SCGS staff so that it can be evaluated with respect to finalizing the re-established boundary. Contact information is provided below and staff will be on hand at the public meeting for review.

If you own several parcels along the re-established boundary, you may receive several letters from this agency. Please let us know if you are not the current owner of this property. If any of this property is leased, using the contact information below, please provide us with the name and address of the current tenants of this property.

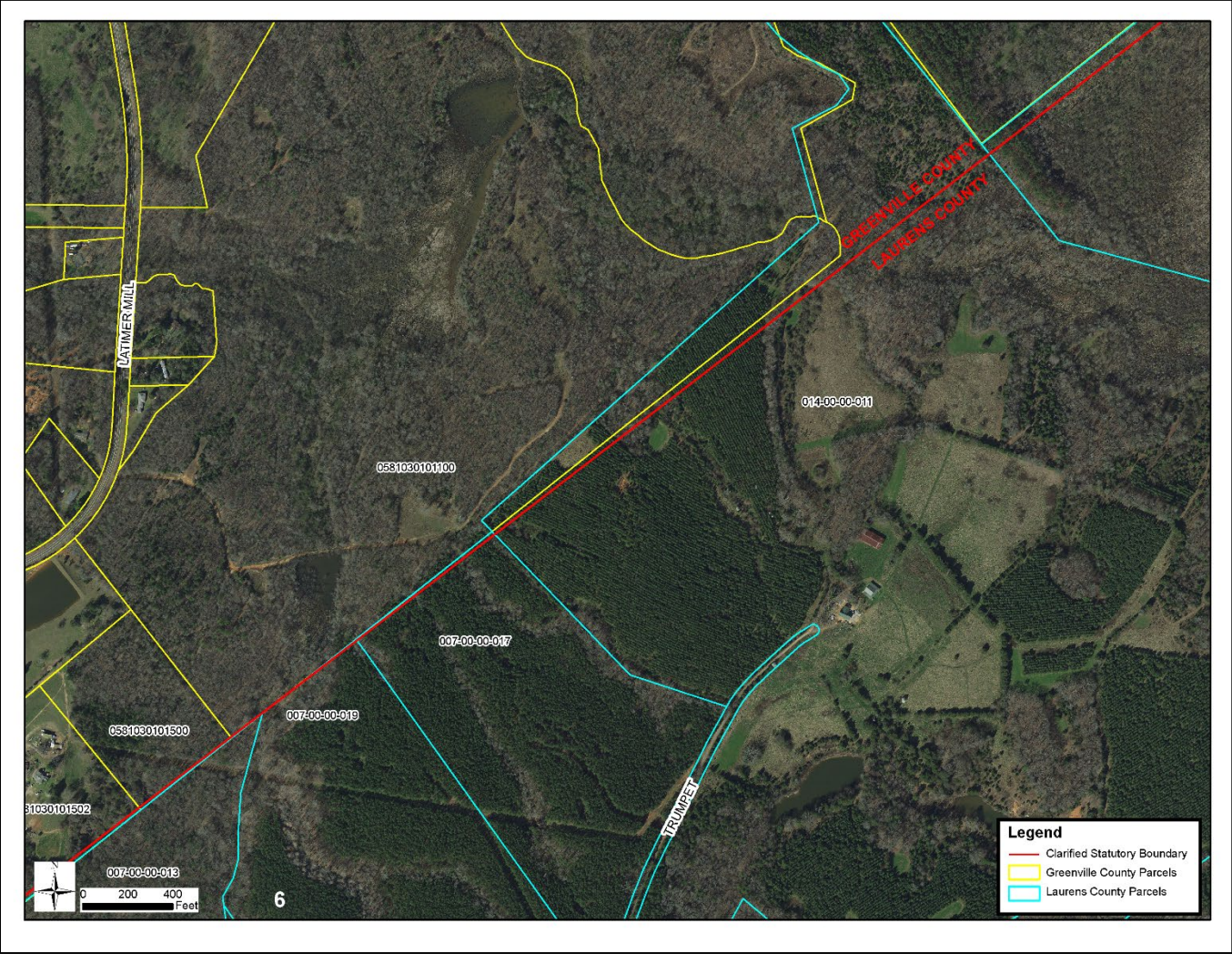
Cordially,



David K. Ballard, PLS  
Manager, County Boundary Program  
SC Geodetic Survey  
5 Geology Road  
Columbia, SC 29212  
(803) 896-7710  
Email: [david.ballard@rfa.sc.gov](mailto:david.ballard@rfa.sc.gov)

1000 ASSEMBLY STREET, SUITE 421 • COLUMBIA, SOUTH CAROLINA 29201 • (803) 734-3793 • RFA.SC.GOV

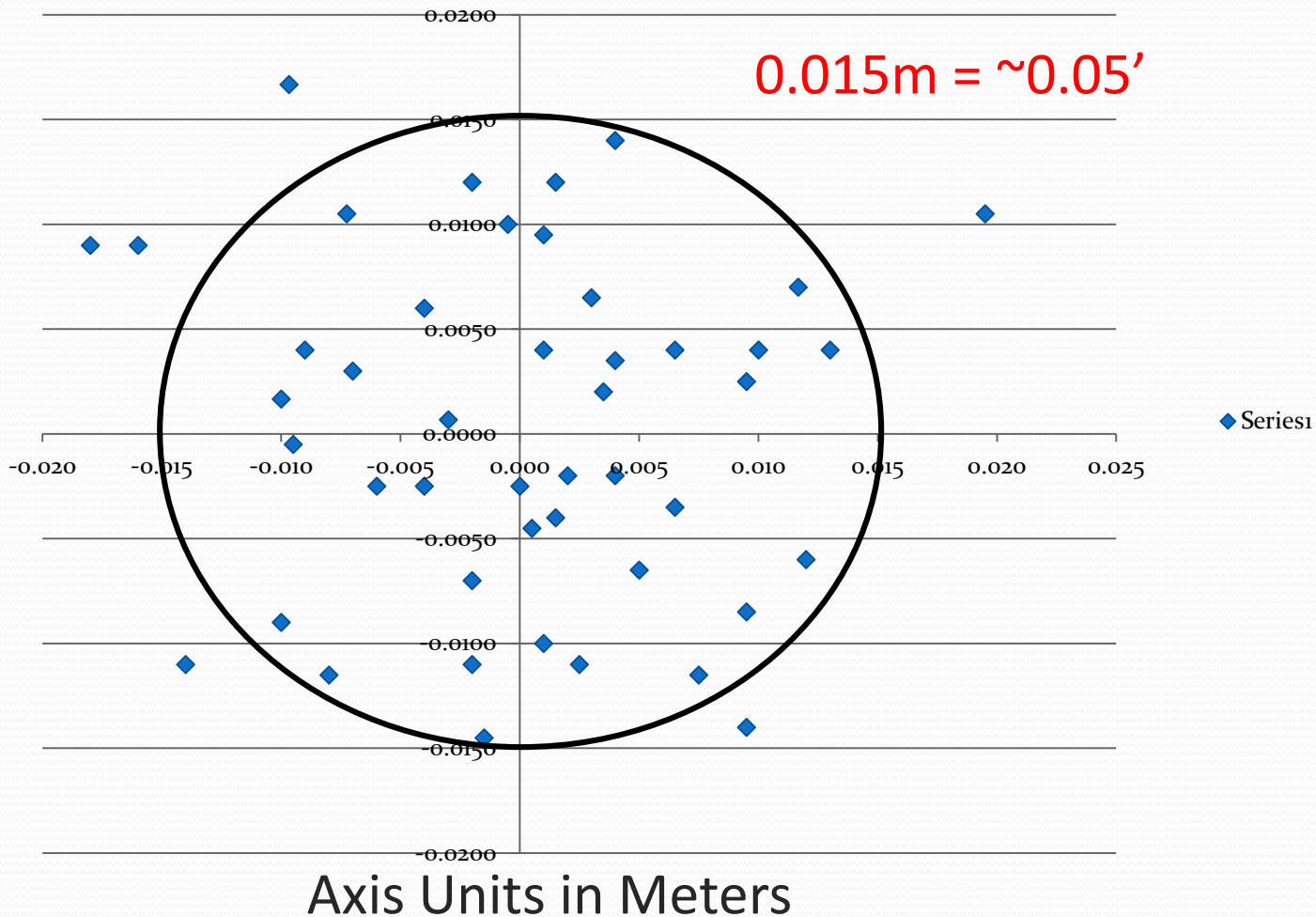
# Public Meeting Notification (Example)



# Scatter Gram of Differences Between Observations

2 – Five Minute Sessions

RMSE(2-D) = 0.020m @95%

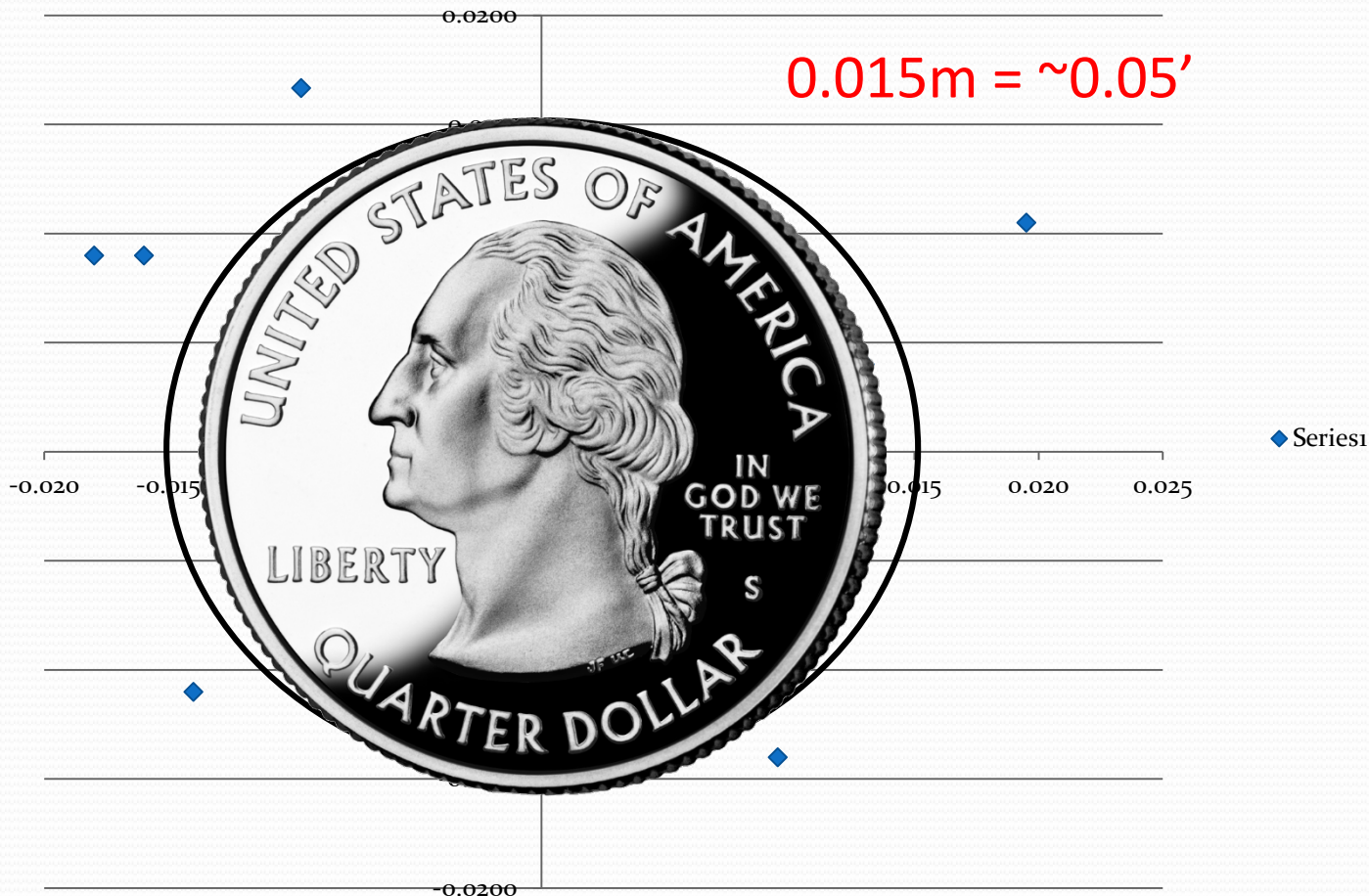


# Scatter Gram of Differences Between Observations

2 – Five Minute Sessions

$$\text{RMSE}(2\text{-D}) = 0.020\text{m} @95\%$$

0.015m = ~0.05'



Axis Units in Meters



# Steps for Clarifying Boundaries

## SC Code of Law SECTION 27-2-105

- **SCGS Requirements:**
  - Upon re-establishing a county boundary, SCGS shall certify its work and within 30 days of certification:
    - Provide copies to the administrator of each affected county;
    - Provide written notification to affected parties
    - Provide notice and copies to the public through its official website and or other means it considers appropriate; and
    - Notify as it determines appropriate, other affected state and federal agencies
  - (Initiates 60 Day Appeal Process)
  - Certified Surveys submitted to Secretary of State, Register of Deeds Offices, and South Carolina Department of Archives with Cover Letter
  - Date of the cover letter is the date the surveys become effective
  - Introduce Legislation to update Code of Law to reflect clarified boundary with State Plane Coordinates

## SC Code of Law SECTION 27-2-105

- **Affected Parties Disagreeing with SCGS:**

- May file request for a contested case hearing with the SC Administrative Law Court
- This decision may be appealed
- **“Affected Party”**
  - Governing body of an affected county
  - Governing body of a political subdivision of this State
  - An elected official, other than a statewide elected official
  - A property owner or an individual residing in the certification zone
  - A business entity located in the certification zone
  - A nonresident individual who owns or leases real property situated in the certification zone

# Chapter 5, Title 4

- **Change of Boundaries**

- **S.C. Code § 4-5-120: Procedure for annexing part of county-** governing body or 10 percent of registered voters petition in writing, shall deposit with the clerk of court an amount of money sufficient to cover the expenses of surveys , plats, annexation commission and the election to be held to determine whether the proposed annexation shall be effected and then file such resolution or petition in the office of the clerk of court
- **S.C. Code § 4-5-130: Appointment of Commission for annexation-** once presented to the governor then within 30 days the governor shall appoint a commission of four persons
- **S.C. Code § 4-5-140: Employment of Surveyors-** commission may contract for survey and location of the proposed change of line and for such purpose may employ 3 surveyors
- **S.C. Code § 4-5-170: Governor shall order election; voting place; eligible electors-** to be held in an area sought to be transferred and an election to be held in the county to which the area is proposed to be transferred
- **Propose and adopt Legislation**



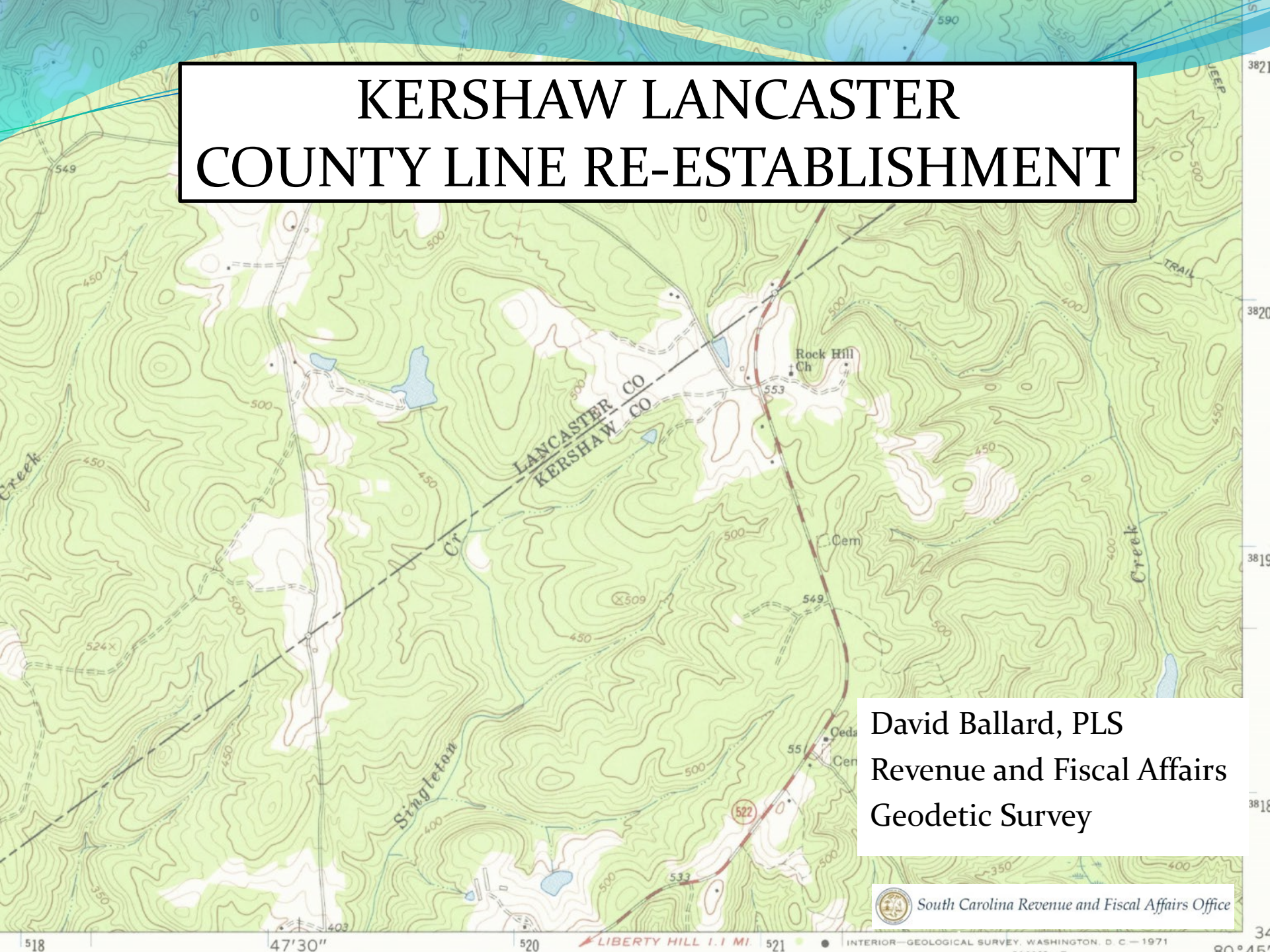
# MONUMENTS

VS

# MONUMENTS



# KERSHAW LANCASTER COUNTY LINE RE-ESTABLISHMENT



David Ballard, PLS  
Revenue and Fiscal Affairs  
Geodetic Survey

# SC CODE of LAW

-Section 4-3-330. Kershaw County:

“... until it intersects the Wateree River and up said river 1/2 mile above Peay's Ferry; on the northwest and north by Lancaster County from which it is divided by the following lines: beginning at a point on Catawba River 1/2 mile above Peay's Ferry, thence N. 54° E. 9 miles 62 chains to stone corner near Russell Place; thence N. 74° E. 1 mile 37 chains and 50 links to corner at Hammond's Springs 75 feet left; thence N. 48° E. 2 miles 63 chains to stone corner near Hanging Rock Bridge; thence south along the Salisbury Road 4 miles 16 chains to corner near Bethel Church; thence N. 66° E. 14 miles 76 chains 16 links to Lynch's River, separating Chesterfield from Kershaw and Lancaster Counties...”



# SC CODE of LAW

-Section 4-3-340: Lancaster County:

“...on the south by Kershaw County from which it is divided by the line mentioned in Section 4-3-330...”

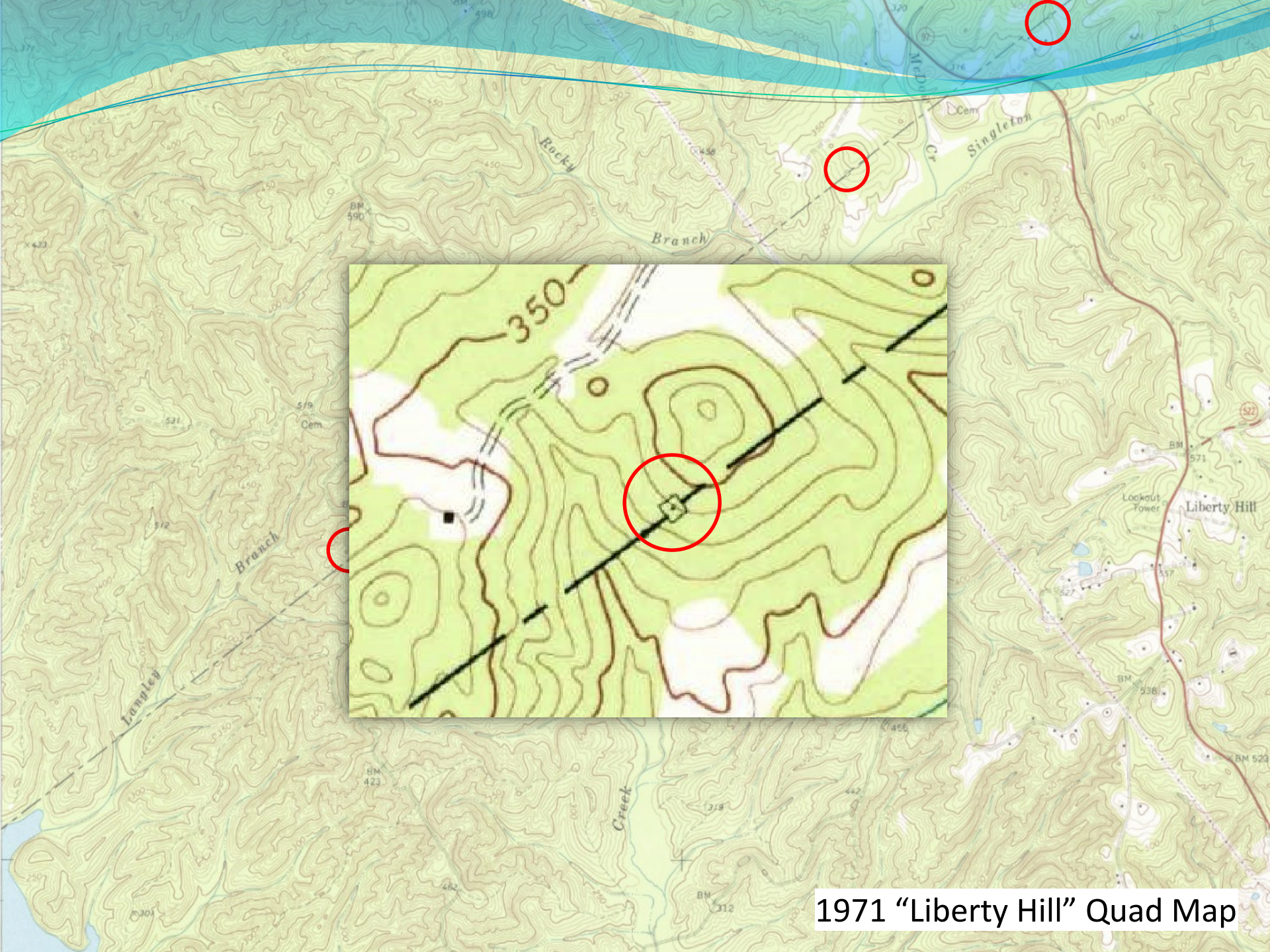
-Section 4-3-341: Lancaster County: (Act No. 348 & 351 of 1977)

“...That portion of Kershaw County shown on a certain SURVEY OF A PORTION OF KERSHAW COUNTY, SOUTH CAROLINA, AS PROPOSED FOR ANNEXATION INTO LANCASTER COUNTY, SOUTH CAROLINA, dated December, 1976, as certified by H. C. Clarkson, Jr., S. C. Reg. L. S. No. 2589, Greenville, W. R. Williams, Jr., S. C. Reg. L. S. No. 3979, Travelers Rest, and William A. Blackwood, Jr., S. C. Reg. L. S. No. 3923, Spartanburg, recorded in the office of the Clerk of Court of Kershaw County in Plat Book 35, at Page 2455, and recorded in the office of the Clerk of Court of Lancaster County as Plat No. 2710...”

-Act 273 of 1979:

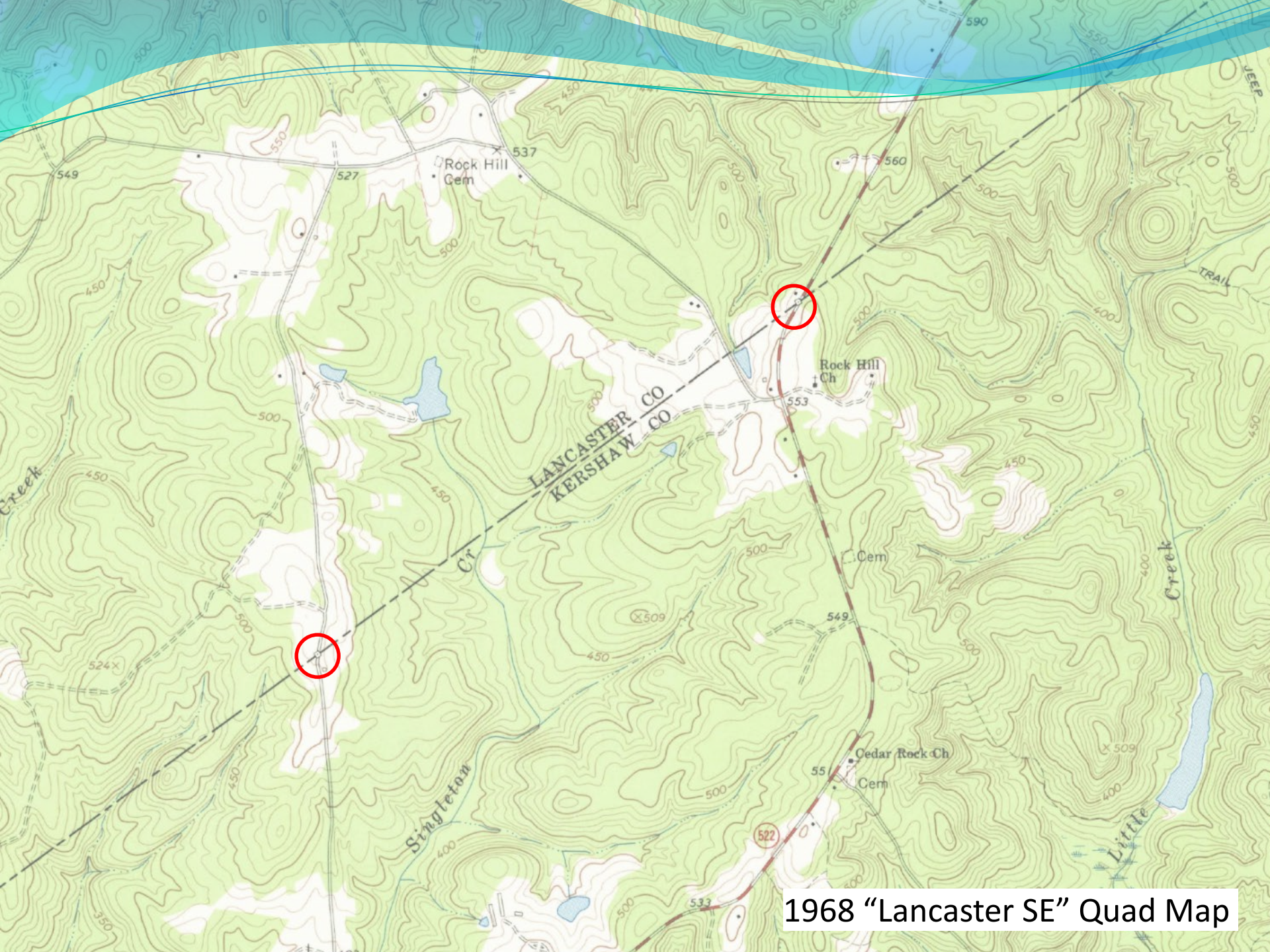
Not updated in the SC Code of Law



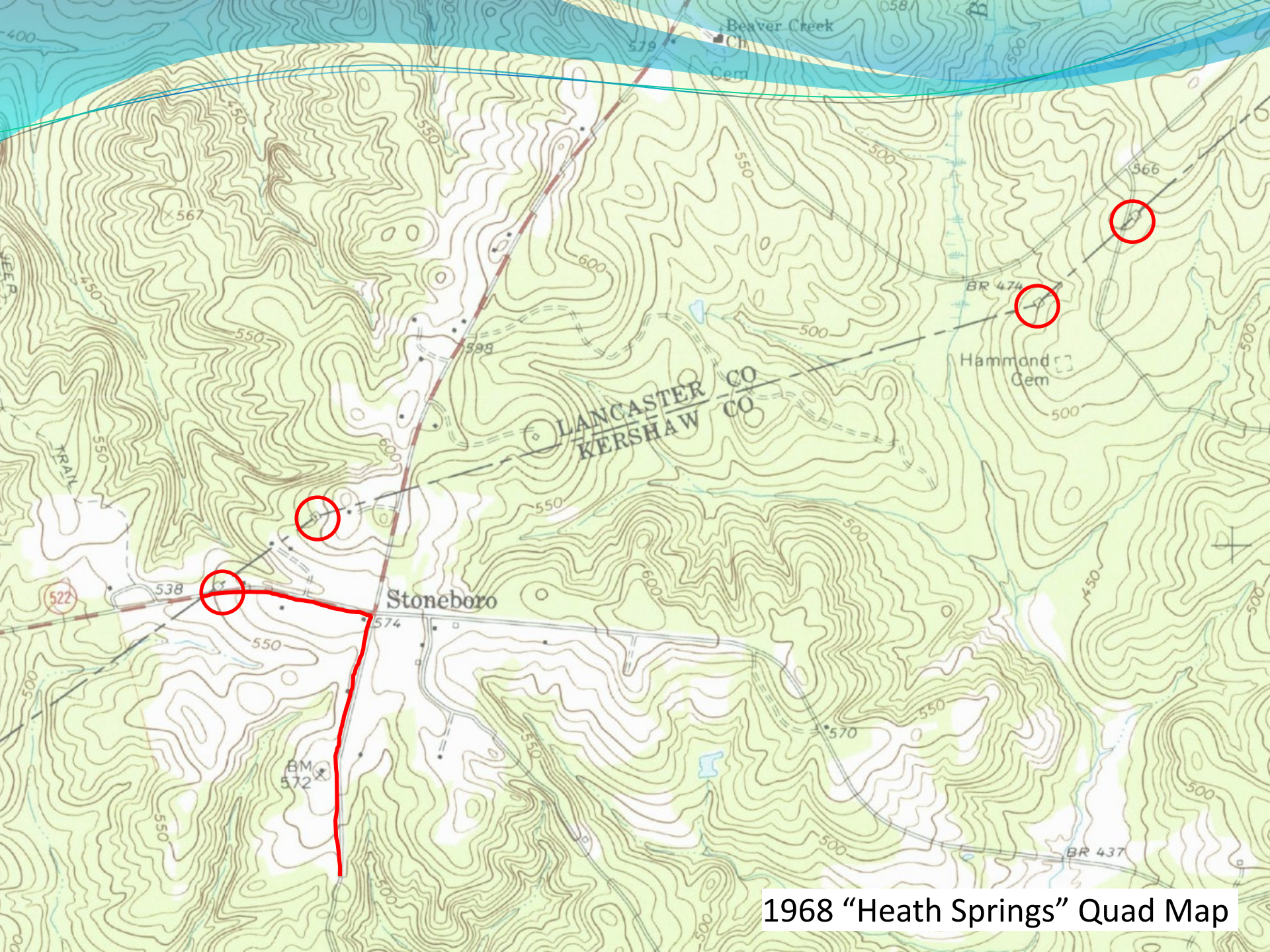


1971 "Liberty Hill" Quad Map

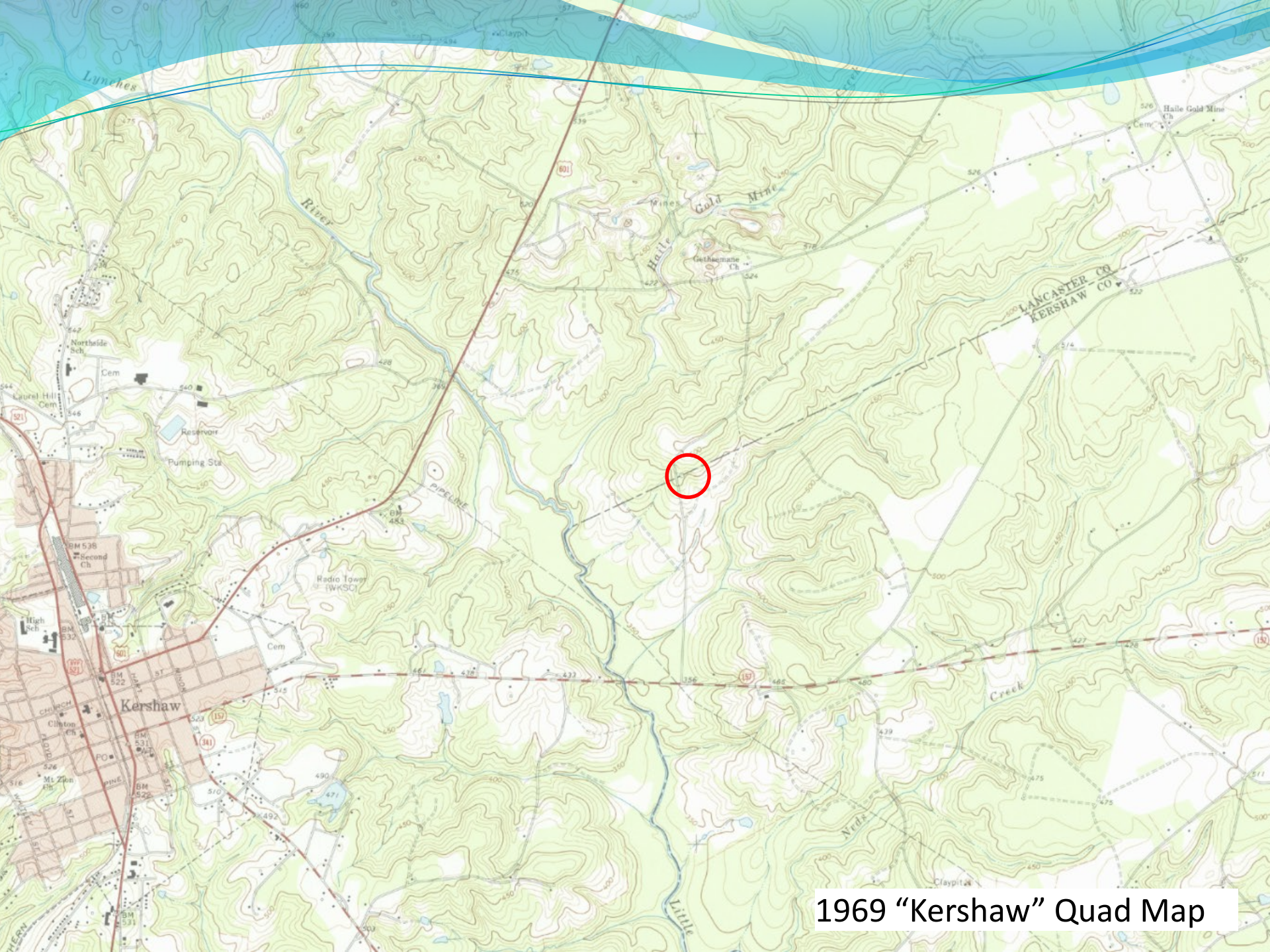




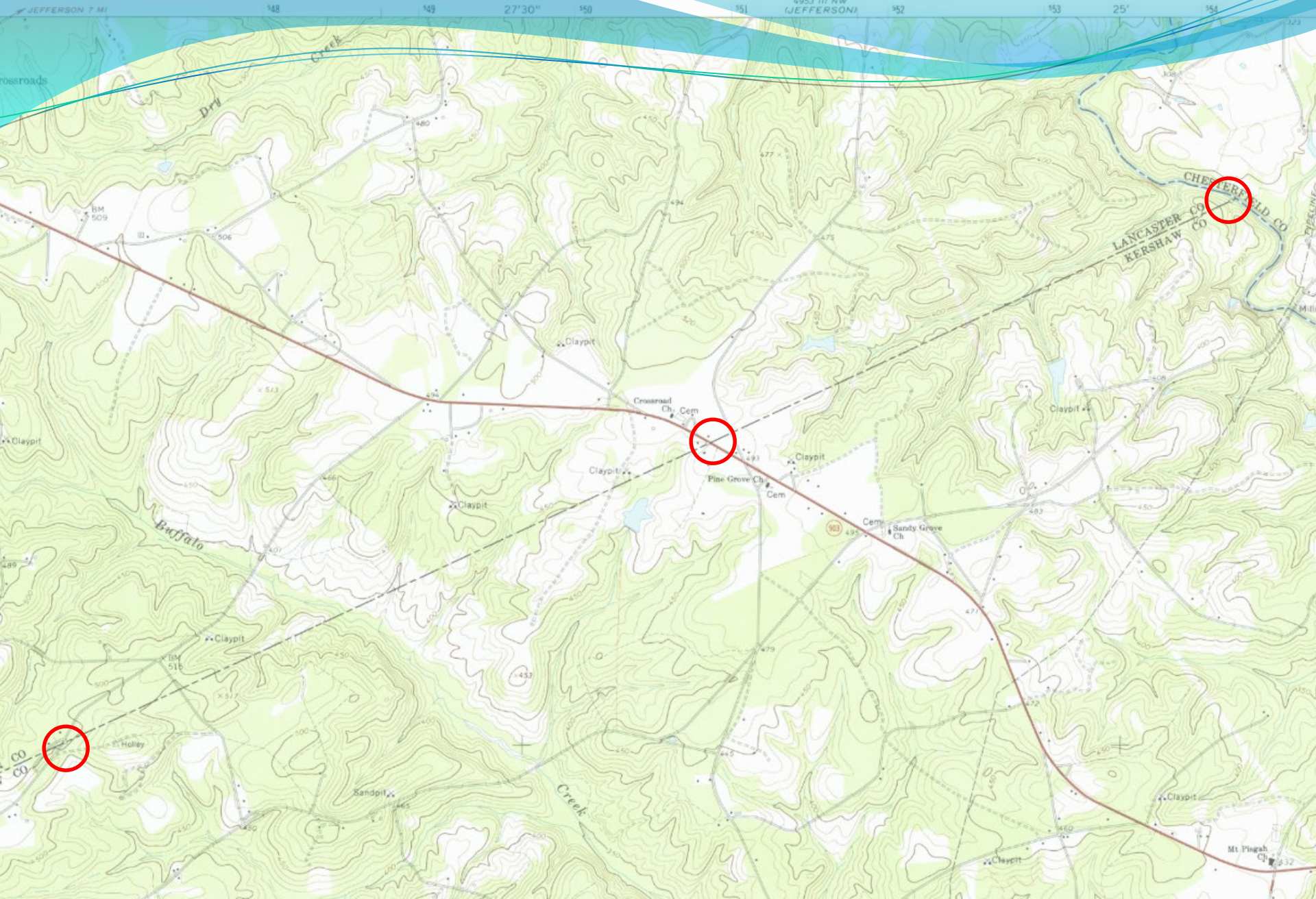
1968 "Lancaster SE" Quad Map



1968 "Heath Springs" Quad Map



1969 "Kershaw" Quad Map



1967 "Mt Pisgah" Quad Map

# New County of Kershaw

*An ACT to establish a county  
in the district of Kershaw*

Lines and  
bounda-  
ries.

County, the  
they are alter  
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thence by a l  
ing-Rock ca  
Flat creek;  
Lynch's cre  
creek to Spi

*An ACT to ascertain and fix the lines of divi-  
sion between the counties of Kershaw and Lan-  
caster, and also those between the said county*

( 243 )

passing of this act, the line to divide the coun-  
ties of Kershaw and Lancaster, shall commence  
at and run from Starke's ferry on the east side  
of the Wateree river, in a direct line to the ford  
of Hanging Rock creek, on the main road lead-  
ing from Camden to Waxaws; from thence  
down the main Charleston road to George Mil-  
ler's; thence in a direct line to Harrison's ford  
on Great Lynch's creek; and that the same shall  
be, and are hereby declared to be the dividing  
lines between the said counties of Kershaw and  
Lancaster.

Dividing  
line be-  
tween  
Lancaster  
and Ker-  
shaw  
counties.



# 1892 Redefinition

## No. 203. AN ACT TO DEFINE AND DECLARE THE BOUNDARY LINES BETWEEN THE COUNTIES OF KERSHAW AND LANCASTER IN THIS STATE.

**Boundary lines designated.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the boundary lines between the Counties of Kershaw and Lancaster shall be as follows: Beginning at a point on Catawba River  $\frac{1}{2}$  mile above Peay's Ferry, thence North 54 E. 9 miles 62 chains to stone corner near Russell Place; thence N. 74 E. 1 mile 37 chains and 50 links to corner at Hammond's Spring 75 feet left; thence N. 48 E. 2 miles 63 chains to stone corner near Hanging Rock Bridge; thence South along the Salisbury Road 4 miles 16 chains to corner near Bethel Church; thence N. 66 E. 14 miles 76 chains 16 links to Lynches' River, separating Chesterfield from Kershaw and Lancaster Counties.

**Repealing clause.**

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 24th, A. D. 1892.

NOTE.—For Act relating to Peay's Ferry on the Catawba River, in Kershaw and Fairfield Counties, see Act No. 162, ante p. 246.



# 1905/1908 Resurvey

No. 552.

AN ACT TO PROVIDE FOR THE RESURVEY  
BOUNDARY LINE BETWEEN THE C  
OF SOUTH CAROLINA.

whom shall be a resident of the Counties of Kershaw or Lancaster; one to be recommended by the Supervisor of Kershaw County and one to be recommended by the Supervisor of Lancaster County, which said surveyors shall resurvey, locate, designate by proper marks the boundary line between the Counties of Kershaw and Lancaster, aforesaid.

SEC. 2. That if said surveyors, so appointed, shall fail to agree as to the said line, or any part thereof, they shall be authorized to call in a third surveyor, who is not a resident of either of said Counties, to decide between them; and in the event said surveyors shall fail to agree on said third surveyor, or shall refuse to call him in, the Governor is hereby authorized to appoint said third surveyor upon the application of the Supervisor of either of said Counties of Kershaw or Lancaster.

SEC. 3. If either of the Supervisors shall fail or refuse to recommend a surveyor, as provided in Section 1, then the Governor shall appoint such surveyor; and the survey and location of the boundary line, as herein provided, shall be made by or before the first of October, A. D. 1905, and the report shall be made to the Governor not later than December 1st, A. D. 1905.

SEC. 4. That the said surveyors shall report in writing to the Governor the result of their work, together with a plat of the line as located, and the reasons for so locating the said line, which said report shall be submitted by the Governor to the General Assembly at its next session.

SEC. 5. That the expenses of such survey shall be paid in equal proportions by the Counties of Kershaw and Lancaster out of any ordinary County funds.

Approved the 4th day of March, A. D. 1905.

1402

A. D. 1908.

STATUTES AT LARGE

No. 656.

AN ACT TO PROVIDE FOR THE RESURVEY AND LOCATION OF  
THE BOUNDARY LINE BETWEEN THE COUNTIES OF KERSHAW  
AND LANCASTER, IN THE STATE OF SOUTH CAROLINA.

Boundary  
line between  
Kershaw and  
Lancaster to  
be resurveyed.

SECTION 1. *Be it enacted* by the General Assembly of the State of South Carolina, That the Governor is hereby authorized and directed to appoint, within three months from the approval of this Act, three competent and disinterested surveyors, neither of whom shall be a resident of the County of Kershaw or Lancaster, which said surveyors shall survey, locate and designate, by proper marks, the boundary line between the Counties of Kershaw and Lancaster aforesaid. An agreement of a majority of said surveyors as to any matter of dispute shall settle the same.

Surveyors  
to make re-  
port.

SEC. 2. That the surveyors so appointed shall proceed to make said survey and report in writing to the Governor the result of their work, together with a plat of the line so located and the reasons for so locating the said line, which said report shall be made to the Governor and by him submitted to the General Assembly at its next session hereafter.

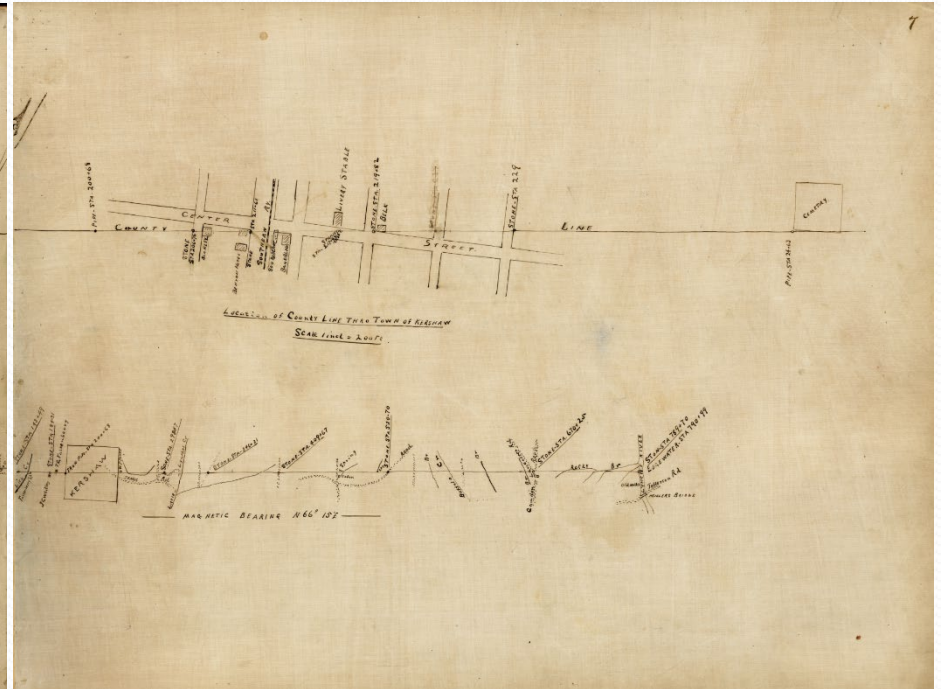
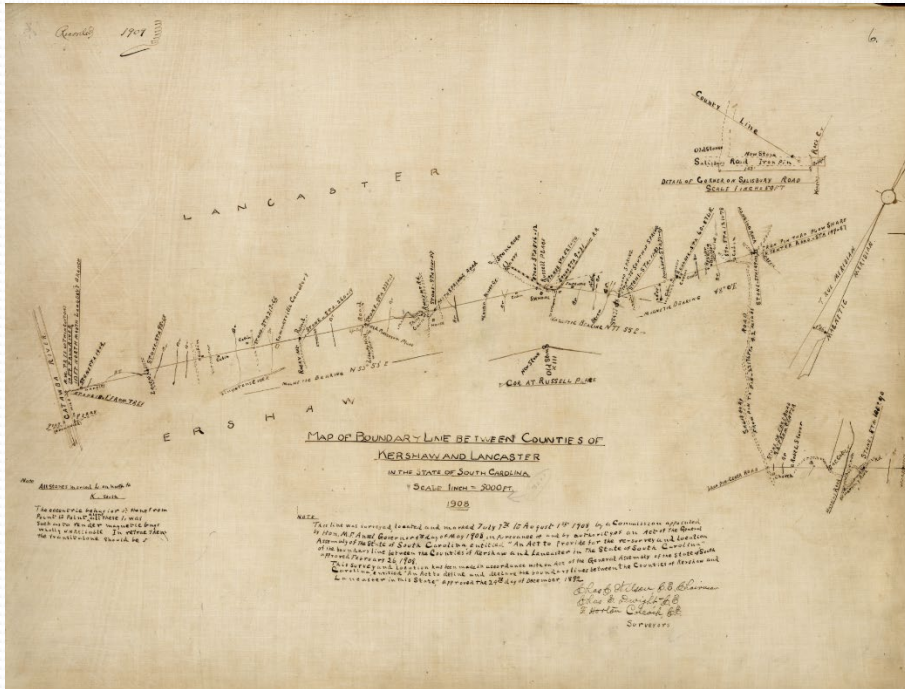
SEC. 3. That the expenses of said survey shall be paid in equal proportions by the Counties of Kershaw and Lancaster out of any ordinary County funds.

SEC. 4. That all Acts or parts of Acts in conflict with this Act are hereby repealed.

Approved the 26th day of February, A. D. 1908.



# 1908 Map of Boundary Line Between Counties of Kershaw and Lancaster





# 1977 and 1979 Annexations

**Time effective**

SECTION 2. This act shall take effect upon approval by the Governor.

Became law without the signature of the Governor.

(R372, H3169) **No. 347**

**An Act To Authorize The Trustees Of Kershaw County To Charge Matriculation Fees For The Academic Year 1977-1978**

Be it enacted by the General Assembly of the State of South Carolina:

**Matriculation and other fees**

SECTION 1. The trustees of the school district may charge matriculation and other incidental fees as provided in the provisions of item (8) of Section 21-230 of the Code of Laws of this State of 1977-1978 only.

**Time effective**

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 28th day of June, 1977.

(R253, S264) **No. 348**

**An Act To Alter The County Lines Of Kershaw County By Annexing A Certain Portion Of Lancaster County To Lancaster County And Make Provisions For The Exemption Of Indebtedness Of Lancaster County.**

Whereas, an election has been held in Kershaw County to determine whether or not the qualified electors residing in that portion of Kershaw County below described wish to have such area annexed to Lancaster County; and

Whereas, in this election in Kershaw County a majority of the votes cast were in favor of such annexation;

and no person shall be a candidate for more than one such office at any one election; but nothing herein shall be construed to prohibit a qualified individual from running as a 'write-in' candidate in the general election."

**Meetings and officers**

SECTION 2. The first paragraph of Section 5 of Act 930 of 1970 is amended by striking the second and third lines and inserting "Board of Trustees shall meet on the second Tuesday of each year at ten a. m. and elect one". The paragraph when amended shall read:

"The Kershaw County Board of Trustees shall meet on the second Tuesday of each year at ten a. m. and elect one of its members chairman for a term of one year, and another as vice chairman for a like period."

**Time effective**

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1979.

(R195, S596) **No. 273**

**An Act To Alter The County Lines Of Kershaw And Lancaster Counties By Annexing A Certain Portion Of Lancaster County To Kershaw County, Make Provisions For Legal And Tax Records And Provide For The Exemption Of Indebtedness By Kershaw County.**

Whereas, an election has been held in Lancaster County to determine whether or not the qualified electors residing in that portion of Lancaster County belowdescribed wish to have such area annexed to Kershaw County; and

Whereas, in this election in Lancaster County more than two-thirds of the votes cast were in favor of such annexation; and

Whereas, an election has been held in Kershaw County to determine whether or not the qualified electors of Kershaw County wish to have such portion of Lancaster County annexed to Kershaw County; and

Whereas, in this election in Kershaw County a majority of the votes cast were in favor of such annexation; and

Whereas, the constitutional and statutory requirements for such annexation have been complied with. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**Lancaster County annexed to Kershaw County**

SECTION 1. That portion of Lancaster County shown on certain surveys of a portion of Lancaster County, as proposed for annexation into Kershaw County, dated September 1978, as certified by Monroe F. Greene, S. C. Reg. L.S. No. 2999, William A. Whitworth, S. C. Reg. L.S. No. 3440, and Larry W. Smith, S. C. Reg. L.S. No. 3740, recorded in the office of the Clerk of Court of Kershaw County in Plat Book 36 at pages 610 and 611 and the same plats as recorded in the office of the Clerk of Court of Lancaster County as Plat Numbers 3825 and 3826, is hereby transferred or annexed to Kershaw County.

**Records transferred**

SECTION 2. Upon application, the clerk of court, sheriff and probate judge of Lancaster County shall furnish certified copies of any judgment roll, entry on abstract of judgment book, will, record, execution, decree, deed, mortgage or other papers signed or recorded in the office of such officers upon payment of proper fees and, when such certified copies are filed or recorded in the proper office of Kershaw County, they shall have the same force and effect in Kershaw County that they had in Lancaster County, and any record not so transferred shall continue in force and effect and each shall have the same force and effect in Kershaw County as if it had been transferred and made a record in the proper office in Kershaw County.

**Indebtedness assumed**

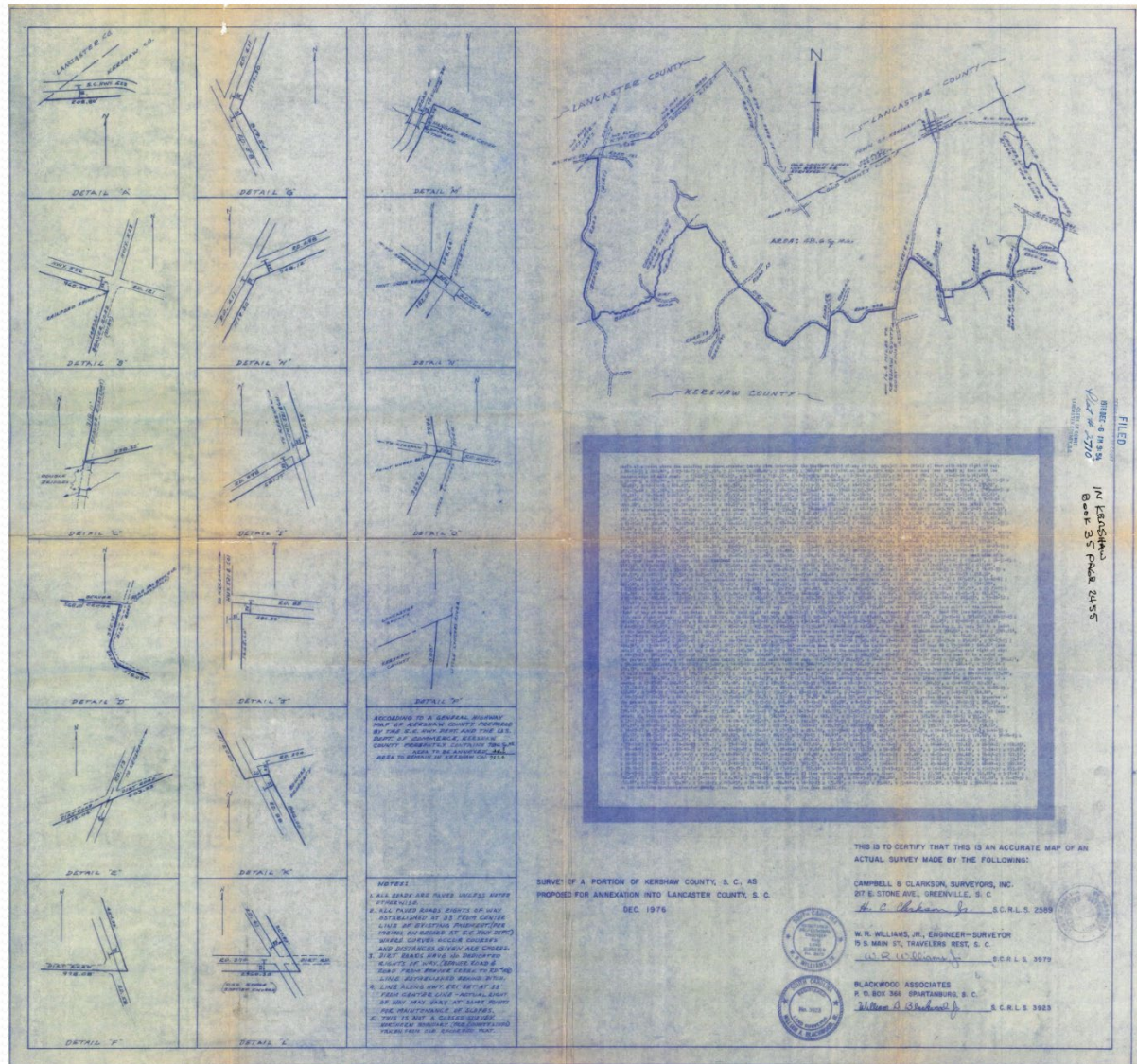
SECTION 3. In accordance with Article VII, Section 7, of the Constitution of South Carolina, 1895, Kershaw County shall assume four thousand dollars of the indebtedness of Lancaster County. The provisions of Sections 3, 4 and 5 of Article VII of the Constitution of South Carolina, 1895, shall also be complied with.

**Tax records**

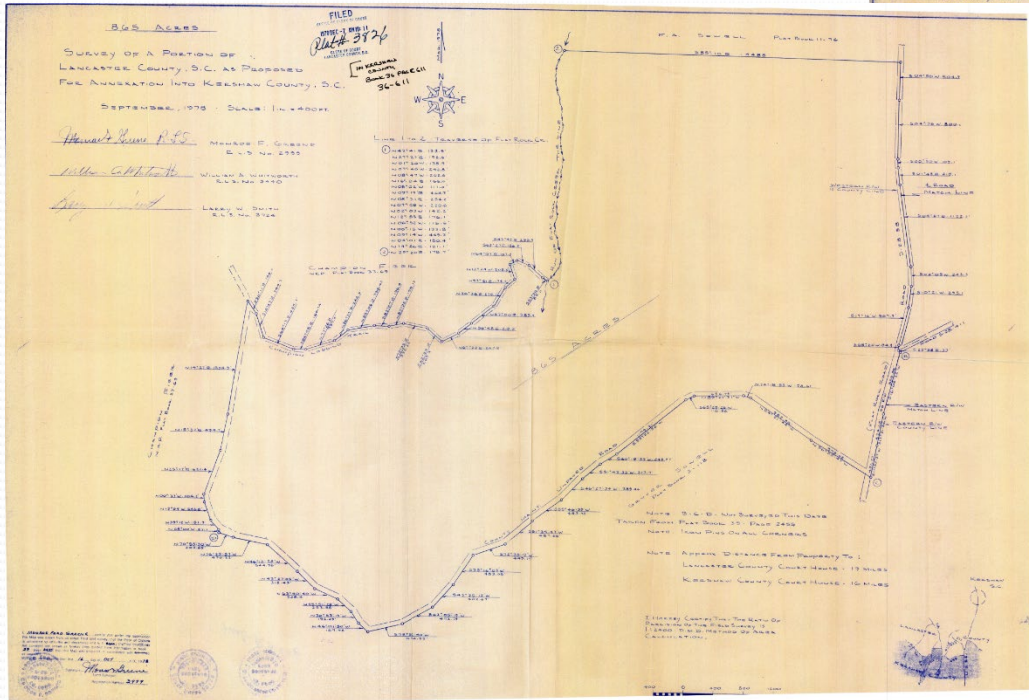
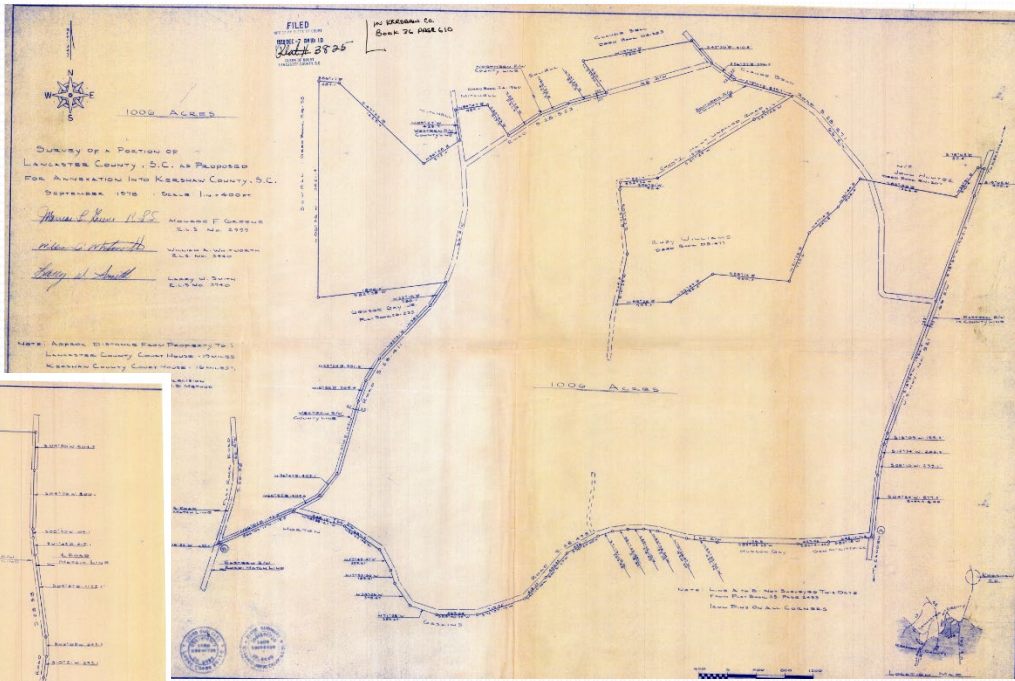
SECTION 4. Lancaster County shall provide Kershaw County copies of all necessary tax records concerning the property annexed to Kershaw County on the basis of actual cost of reproduction of the documents.

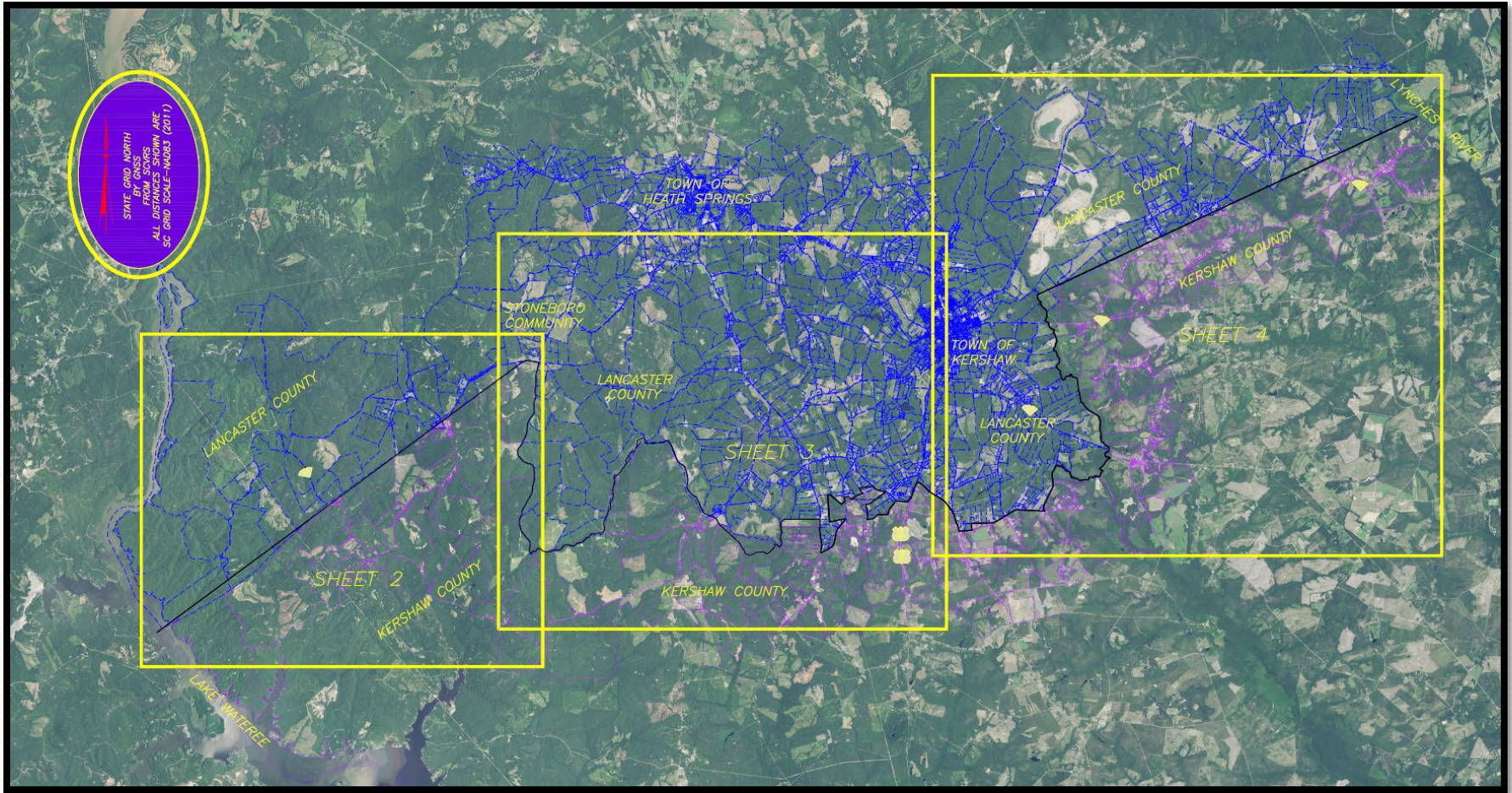
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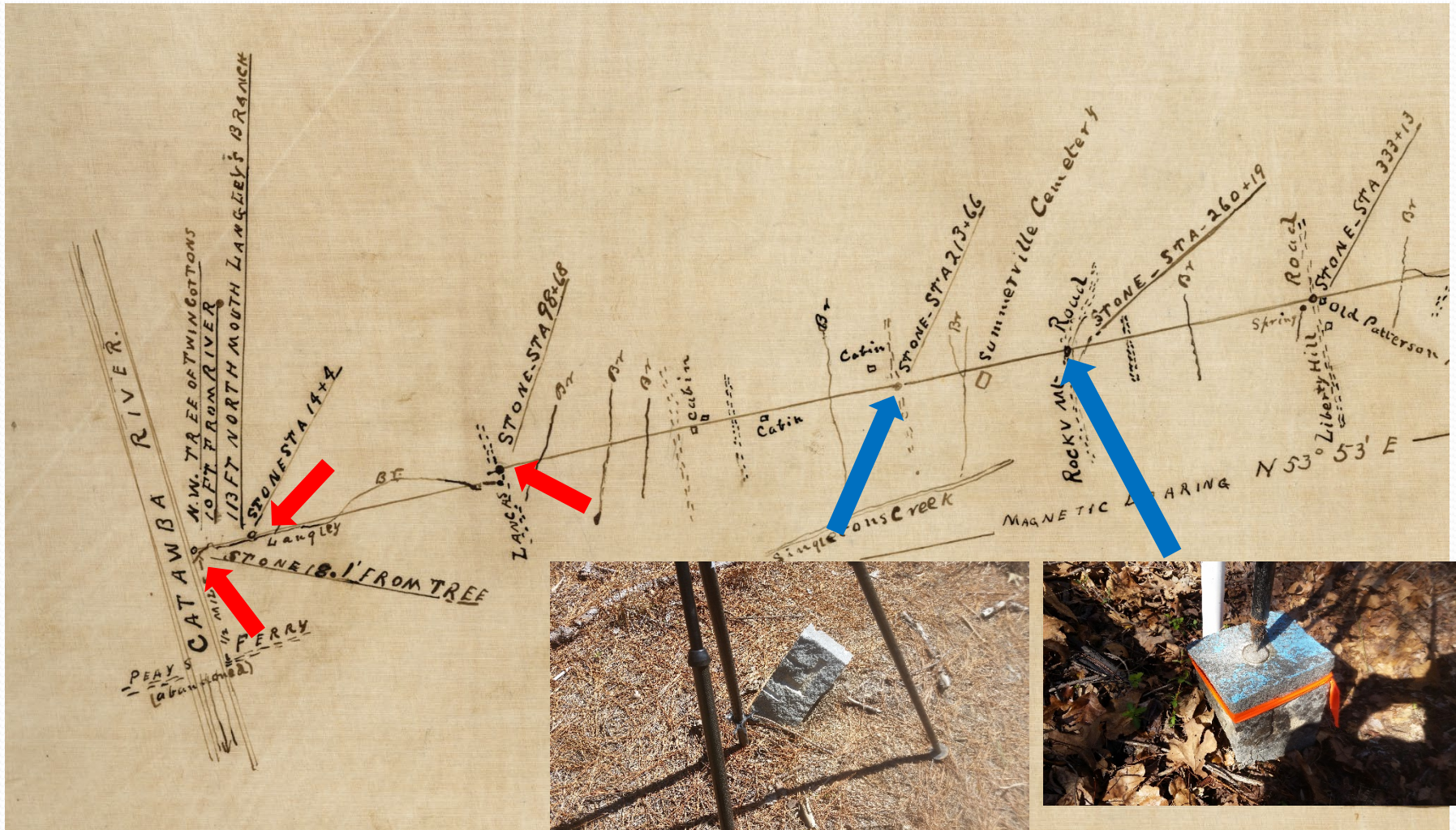
# Plat for 1977 Annexation

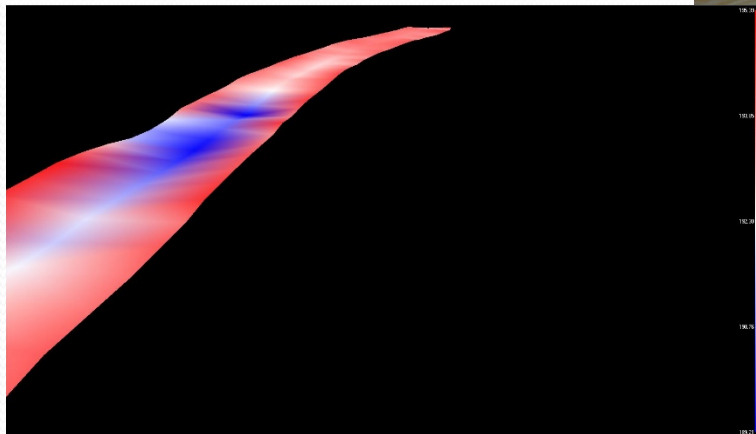
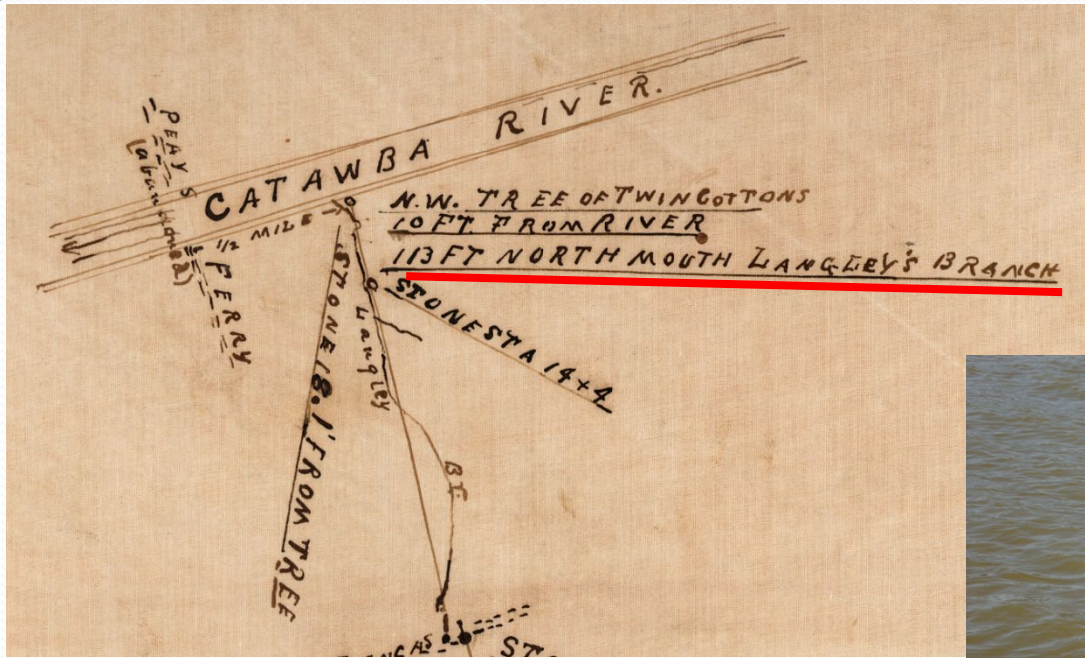


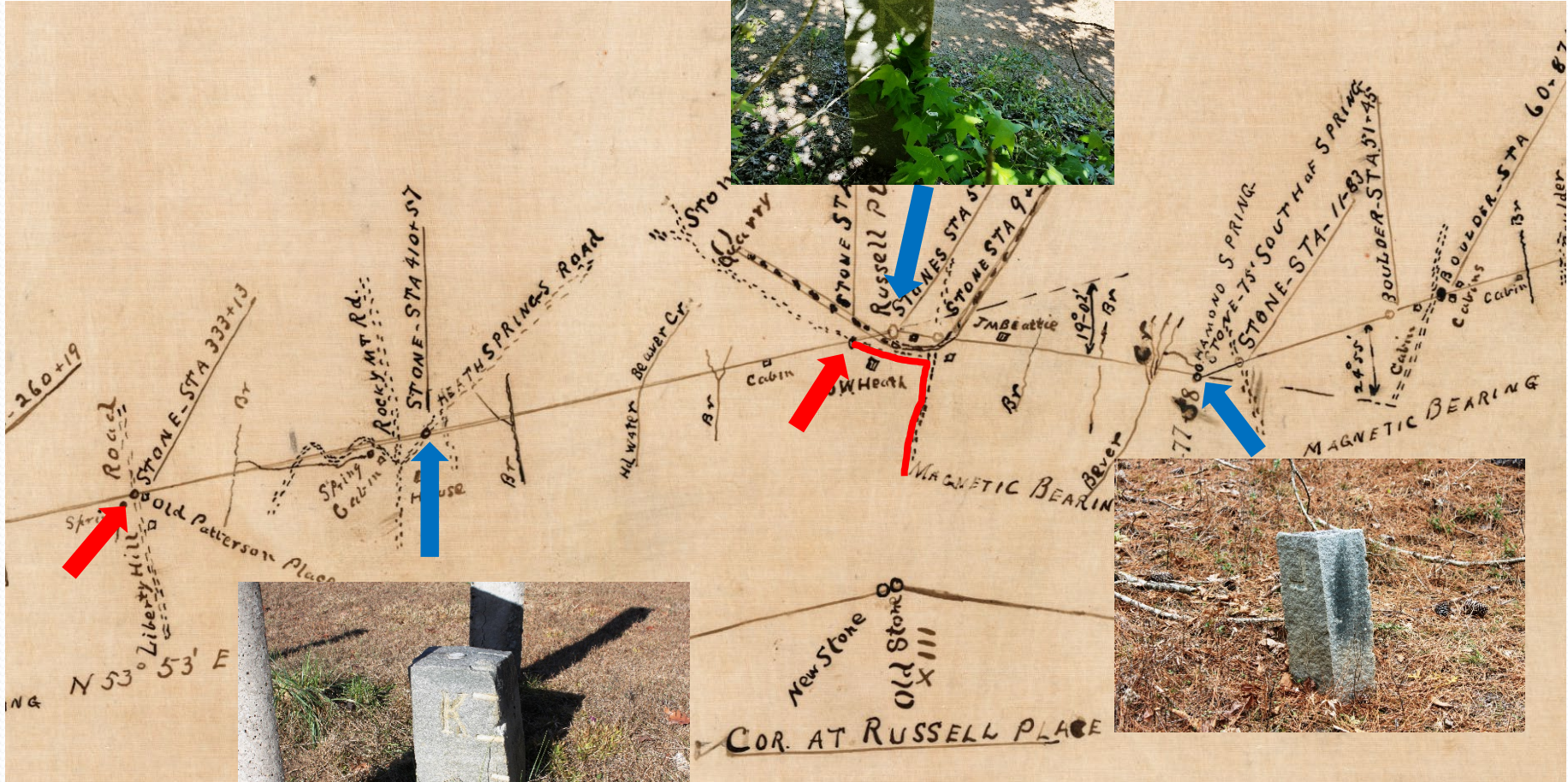
# Plats for 1979 Annexation



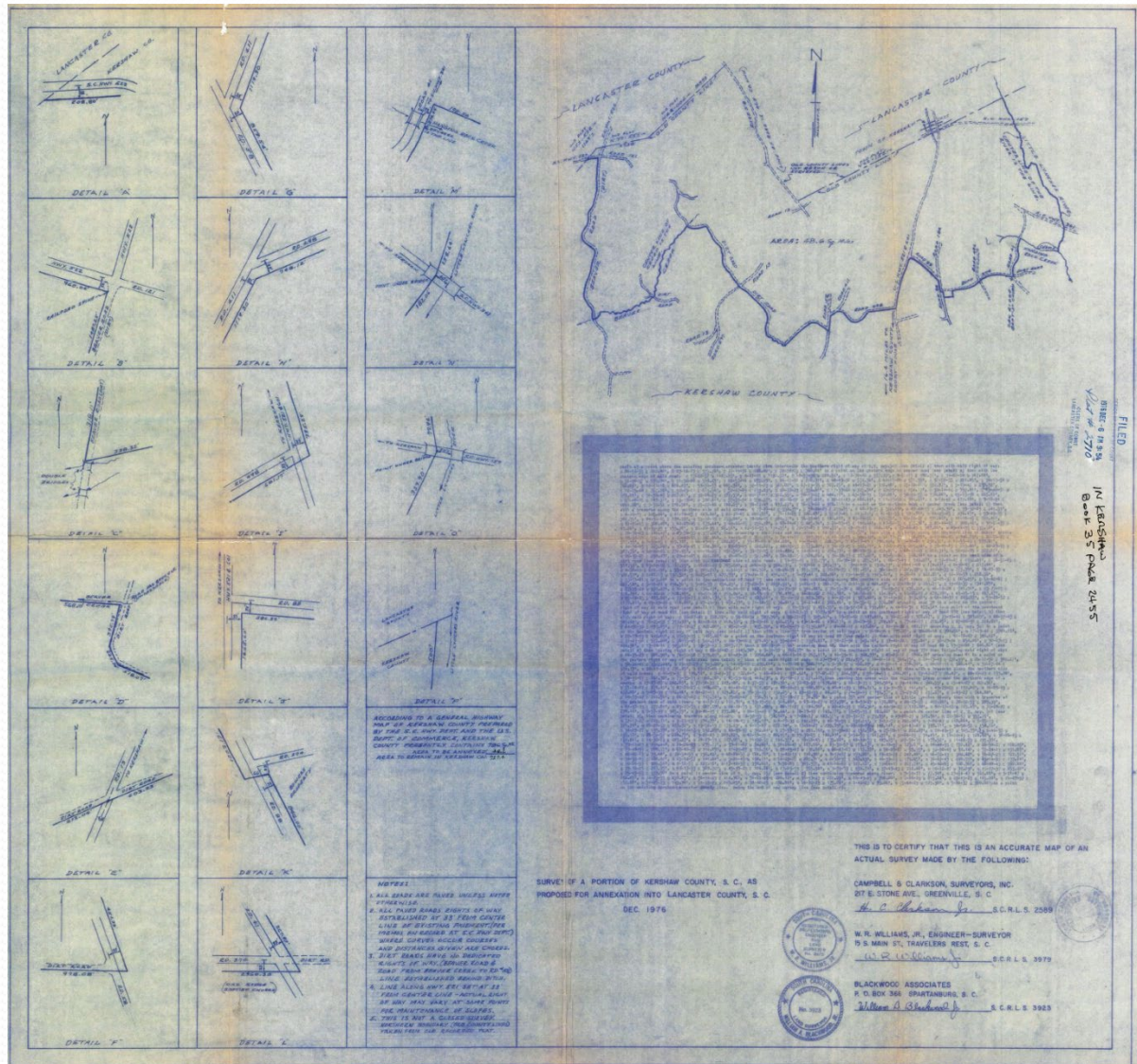






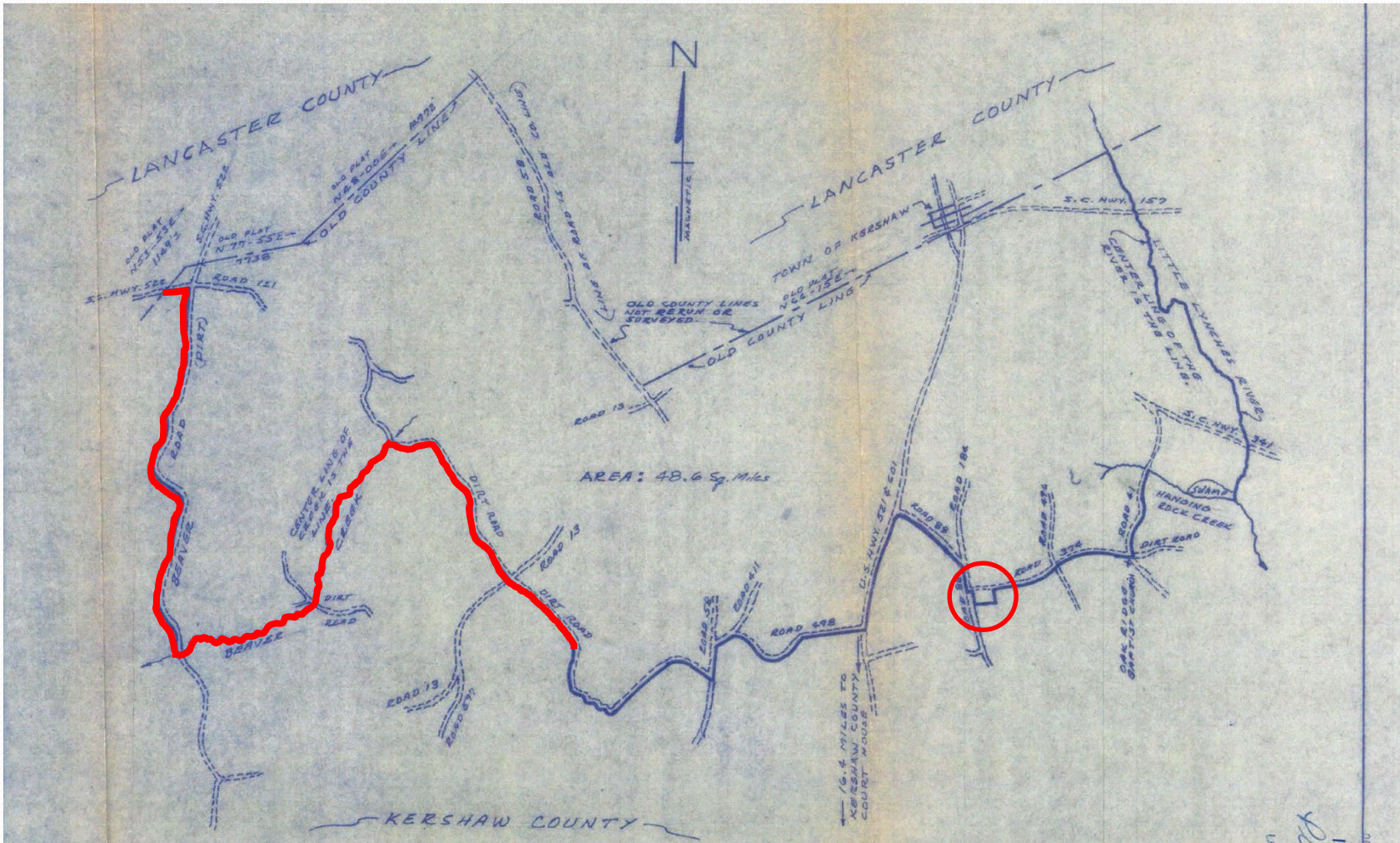


# Plat for 1977 Annexation





# Plat for 1977 Annexation



# 1979 ANNEXATION

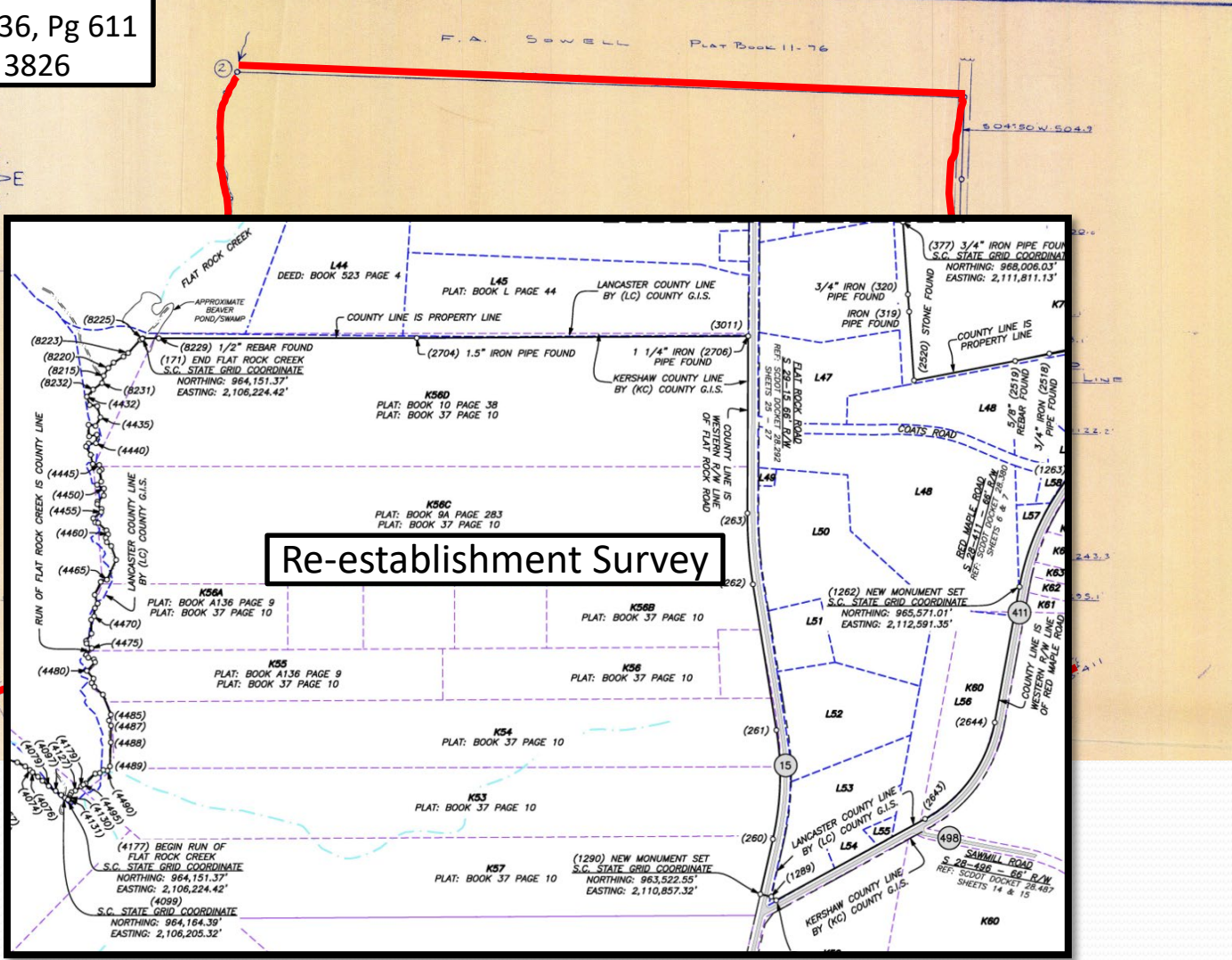
Kershaw Plat Book 36, Pg 611  
Lancaster Plat 3826

Handwritten notes:  
Kershaw  
with  
C-36 PAGE 611  
36-611



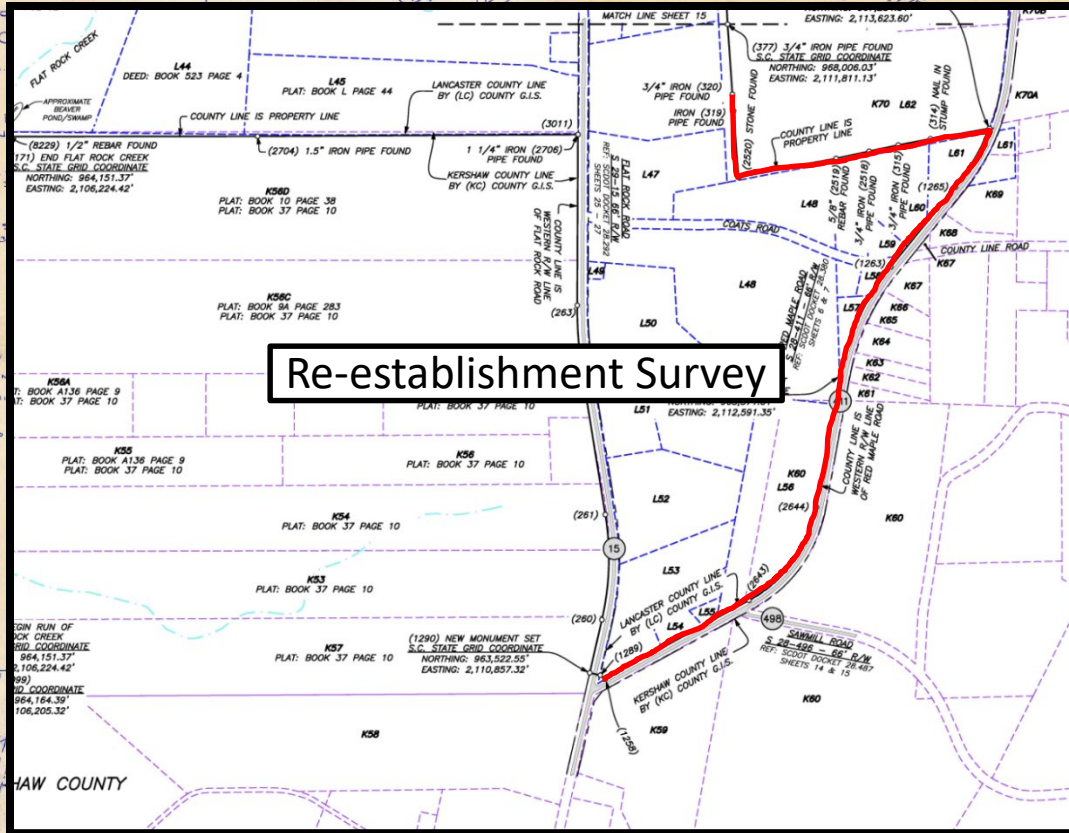
LINE 1 TO 2 TRAV

1	N 43° 41' E	133.5
	N 27° 27' E	152.5
	N 01° 20' W	138.9
	N 07° 48' W	242.8
	N 08° 49' W	202.6
	N 16° 04' E	166.0
	N 08° 02' W	111.0
	N 09° 19' E	464.3
	N 08° 31' E	254.2
	N 07° 08' W	220.6
	N 10° 27' 03" W	142.2
	N 12° 55' E	174.1
	N 06° 52' W	116.6
	N 10° 15' W	133.8
	N 14° 01' E	449.3
	N 29° 26' E	150.4
	N 29° 26' E	121.1
	N 29° 26' E	178.7



# 1979 ANNEXATION

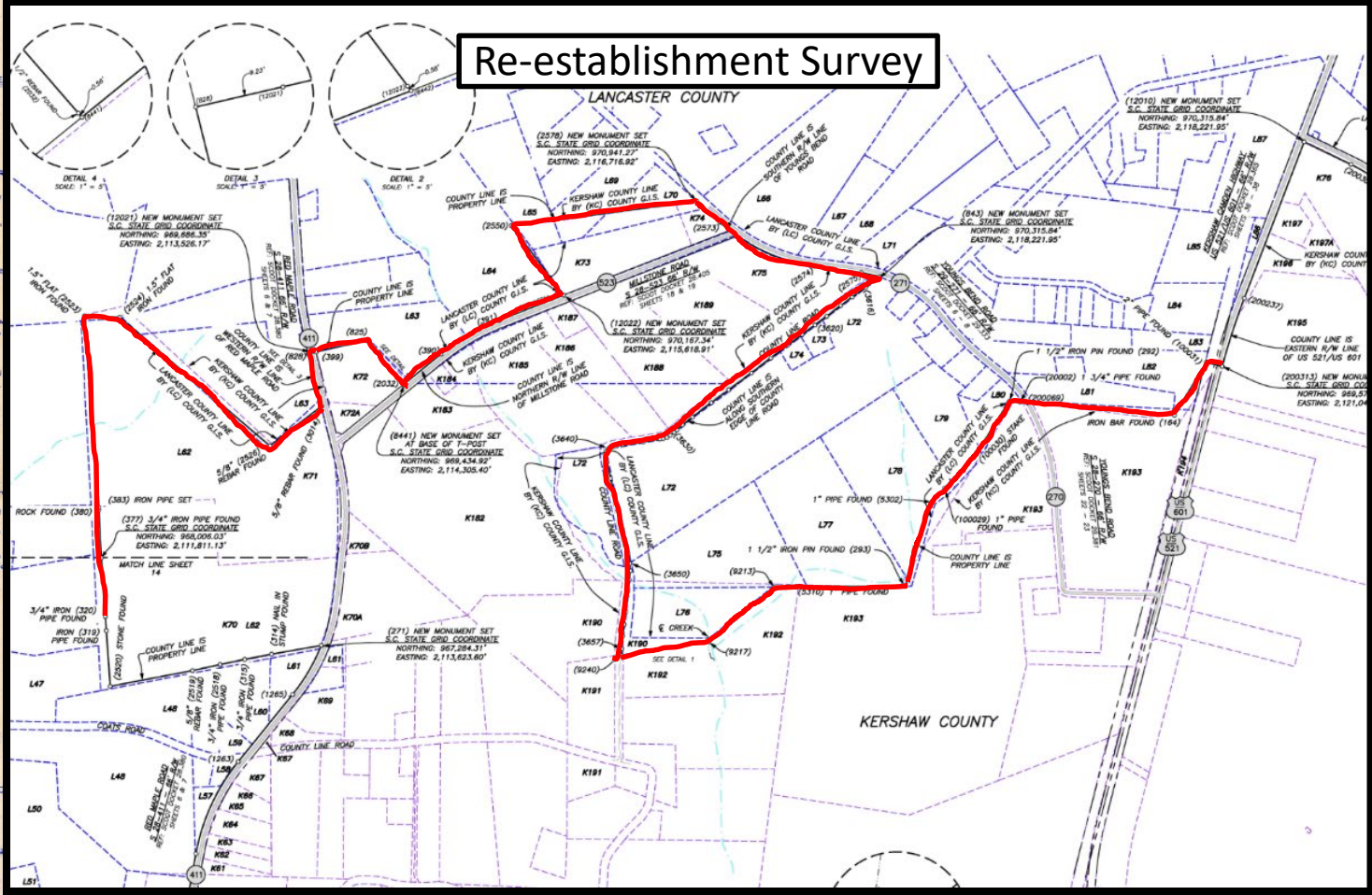
Kershaw Plat Book 36, Pg 610  
Lancaster Plat 3825



Re-establishment Survey

Kershaw Plat Book 36, Pg 610  
Lancaster Plat 3825

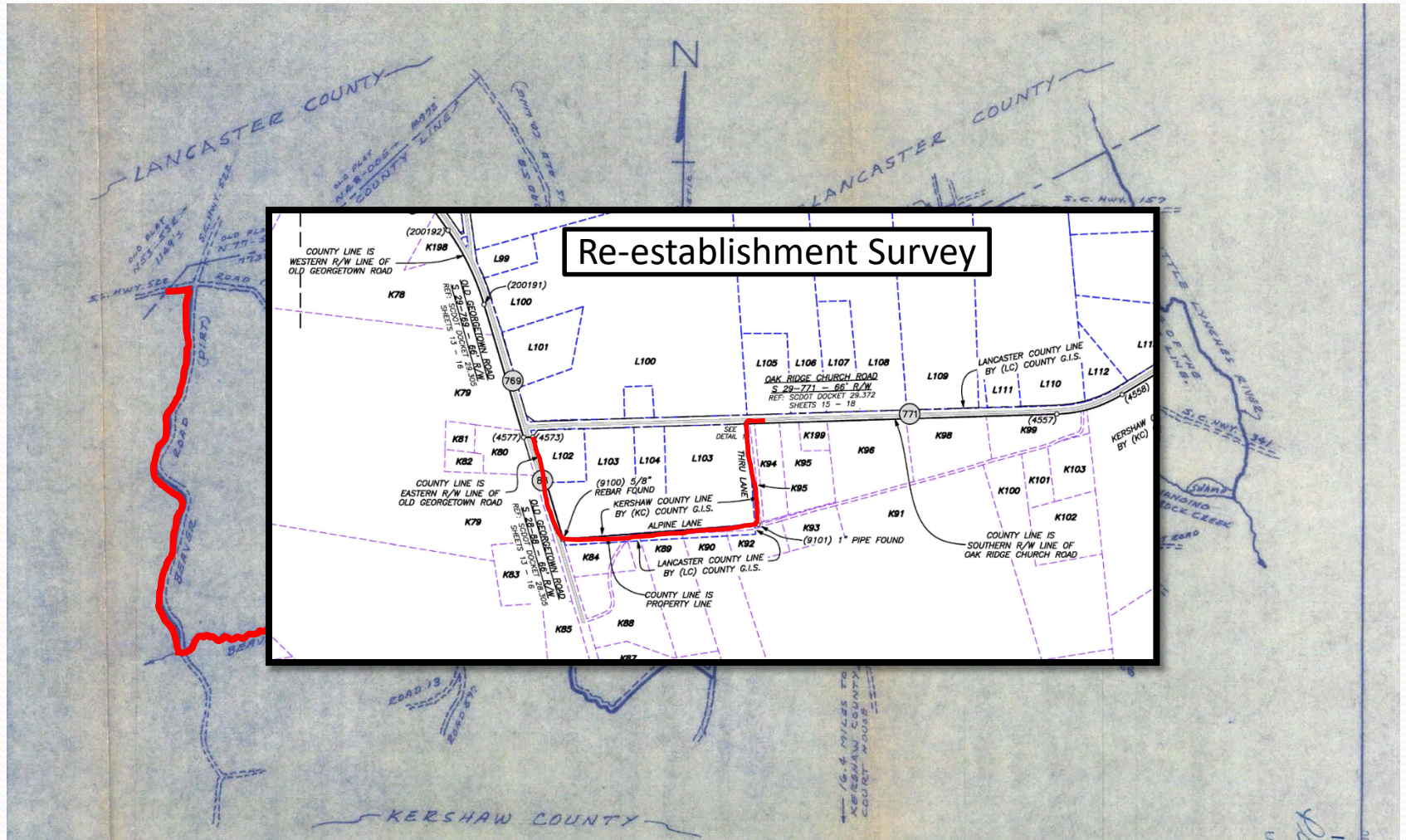
# 1979 ANNEXATION



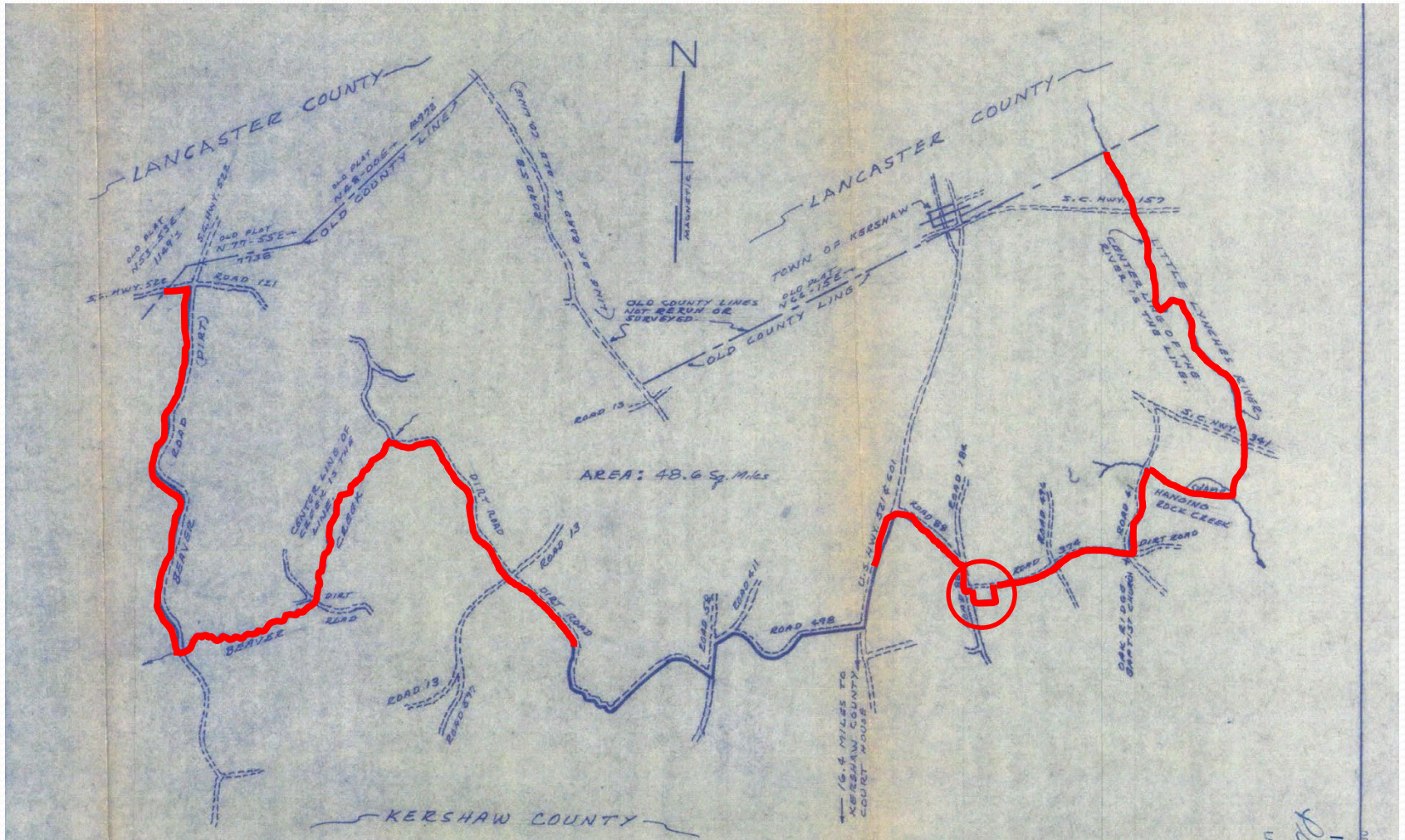
## Re-establishment Survey

NOTE: LINE A TO B, NOT SURVEYED THIS DATE FROM PLAT BOOK 36, PAGE 610  
IRON PINS ON ALL CORNERS

# Plat for 1977 Annexation



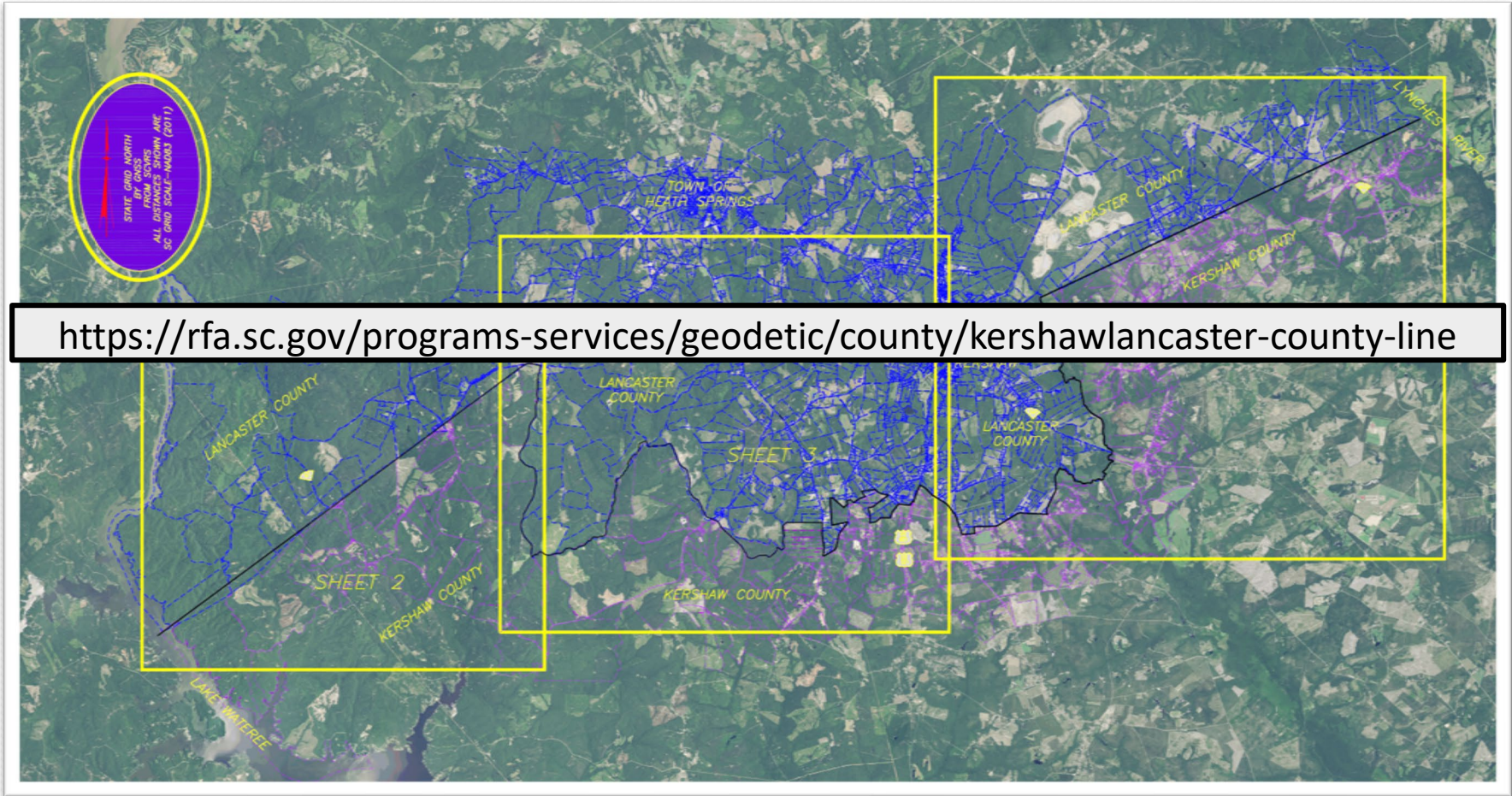
# Plat for 1977 Annexation











# QUESTIONS?

Or Information You Would Like to Provide?

PLEASE CALL: [803-734-0959](tel:803-734-0959)

or EMAIL: [boundary@rfa.sc.gov](mailto:boundary@rfa.sc.gov)

We Will Work to Address Questions Promptly or Direct Questions  
to the Appropriate Agency or Jurisdictional Entity