



BERKELEY - ORANGEBURG COUNTY BOUNDARY RE-ESTABLISHMENT (Portion from Little Black Creek to Lake Marion)



Overview

- Reason for boundary clarification
- Why is the SC Geodetic Survey the chosen agency
- The requirements and duties of the SC Geodetic Survey
- Explanation of our methods
- Boundary clarification procedure
- Legal process for individuals disagreeing with SCGS findings
- Statutory description of county boundary
- Research and findings
- Monumentation and Survey
- Conclusion



The Reason...

- Passage of time and growth has led to confusion over statutory county descriptions and the locations of county boundary lines
- Exact and precise locations and boundaries of state's political subdivisions are critical for services, enforcement of property rights and election of public officials.
- Technology exists now to cost-effectively provide definite and permanent markers of boundary lines
- Necessary for state government and political subdivisions



Why the SC Geodetic Survey?

- Over the last 30+ years, the South Carolina Geodetic Survey has worked with South Carolina counties to help resolve some of the ambiguities present in the current Code of Law
- SC Geodetic Survey was also used in the clarification of the NC/SC boundary
- In the early 90's Greenville and Spartanburg counties asked the Geodetic Survey to help them work out the location of their Statutory Boundary. Their boundary was clarified and placed into law.
- After it's completion the General Assembly decided to enact legislation assigning the SC Geodetic Survey as the mediator to resolve disputes between counties.



The duties of the SC Geodetic Survey (SCGS) with respect to determining county boundaries

SC Code of Laws §27-2-105

Act No. 262 of 2014

- (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.



MONUMENTS

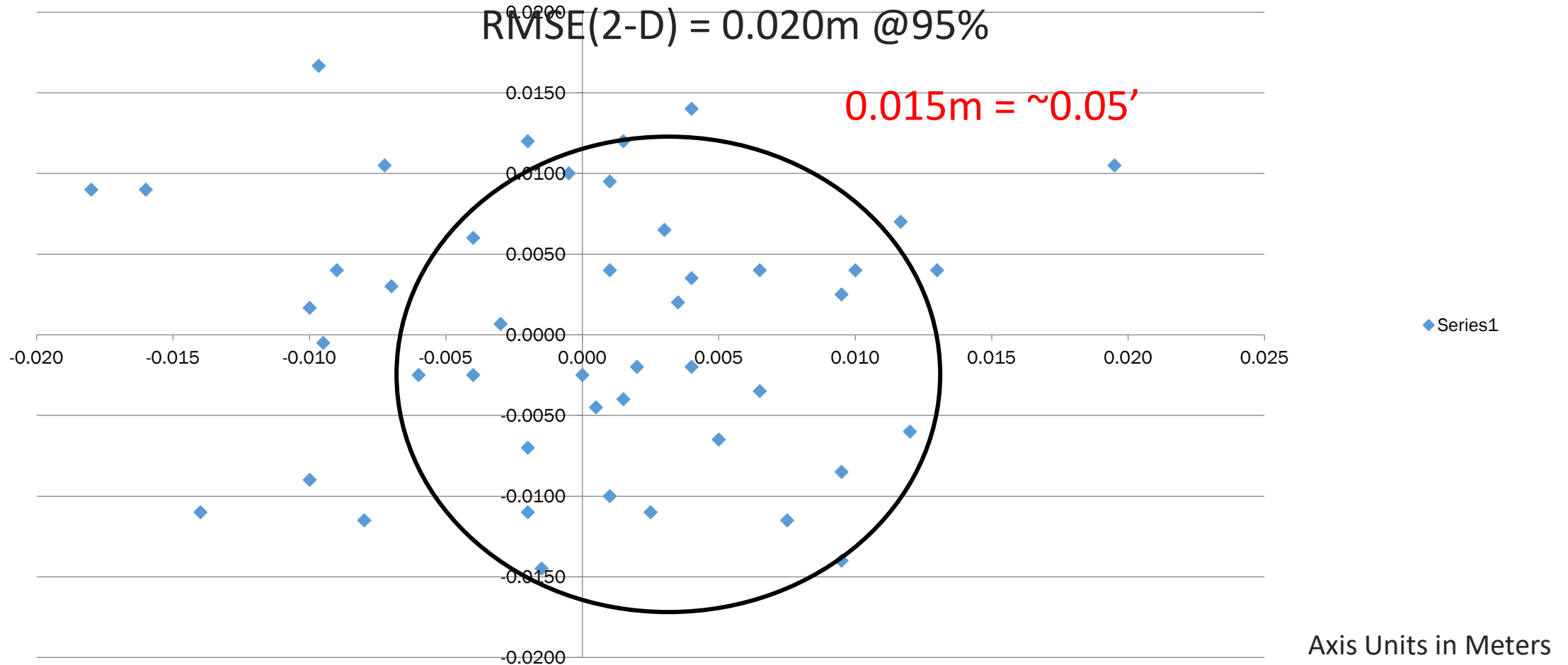
VS

MONUMENTS



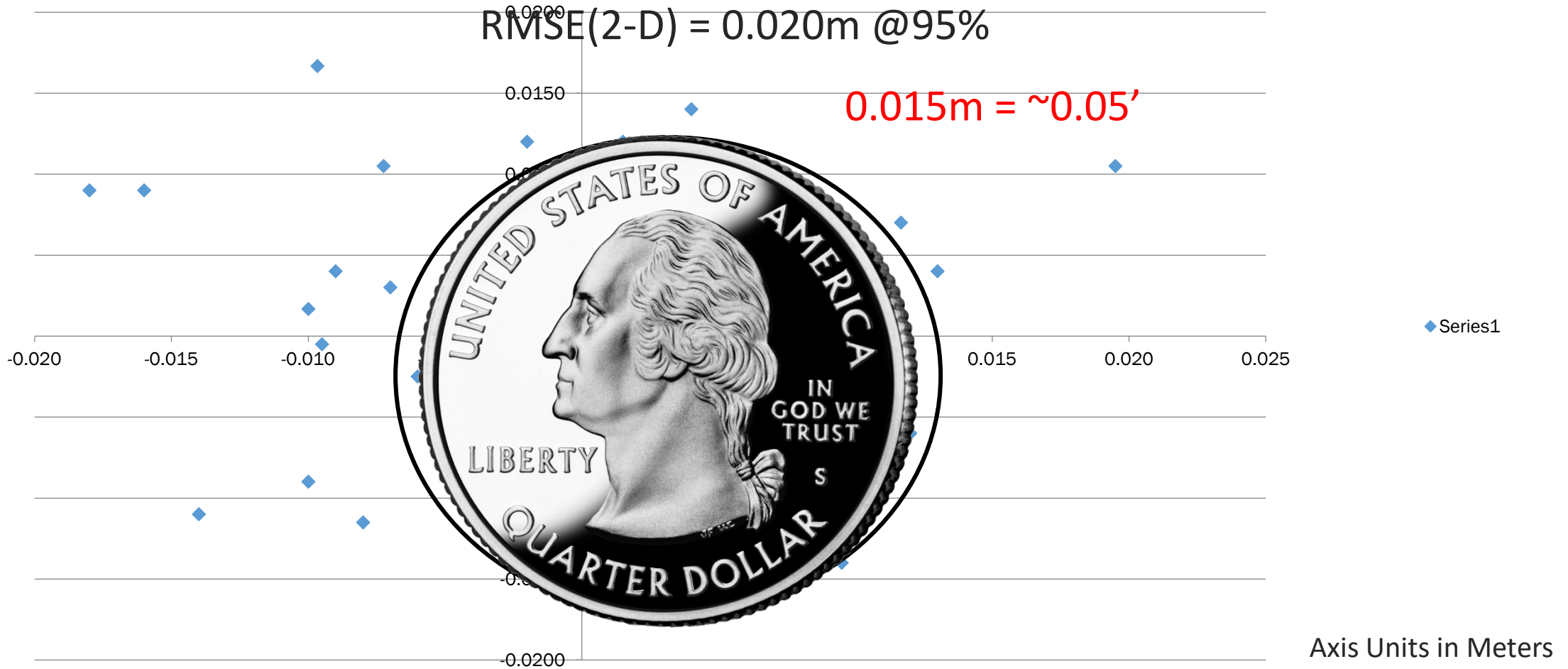
Scatter Gram of Differences Between Observations

2 - Five Minute Sessions



Scatter Gram of Differences Between Observations

2 - Five Minute Sessions



Steps for Clarifying Boundaries

SC Code of Law SECTION 27-2-105

SCGS Requirements:

- Upon reestablishing 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

SCGS Steps for Clarifying Boundaries

- Notify County Administrators in advance of planned work
- 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
- Hold public meeting
- Receive feedback and input from local officials and public
- Review and update findings, as appropriate
- Certify plats*
- Send out mailings to affected parties along boundary*
- 60day window for appeals*
- Record/File plats*



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



Public Meeting Notification (Example)



SOUTH CAROLINA

REVENUE AND FISCAL AFFAIRS OFFICE

EDWARD B. GRIMBALL, Chairman
HOWELL CLYBORNE, 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/berkdorc

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.

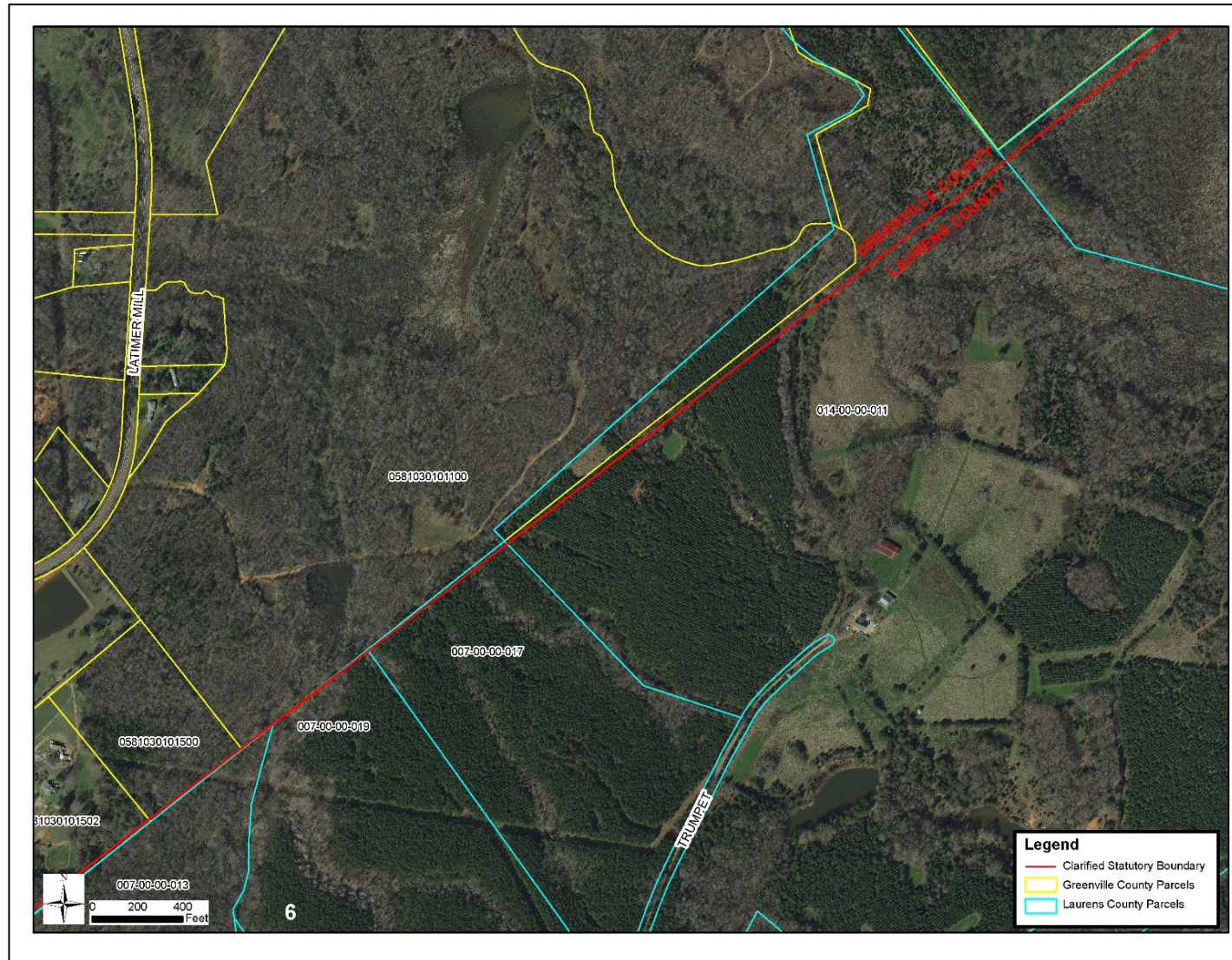
Cordially,

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

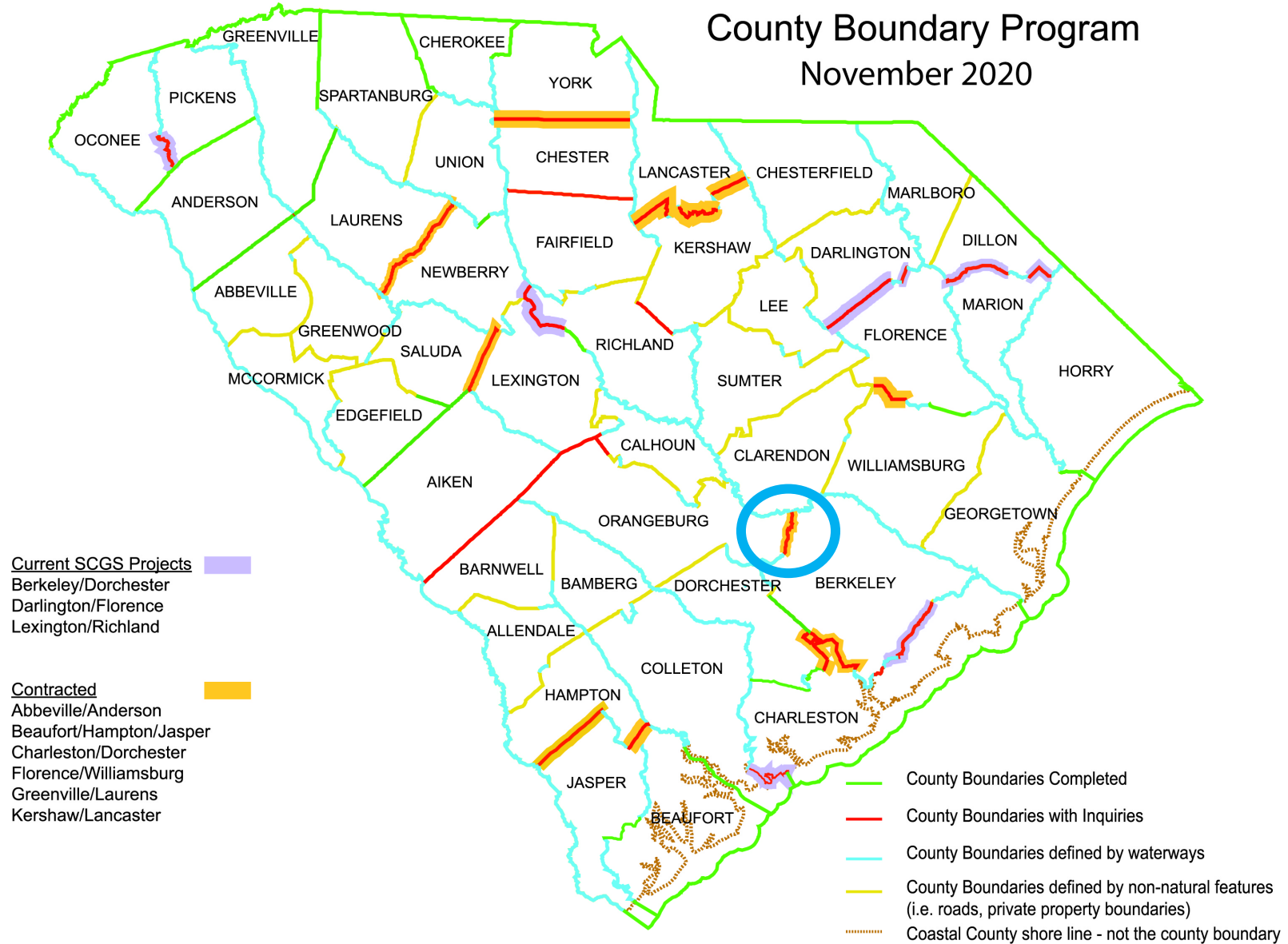
1000 ASSEMBLY STREET, SUITE 421 • COLUMBIA, SOUTH CAROLINA 29201 • (803) 734-3793 • RFA.SC.GOV



Public Meeting Notification (Example)



South Carolina County Boundary Program November 2020





Lines are Established by Legislative Acts

-Act 485 of 1910: “...Annexation of a Certain Portion of Berkeley County to Orangeburg County...”

-1976 South Carolina Code of Laws

-Unannotated

-Updated through the end of the 2019 Session

Title 4 - Counties

CHAPTER 3.

BOUNDARIES OF EXISTING COUNTIES



SECTION 4-3-80. Berkeley County

Berkeley County is bounded as follows: northeastwardly and north by the Santee River, separating it from the counties of Georgetown, Williamsburg and Clarendon; northwestwardly by Orangeburg County; southwestwardly by Dorchester County; southwestwardly and southeastwardly by Charleston County. And said Berkeley County shall include within its limits the whole of the subdivision formerly known as the Parishes of St. John, Berkeley, St. Stephen, St. Thomas and St. Dennis, and parts of the subdivisions formerly known as St. James Goose Creek, St. James Santee and St. Andrews; provided, that the county lines of Berkeley County and of Orangeburg County are hereby so altered as to cut off from said Berkeley County and to transfer and annex to and incorporate within said Orangeburg County all of that certain territory or portion of Berkeley County embraced within the following lines and boundaries, to wit: beginning at a point located on Four Holes Swamp at the intersection of the boundary lines of Orangeburg, Dorchester and Berkeley Counties, and extending in a southeasterly direction, along Four Holes Swamp, the same being the boundary between Dorchester and Berkeley Counties, to a large cypress which stands at the confluence of Four Holes and Dean Swamps, at the upper part of Turkey Lake; thence up and along the run of Dean Swamp as it meanders to a point where Dean Swamp and Black Creek unite; thence up Black Creek to the point where Big Black Creek and Little Black Creek unite; thence up Little Black Creek to the point where the "new road" crosses said Little Black Creek; thence northerly up the "new road" to the Monck's Corner Public Road, near Mark Richardson's place; thence N. 10 chains to a pine; then N. 14° E. 38 chains to a stake; thence S. 37° 15' E. 49 chains to a stake; thence E. 9.70 chains to a stake; thence N. 39.50 chains to a stake; thence N. 87° E. 34 chains and 10 links; thence N. 54.50 chains to a stake; thence N. 1° 30' W. 18 chains and 60 links to a stake; thence N. 30° W. 31 chains to a stake; thence N. 8° W. 11 chains to a cypress at the River Road and Rock Creek Bridge; thence northeast along Rock Creek to where Rock Creek empties into the Santee River; thence up the Santee River to the mouth of Eutaw Creek, where the Orangeburg and Berkeley lines connect; thence southwest along the boundary line between Orangeburg and Berkeley Counties to the point of beginning



SECTION 4-3-430. Orangeburg County

“... Little Black Creek to the point where the "new road" crosses said Little Black Creek; thence northerly up the "new road" to the Monck's Corner Public Road, near Mark Richardson's place; thence N. 10 chains to a pine; then N. 14° E. 38 chains to a stake; thence S. 37° 15' E. 49 chains to a stake; thence E. 9.70 chains to a stake; thence N. 39.50 chains to a stake; thence N. 87° E. 34 chains and 10 links; thence N. 54.50 chains to a stake; thence N. 1° 30' W. 18 chains and 60 links to a stake; thence N. 30° W. 31 chains to a stake; thence N. 8° W. 11 chains to a cypress at the River Road and Rock Creek Bridge; ...”



REFERENCE PLATS:

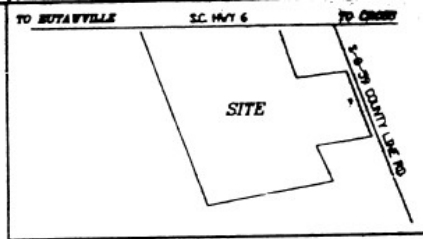
W.L. GAILLARD JAN. 21, 1965 PL. BK. 29-14
 H. EXD HILTON NOV. 08, 1996 PL. BK. 74-6
 LLOYD S. MOORE, JR. APRIL 17, 1967 PL. BK. 25-77
 H. EXD HILTON JULY 13, 1998 PL. BK. C187-2
 DAVID L. RICHARDSON JAN. 6, 1985 PL. BK. 65-67
 RICHARD J. RHODE SEPT. 8, 2000

MORRIS RAYNELL ET AL.
 TMS. 387-00-00-036



NUM	DISTANCE	BEARING
L1	50.03	S9°37'36"W
L2	61.89	N78°14'13"W
L3	55.39	N78°26'03"W
L4	367.34	N10°11'40"E
L5	117.37	N82°29'02"W

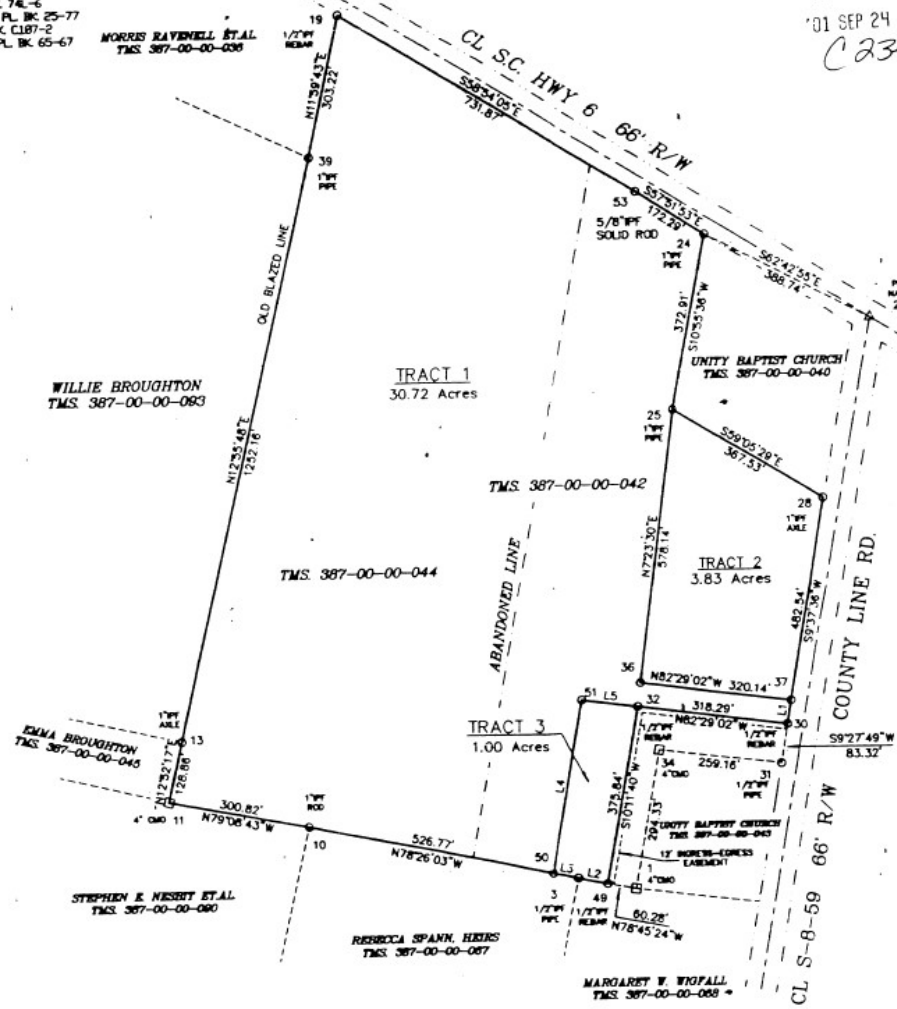
NOTE: 2001/512
 ALL CORNERS ARE 5/8" IPS (SBEES/RODS)
 UNLESS NOTED.
 GRANVILLE, CO., S.C.
 '01 SEP 24 PM 2 37
 C234-3



LOCATION MAP

LEGEND:

- PROPERTY LINE WITH IRON PIN
- IP— IRON PIN FOUND
- IPS— IRON PIN SET
- CIN— CONCRETE MON. (NEW)
- CND— CONCRETE MON. (OLD)
- F— FENCE
- - - R/V LINE
- - - CENTER LINE



WILLIE BROUGHTON
 TMS. 387-00-00-063

TRACT 1
 30.72 Acres

UNITY BAPTIST CHURCH
 TMS. 387-00-00-040

TRACT 2
 3.83 Acres

TRACT 3
 1.00 Acres

EMMA BROUGHTON
 TMS. 387-00-00-045

STEPHEN E. NISBET ET AL.
 TMS. 387-00-00-080

REBECCA SPANK, HEIRS
 TMS. 387-00-00-087

MARGARET V. WOFFALL
 TMS. 387-00-00-088

THERE ARE NO ENCROACHMENTS OR PROJECTIONS
 OTHER THAN SHOWN

I, HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE
 INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN
 WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS
 OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE
 OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR
 EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY
 AS SPECIFIED THEREIN.

Richard J. Rhoads
 SERIALS NO. 11366

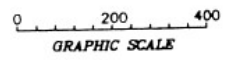
RHODE SURVEYING INC.
 1879 ZION ROAD
 DORCHESTER SC 29437
 (843) 563-2514

PLAT
TRACTS 1-3

PREPARED FOR
FRANCES P. & ANNIE C. SADLER

LOCATED NEAR EUTAWVILLE
 ORANGEBURG CO. SC

SCALE 1" = 200' DATE JUNE 21, 2001



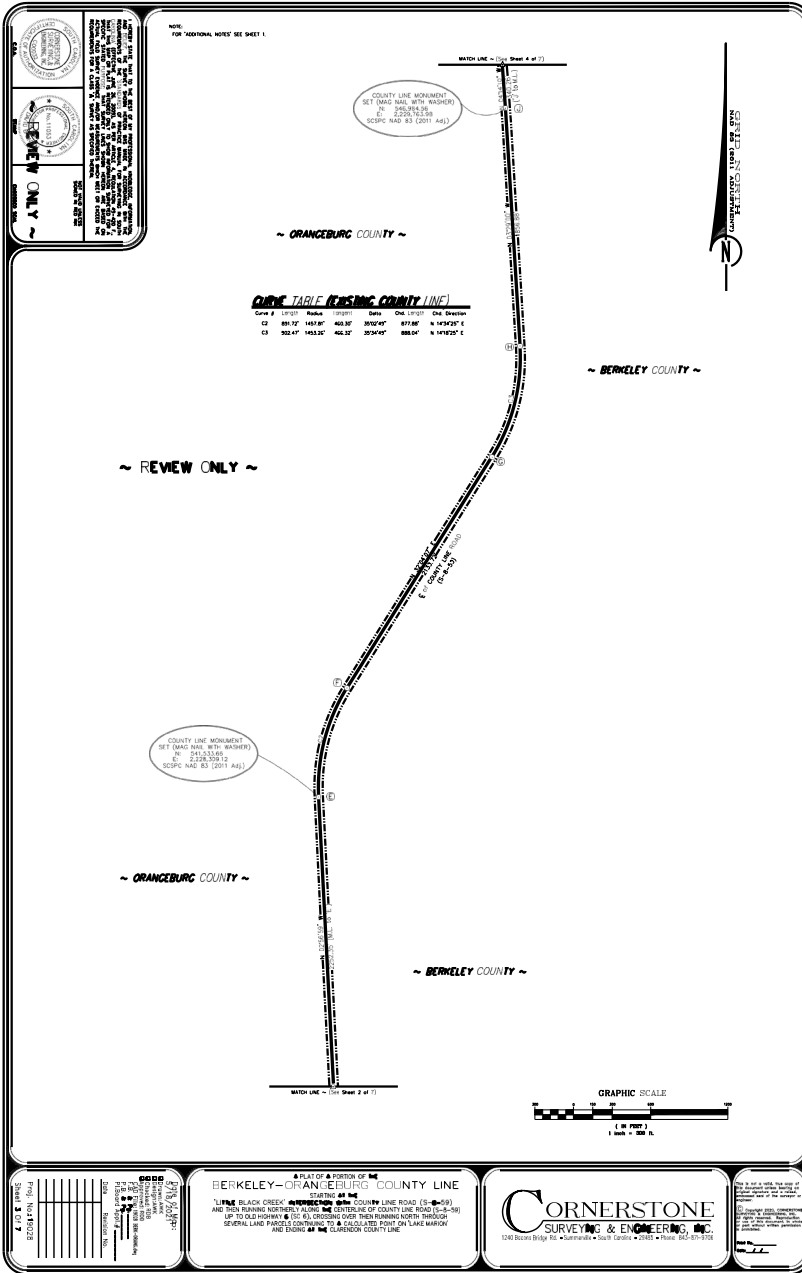
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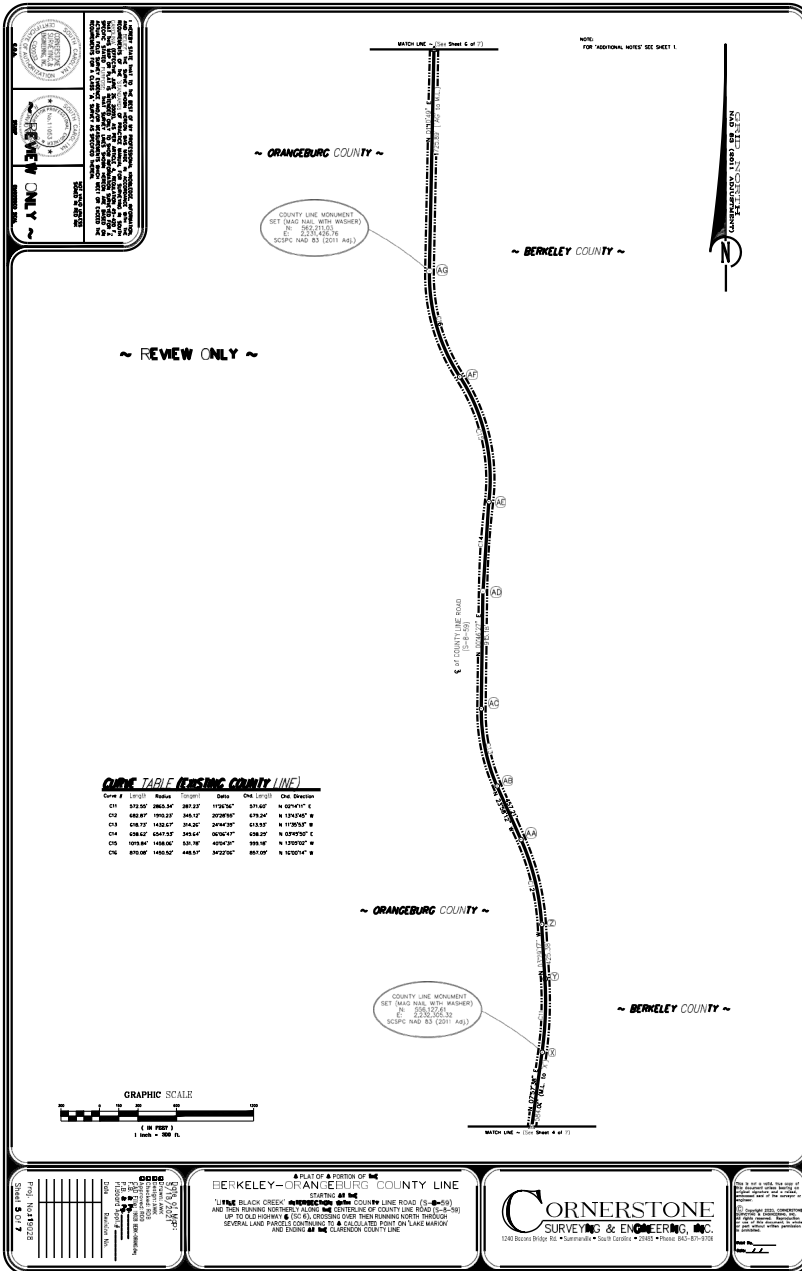
Survey Update

Field Work is at 100% Complete, monuments have been set.

We have not encountered any boundary problems outside the “expected” normal that is seen in tracing a 40 plus year old line.









LINE TABLE (EXISTING COUNTY LINE)

Line #	Length	Direction
L1	36.43'	N 00°13'18" W
L2	0.31'	S 66°57'27" W

~ ORANGEBURG COUNTY ~

~ BERKELEY COUNTY ~

~ ORANGEBURG COUNTY ~

~ ORANGEBURG COUNTY ~

~ BERKELEY COUNTY ~

COUNTY LINE MONUMENT FOUND (2" ANGLE IRON)
 N: 284,738.36
 E: 2,231,477.96
 SCSPC NAD 83 (2011 Adj.)

COUNTY LINE MONUMENT SET (#8 RBR W/ ALUM CAP)
 N: 267,906.51
 E: 2,177,210.53
 SCSPC NAD 83 (2011 Adj.)

REMAINDER OF COUNTY LINE IS REFERENCED MONUMENTS ON SECTION 4-J-RD. ARE UNABLE TO BE FOUND/SET DUE TO BEING UNACCESSIBLE/SUBMERGED

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA EFFECTIVE JUNE 26, 2009, AS PER ARTICLE 4, REGULATION 48-140 F. THAT THIS MAP OR PLAN IS INTENDED ONLY TO SHOW INFORMATION SURVEYED FOR A SPECIFIC STATED PURPOSE THAT SURVEY LINES SHOWN HEREON ARE BASED ON ACTUAL FIELD SURVEY EVIDENCE AND/OR MEASUREMENTS WHICH MEET OR EXCEED THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

NOT VALID UNLESS SIGNED IN RED INK

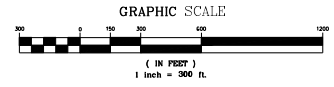
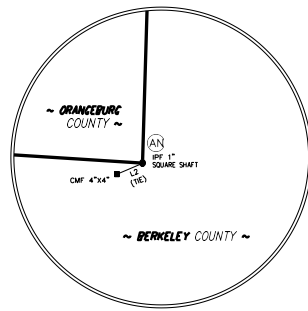
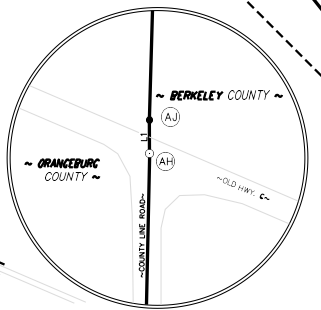
REVIEW ONLY

STAMP EMBOSSED SEAL

MATCH LINE (See Sheet 5 of 7)

NOTE: FOR "ADDITIONAL NOTES" SEE SHEET 1.

MATCH LINE (See Sheet 7 of 7)



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 Gangsberry Lindsay & Associates
 1249 South Bridge Rd., Summerville, South Carolina 29486
 Phone: 803-417-7769
 Fax: 803-417-7769
 www.gangsberry.com

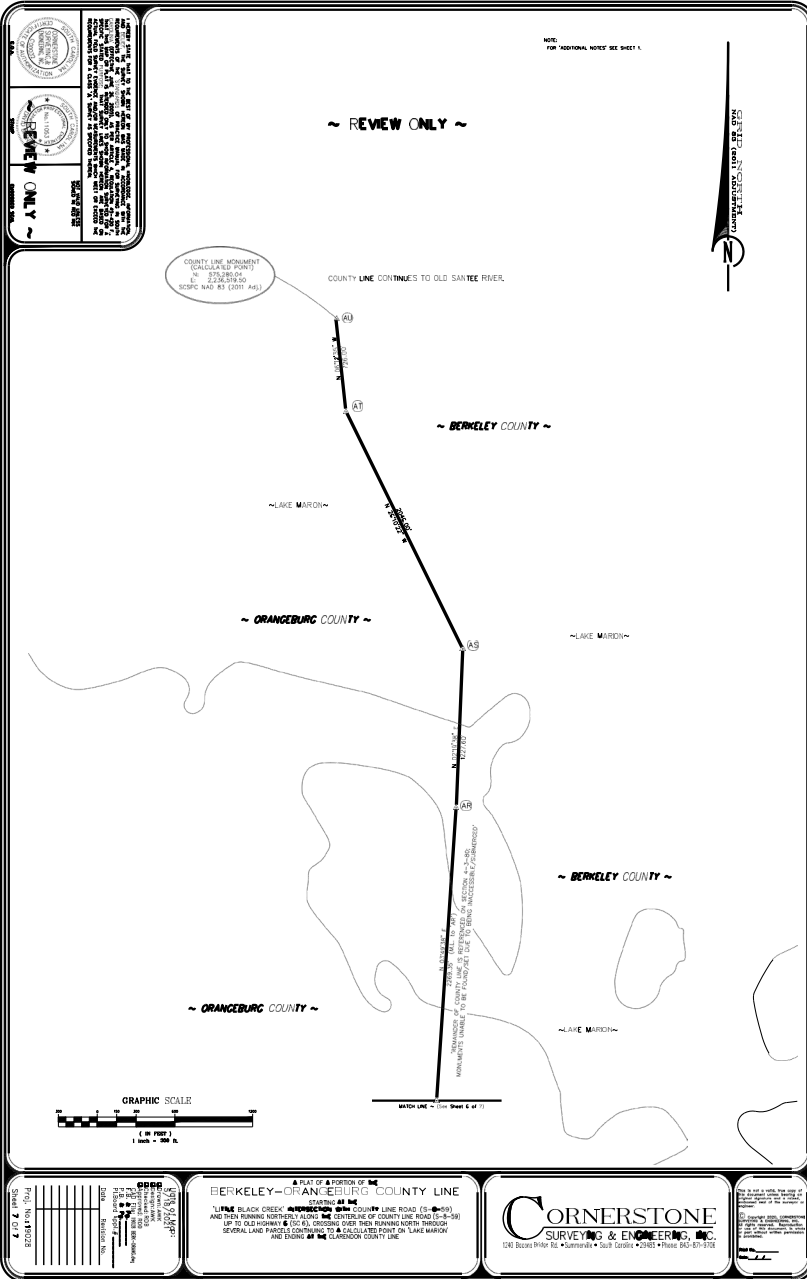
CORNERSTONE
 SURVEYING & ENGINEERING, INC.
 1249 South Bridge Rd., Summerville, South Carolina 29486 Phone: 803-417-7769

A PART OF A PORTION OF THE
BERKELEY-ORANGEBURG COUNTY LINE
 STARTING AT THE
 "LITTLE BLACK CREEK" INTERSECTION WITH COUNTY LINE ROAD (S-8-59)
 AND UP TO OLD HIGHWAY C (S-6-10) CROSSING OVER "THEY" BRIDGE NORTH OF THE C-14
 SEVERAL LAND PARCELS CONTINUING TO A CALCULATED POINT ON "LAKE MARION"
 AND ENDING AT THE CLARENDRON COUNTY LINE

Date of Map: 5/18/2021
 Drawn: AWK
 Design: AWK
 Checked: ROB
 Approved: ROB
 CAD File: 19028 BER-ORANG.dwg
 PLOT: PLOT
 PLOT Board Appl: []

Date: _____ Revision No.: _____

Proj. No.: 19028
 Sheet 6 of 7

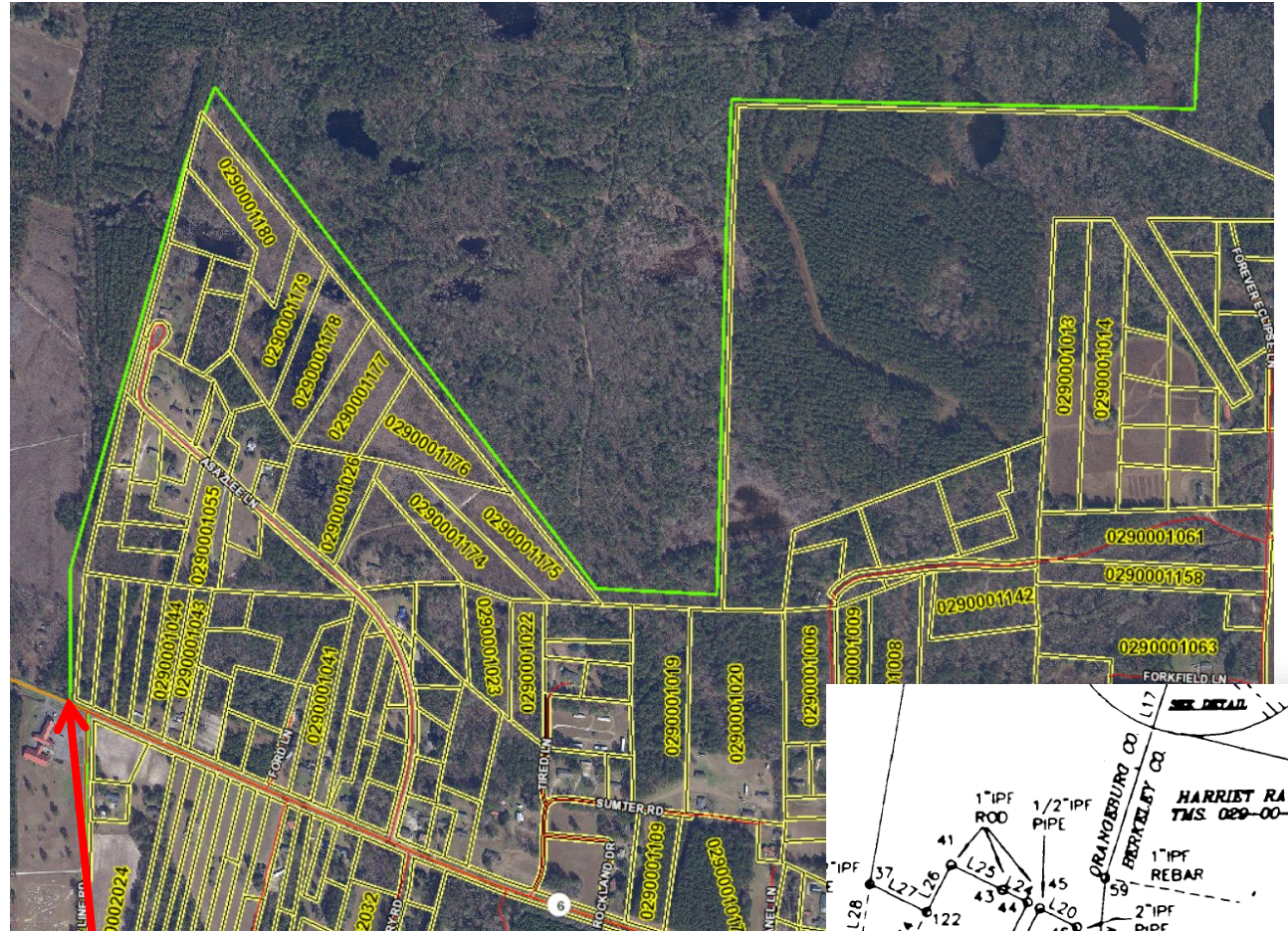


Corner Set is a Nail and 1-½ inch Washer.

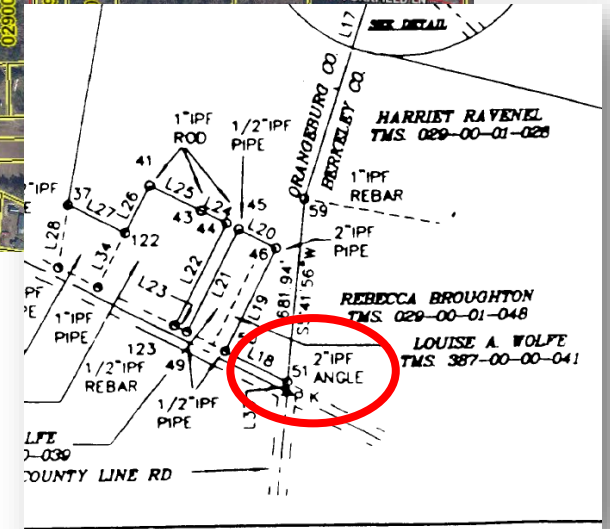


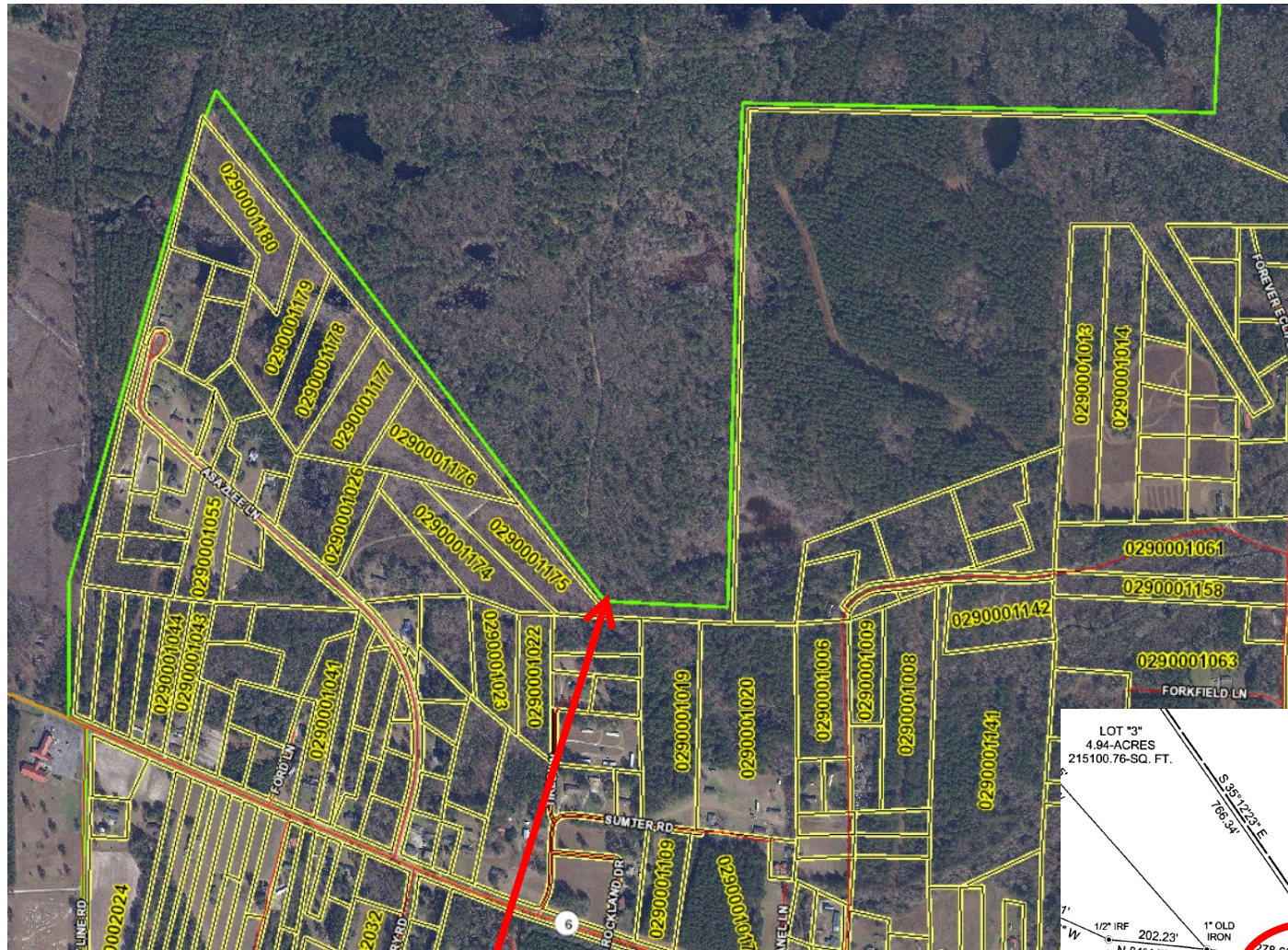
Monument "A" through "AH" are Set Nail and Washer



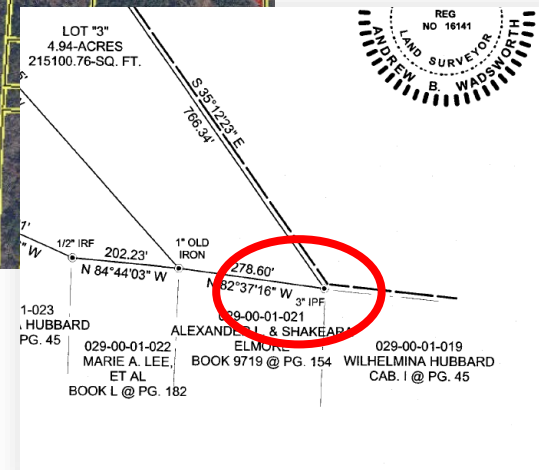


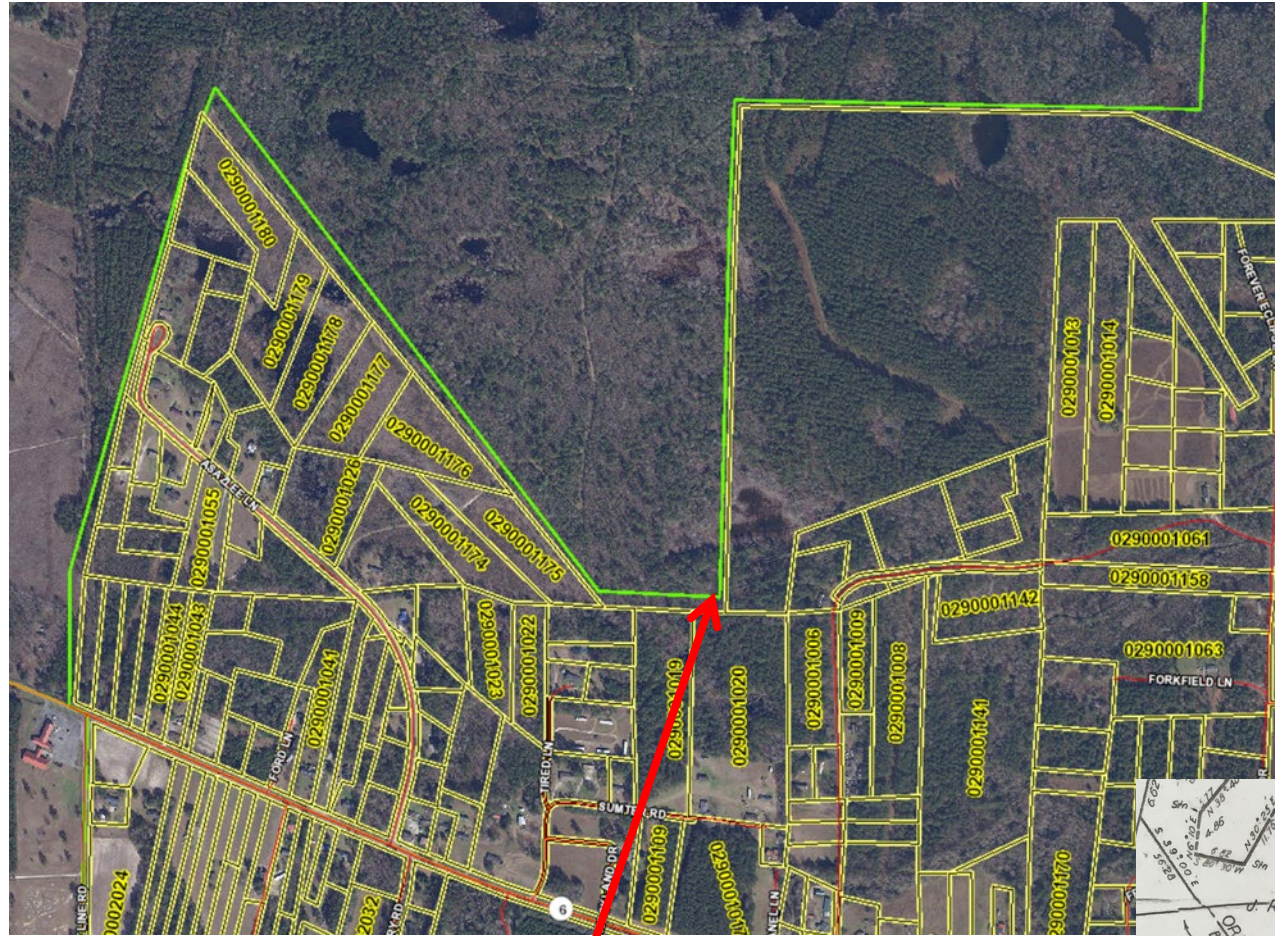
Monument "AJ"



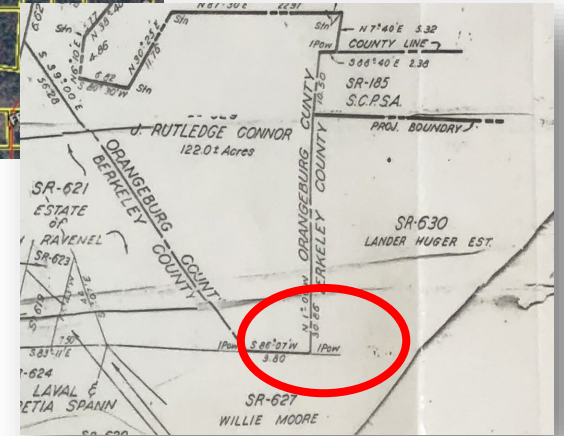


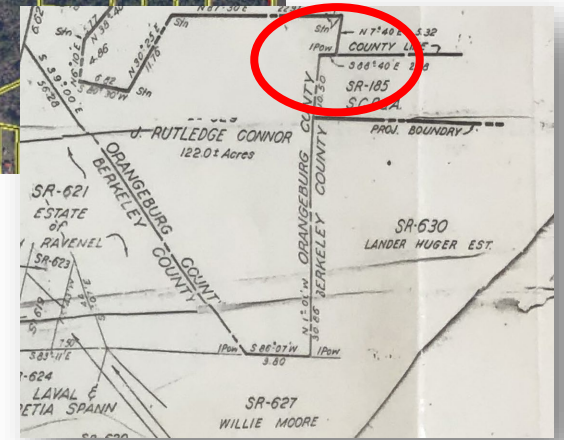
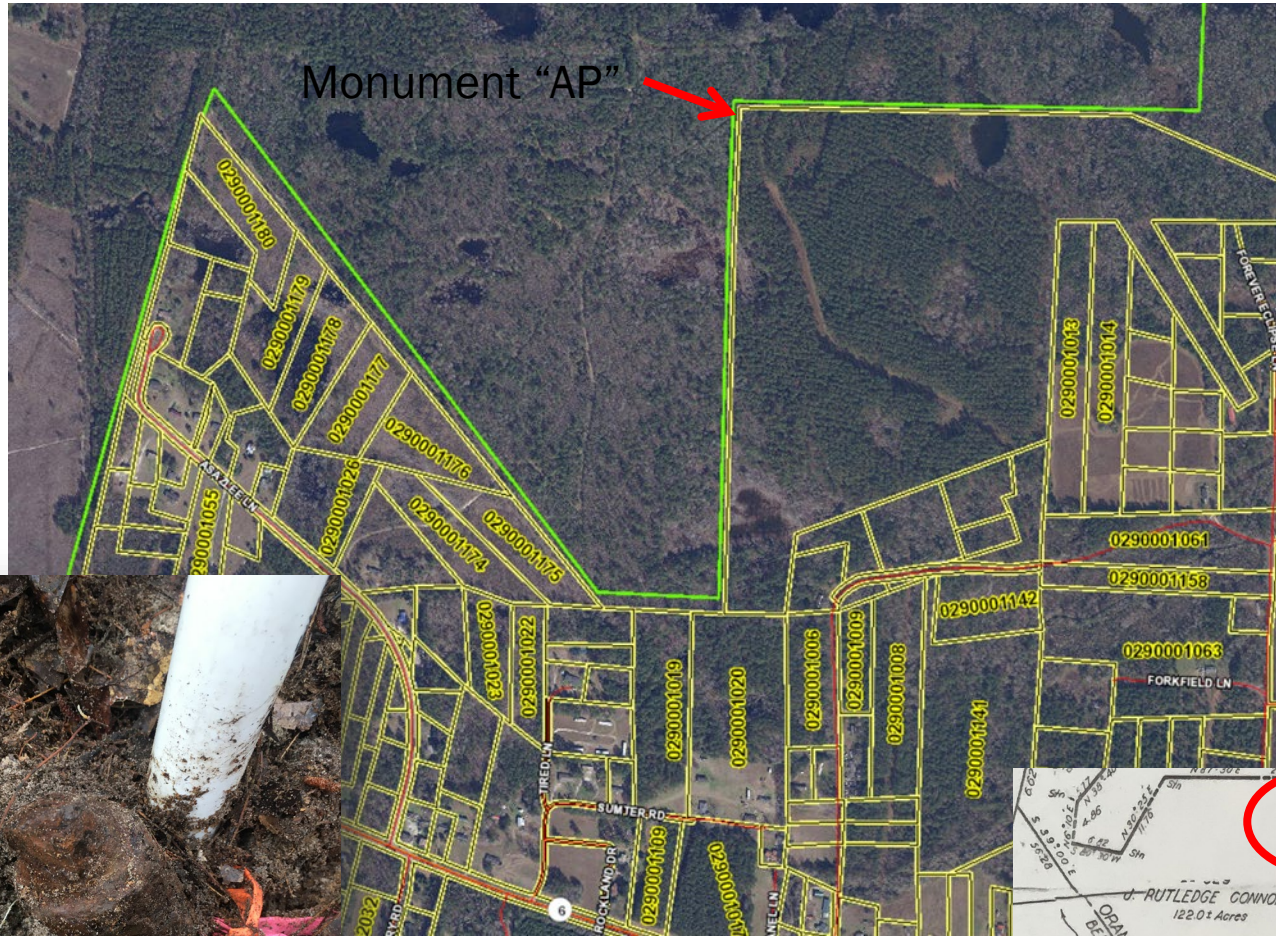
Monument "AM"





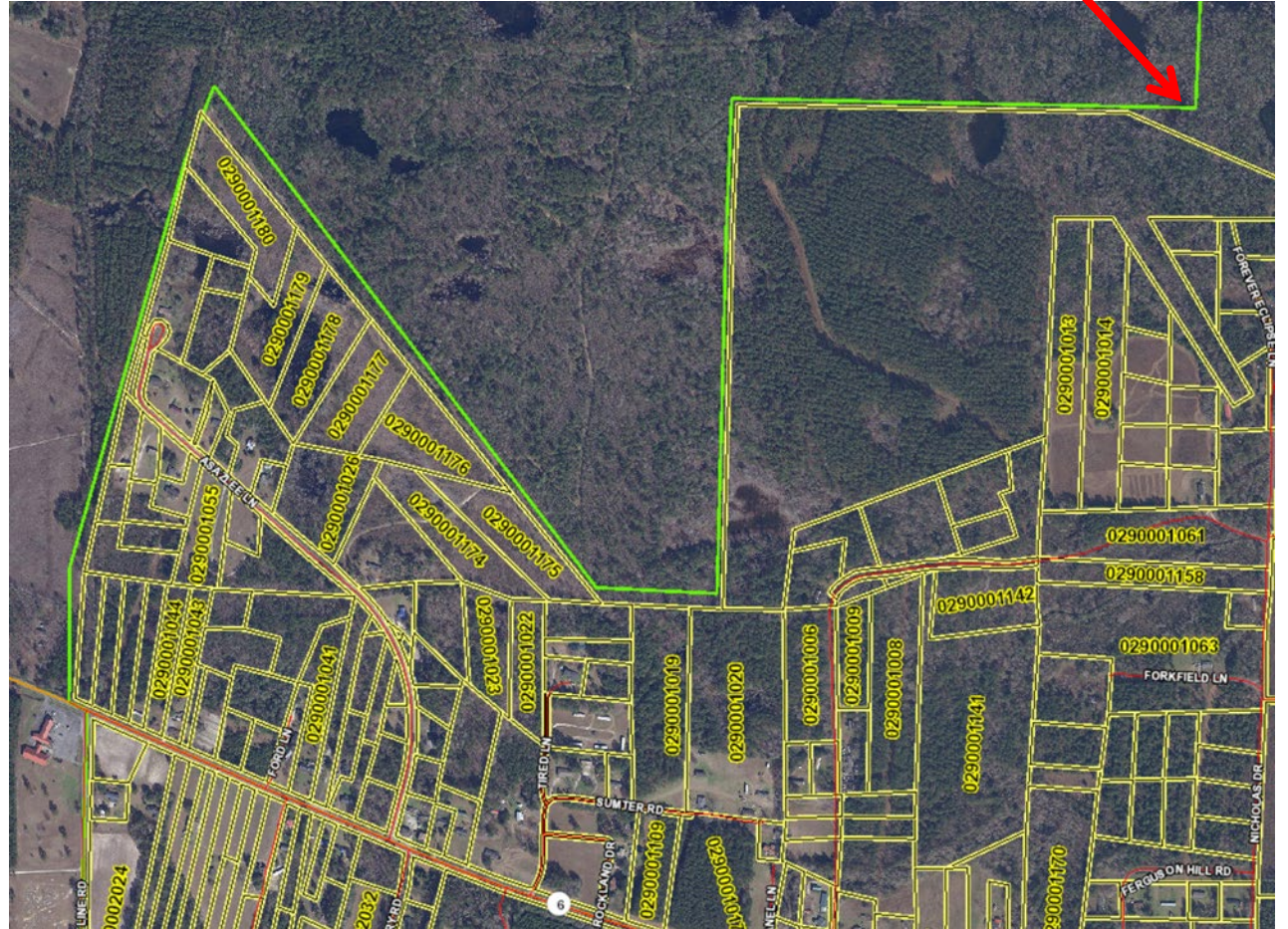
Monument "AN"







Monument "AQ"



Project Page:

rfa.sc.gov/programs-services/geodetic/county/berkeley-orangeburt

QUESTIONS?

Or Information You Would Like to Provide?

PLEASE CALL: [803-734-3793](tel:803-734-3793)

or EMAIL: boundary@rfa.sc.gov

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

