

# THE MEETING WILL BEGIN PROMPTLY AT 6PM



Charleston – Dorchester
County Line
Ashley River to the Tri-County Corner





David Ballard, PLS
Revenue and Fiscal Affairs
SC Geodetic Survey

## **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

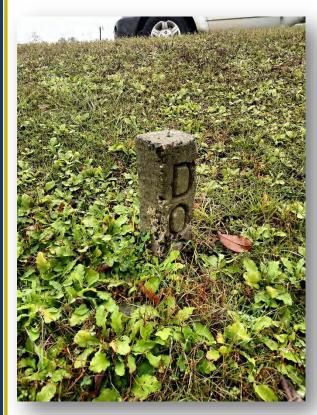
#### **MONUMENTS**







# Geodetic Surveys & Common Geographic Coordinate Systems Why we use them for boundary surveys.









# Scatter Gram of Differences Between Observations

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



# 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**

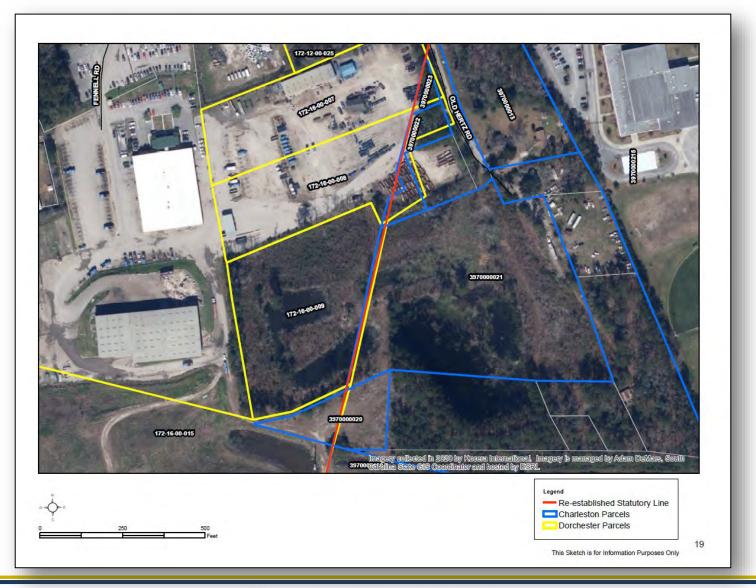
#### Change of Boundaries

- 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)**



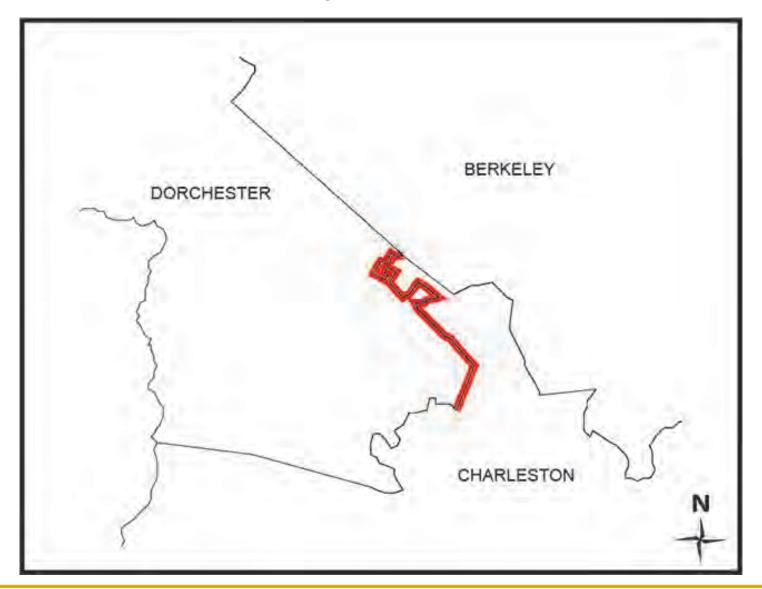
## **Public Meeting Notification (Example)**





R. David Branton, PLS & PE

## **Project Area**





#### Lines are Established by Legislative Acts

# 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 4-3-100.** Charleston County

"...thence following the ordinary high-water line on the eastern bank of said river to a point on the ordinary high-water line of the eastern bank of the Ashley River 472 ft. west of the point where Sawpit Creek enters the Ashley River; thence from said point on a true bearing of N 22° 38' 39" E along a ditch on the eastern boundary of Archdale Hall subdivision and onward for a total distance of 248.61 chains to a concrete monument marked "CHAS/DOR"; thence on a true bearing of N 42° 15' 31" W to a point of intersection with the property line of Monroe E. and Winifred J. Hartzog; thence northeastward 800 ft. following the a point of intersection with the property line of Monroe E. and Winifred J. Hartzog; thence northeastward 800 ft. following the property line of Monroe E. and Winifred Hartzog to a point of intersection with the property line of James C. and Mary Palmer; thence southeastward following the property line of James C. and Mary Palmer for 406 ft. ± thence northeastward to a point on the north side of Secondary State Highway S10-1120 (Jamison Road); thence eastward following the northern boundary of Secondary State Highway S10-76 (Ladson Road); thence following the northwestern boundary of Secondary State Highway S10-76 (Ladson Road) and the southwestern boundary of Secondary State Highway S10-881 (Lincolnville Road); thence northwestward, a distance of 9,700 ft. ± following the southwestern boundary of Secondary State Highway S10-881 (Lincolnville Road) to a point; thence southwestward 5,400 ft. ± to a point; thence northwestward 550 ft. ± to a point; thence southwestward 600 ft. ± to a point; thence northwestward on a true bearing of N 42° 15' 31" W to the center line of Sawmill Branch, 51.1 chains southwest of the southwestern right-of-way line of the Norfolk Southern Corporation (measured in a straight line); thence from this point of the southwestern right-of-way line of the Norfolk Southern Corporation (measured in a straight line); thence from this point following the center line of Sawmill Branch to its intersection with the southeastern right-of-way line of Richardson Avenue; thence from this point southeastward along the southeastern right-of-way of Richardson Avenue to its intersection with Owens Road; thence northeastward following the eastern boundaries of Challedon and Meadowbrook subdivisions to a point on the north side of East Third Street North; thence northwestward a distance of 1,200 ft. ± to a point; thence northeastward to a point on the north side of U.S. Highway 78 (5th North); thence southeastward following the northern boundary of U.S. Highway 78 (5th North) to a point; thence southwestward a distance of 325 ft. ± to a point; thence southeastward a distance of 379 ft. ± to a point; thence northeastward a distance of 325 ft. ± to a point on the north side of U.S. Highway 78 (5th North); thence a distance of approximately 760 ft. ± to a point; thence northeastward a distance of 1,500 ft. ± following the property line of the real estate of John Finucan and Maggie F. Peters to a point at which the northeastern corner of Dorchester County intersects with Berkeley and Charleston counties;..."

#### **SECTION 4-3-200.** Dorchester County

"...and by a straight line running thence to a point upon Saw Mill Branch one mile northeast of the South Carolina and Georgia Railroad, and thence along said branch to the old division line between Colleton and Berkeley Counties; and thence by said old division line to the point where said line intersects the division line between Charleston and Berkeley Counties; on the southeast by Charleston County, from which it is separated by the old division line between Charleston and Colleton Counties to Lowndes' Landing, on Rantowles Creek..."

# **SECTION 4-3-233.** Dorchester County; additional area of Charleston County transferred to Dorchester County. (1977 Act 297)

 The following described portion of Charleston County is hereby transferred and annexed to Dorchester County:

...All that area now situate and lying in Charleston County commencing at a point on the Northeast side of U. S. Highway No. 78 (also known as Fifth North Street) - which said point is on the present Dorchester-Charleston county line, and proceeding along the present Dorchester-Charleston county line in a northeasterly direction for a distance of approximately two thousand five hundred (2500) feet to the intersection of said Dorchester-Charleston county line with the Berkeley-Charleston county line; thence in a southeasterly direction along the Berkeley-Charleston county line, approximately eighteen hundred (1800) feet to the northeast corner of the property owned by John Finucan and Magie F. Peters; thence in a southwesterly direction along the property line of the real estate of John Finucan and Magie F. Peters, a distance of approximately fifteen hundred (1500) feet to a point on the northeast side of U. S. Highway No. 78 (also known as Fifth North Street); thence in a westerly direction along the northeast side of said U. S. Highway No. 78 (also known as Fifth North Street) for a distance of approximately seven hundred and sixty (760) feet to the southwest corner of the real estate of the said John Finucan and Magie F. Peters; thence in a southerly direction across said U. S. Highway No. 78 (also known as Fifth North Street) to the portheast corner of let average by direction across said U. S. Highway No. 78 (also known as Fifth North Street) to the portheast corner of let average by direction across said U. S. Highway No. 78 (also known as Fifth North Street) to the northeast corner of lot owned by W. C. Cumbee; thence along the southeastern line of the said lot of W. C. Cumbee, two hundred fifty-eight and five/tenths (258.5) feet to a point; thence northwest along the property of the said W. C. Cumbee and David H. Smith, a distance of three hundred seventy-nine (379) feet to the southwestern corner of a lot owned by David H. Smith, thence northeast along the property of David H. Smith, a distance of approximately three hundred and twenty-five (325) feet to a point on the northeastern side of said U. S. Highway No. 78 (also known as Fifth North Street); thence west along the northeast side of said U. S. Highway No. 78 (also known as Fifth North Street) to the point of beginning...'

# **SECTION 4-3-234.** Dorchester County; additional area of Charleston County transferred to Dorchester County. (2000 Act 310)

 The following described portion of Charleston County is transferred and annexed to Dorchester County:

All that area beginning at an iron bar 248.50 feet from the northeastern intersection of rights-of-way of Garbon Street (S-18-847) and West Boundary Street (S-10-2396), on a bearing of N 46°-15'-31" W, being the southwestern corner of a parcel of land described as Tract 6, a 30.12 acre parcel, the point of beginning; thence N 46°-15'-31" W along the northern edge of the right-of-way of West Boundary Street for a distance of 1600.00 feet to a point, the southwestern corner of Tract 7; thence N 34°-23'-49" W for a distance of 800.00 feet to a point, the common property corner of Tracts 3, 4, and 7; thence N 53°-03'-47" E for a distance of 172.34 feet to a point, the southeastern corner of Tract 3; thence N 53°-03'-47" E for a distance of 673.35 feet to a point, the northeastern corner of Tract 8; thence S 38°-30'-29" E for a distance of 433.69 feet to a point; thence S 48°-10'-31" W for a distance of 61.18 feet to a point; thence S 38°-30'-29" E for a distance of 927.24 feet to a point, the western intersection of rights-of-way of West Boundary Street and West Boundary Street, the southeastern corner of Tract 8; thence S 38°-30'-29" E for a distance of ± 55 feet to a point, the southern edge of the right-of-way of West Boundary Street; thence S 46°-15'-31" W along the southern edge of the right-of-way of West Boundary Street; thence N 23°-50'-11" W for a distance of ± 55 feet to a point, the southwestern corner of Tract 6, to the point of beginning.

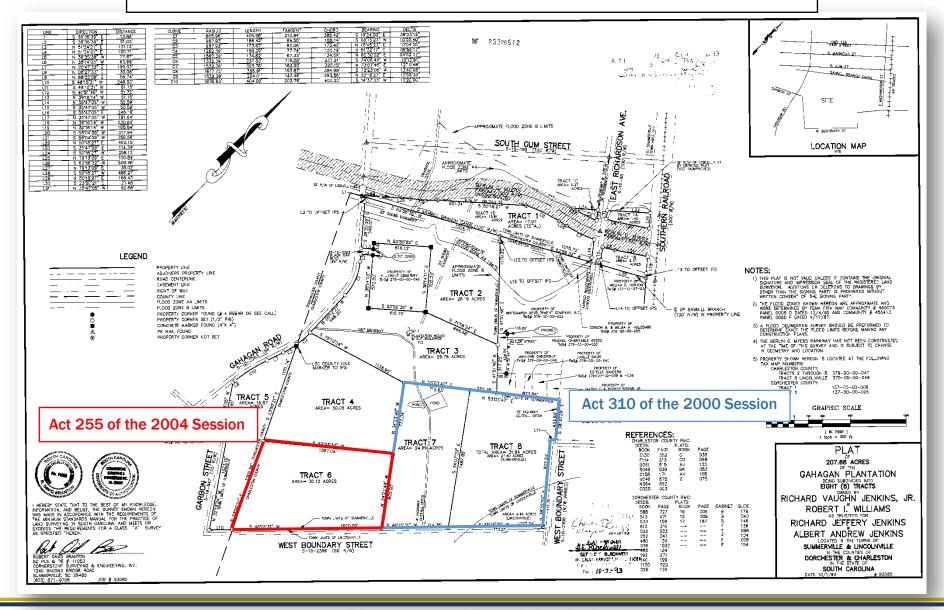
• Said tract measures and contains 60.94 acres of land, more or less, and is more clearly shown on a plat by Robert David Branton dated October 1, 1993, and recorded in plat book CN, page 188 at the RMC office of Charleston County, South Carolina.

# **SECTION 4-3-235.** Dorchester County; additional area of Charleston County transferred to Dorchester County. (2004 Act 255)

 The following described portion of Charleston County is transferred and annexed to Dorchester County:

All that area, approximately 30.12 acres, now lying in the County of Charleston and identified as TMS #379-00-00-064 and is Tract 6, a portion of Gahagan Plantation, and shown on a map prepared by Cornerstone Surveying & Engineering, Incorporated, designated as project #04069 and dated October 1, 1993.

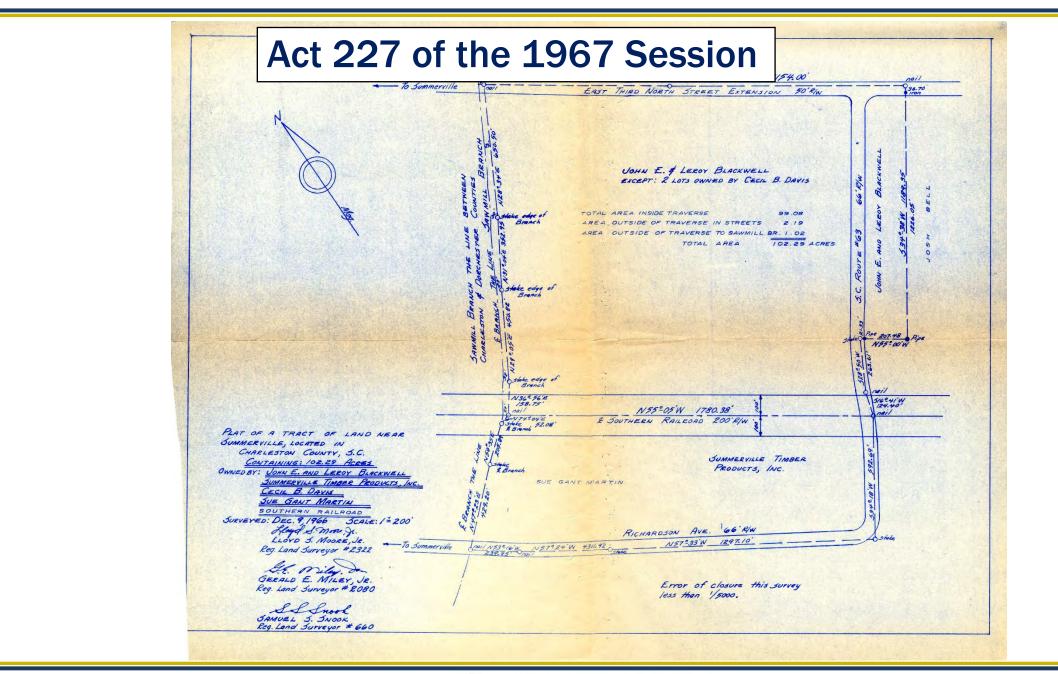
#### Act 310 of the 2000 Session & Act 255 of the 2004 Session



#### Act 227 of the 1967 Session:

#### Lincolnville Area of Charleston County annexed to Dorchester County:

"...That portion of the Lincolnville area in Charleston County which was subject of an election held March 14, 1967, by the Commissioners of Election for Charleston County, the results of which were favorable to the annexation..."

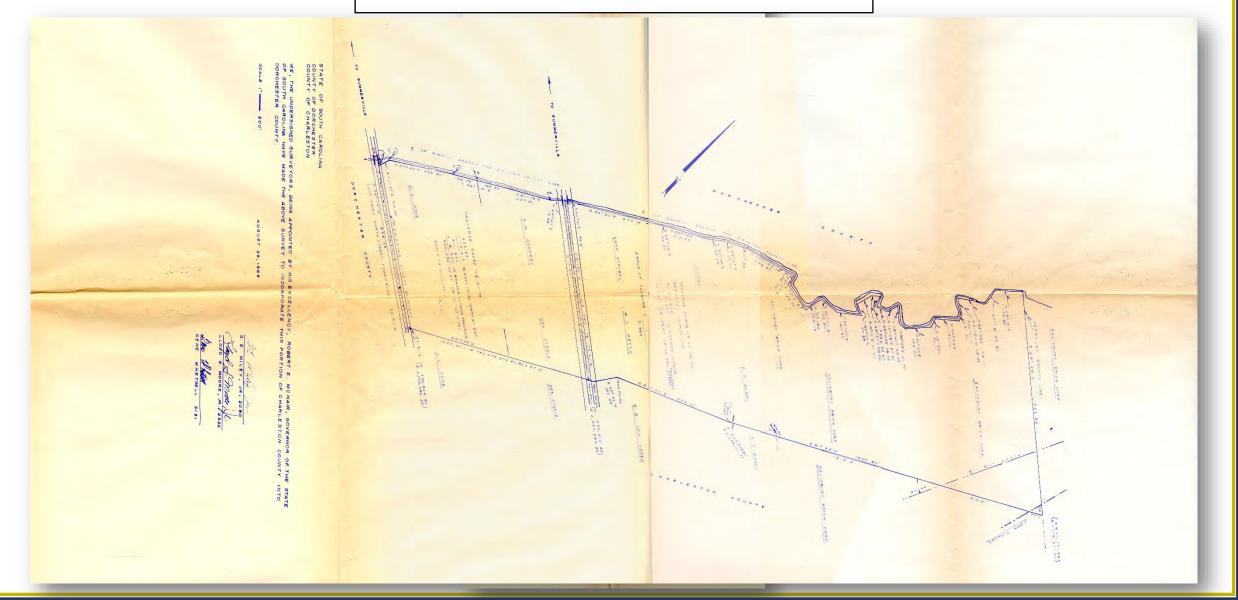


#### Act 51 of the 1969 Session:

#### Area of Charleston County annexed to Dorchester County:

"...Beginning at a stake on what was the Berkeley-Charleston County line, what is now the Berkeley-Dorchester County line, and running in a Southwesterly direction for a distance of Four Thousand One Hundred Thirty-Two and Twenty-two Hundredths (4132.22) Feet along what is now Charleston County to a stake on what is commonly known as the Owens Road, the old Dorchester-Charleston County line; thence, running in a Northwesterly direction for a distance of Nine Hundred Twenty (920) Feet along said Owens Road and Dorchester County to the center of the run of what is commonly known as Sawmill Branch, the old Charleston-Dorchester County boundary line; thence, running along said Sawmill Branch in a Northeasterly direction to the old Berkeley-Dorchester-Charleston County lines; thence, running in a Southeasterly direction for a distance of Eight Hundred Seventy nine and five tenths (879.5) Feet along the old Berkeley-Charleston County line, now the Berkeley-Dorchester County line to the stake designated 'B' on a plat of J. N. Frank, Surveyor, dated 12 August, 1968...."

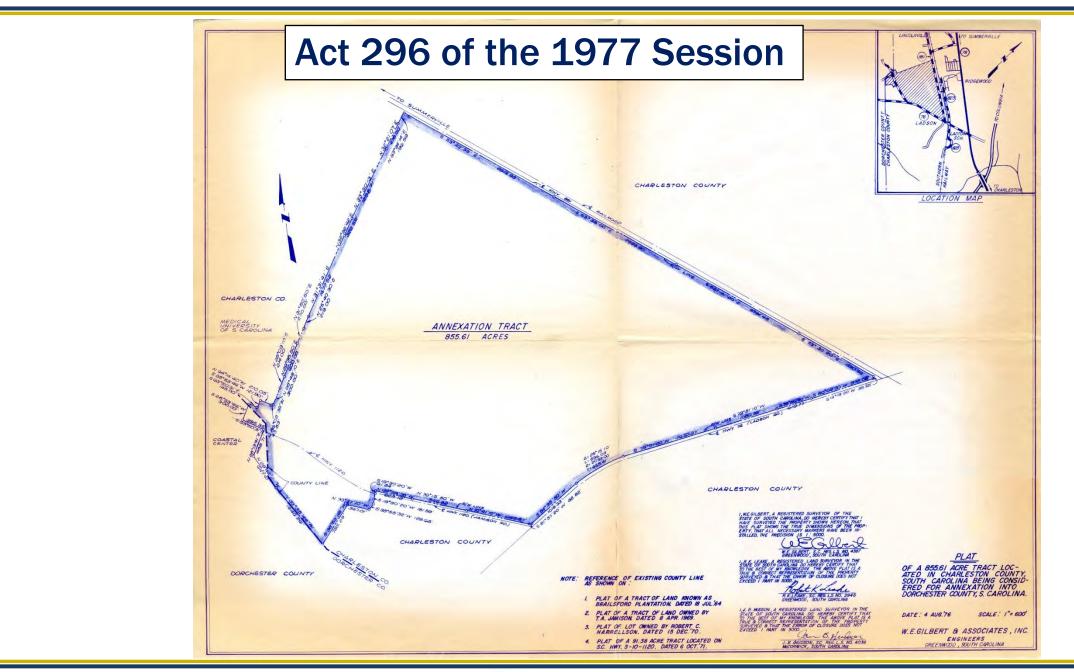
## Act 51 of the 1969 Session



#### Act 296 of the 1977 Session:

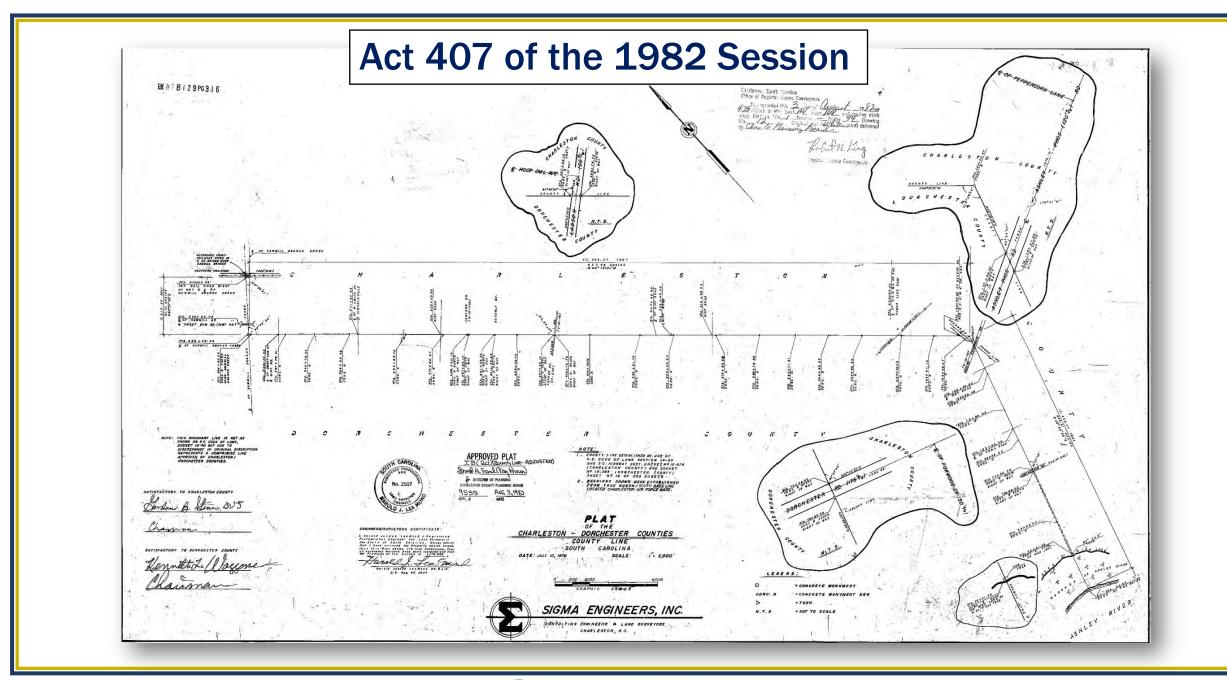
Portion of Charleston County annexed to Dorchester County:

"...All that area now situate, lying and being in the County of Charleston beginning at a point on the southern right-of-way of S. C. 881 (the point of beginning), thence southeast for a distance of 9,700 feet  $\pm$  along the right-of-way of S. C. 881 to a point which is on the right-of-way of S. C. 881 and Highway 78 that is better known as Ladson Road, thence southwest along the right-of-way of Ladson road 8,000 + to a point which is on the right-of-way of Ladson Road and Highway 1120 that is better known as Jamison Road, thence northwest along the right-of-way of Jamison Road 2,700 feet  $\pm$  to a point which is on the northern right-of-way of Jamison Road, thence southwest 50 feet  $\pm$  to a point, thence southwest 130 feet  $\pm$  to a point, thence northwest 370 feet  $\pm$  to a point, thence southwest 800 feet  $\pm$  to a point which is on the Charleston-Dorchester County line, thence northwest along the Charleston and Dorchester County Line 2,200 feet  $\pm$  to a point which is on the southern right-of-way of Jamison Road, thence northwest 600 feet  $\pm$  to a point which is on the northern right-of-way of Jamison Road, thence northwest 600 feet  $\pm$  to a point which is on the northern right-of-way of Jamison Road, thence northwest 600 feet  $\pm$  to a point, thence Charleston Dorchester County Line 50 feet  $\pm$  to a point, thence Charleston Dorchester County Line to a point, thence southeast 550 feet ± \_to a point, thence northeast 5,400 feet ± to a point which is the point of the beginning which area is more specifically shown on that certain PLAT, of a 855.61 ACRE TRACT LOCATED IN CHARLESTON COUNTY, SOUTH CAROLINA, BEING CONSIDERED FOR ANNEXATION INTO DORCHESTER COUNTY:, S.C.; DATED 4 Aug. '76; Scale 1 -600', W. E. Gilbert & Associates Inc., Engineers, Greenwood, South Carolina, as certified to by W. E. Gilbert, S. 'C; Reg. L.S. No. 4387, Greenwood, South Carolina, R. K. Leake, S. C. Reg. L. S. No. 2946 and J.B. Hudson, S. C. Reg. L. S. No. 4036, McCormick, South Carolina..."



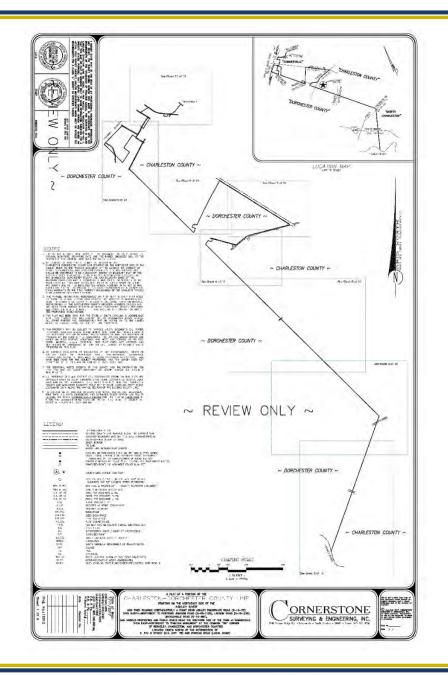
#### Act 407 of the 1982 Session

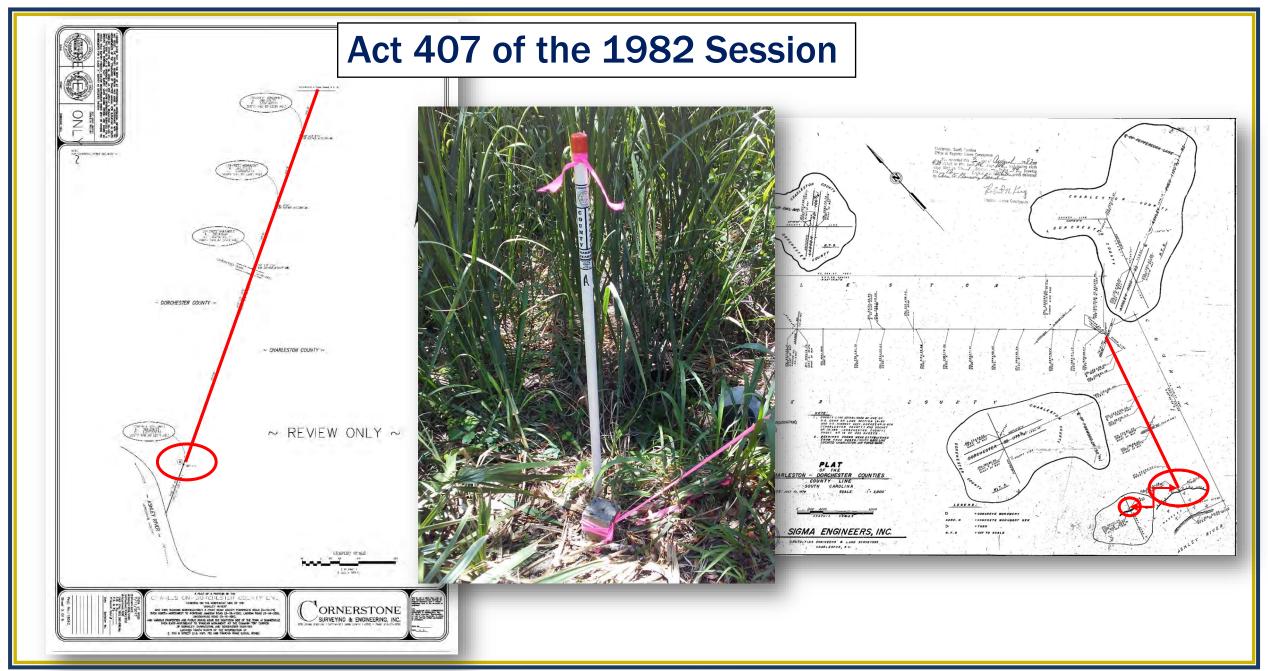
- Delineation of boundaries
- Section 2. The further delineation of the boundaries of Charleston County as contained in Section 4-3-100 of the 1976 Code revised pursuant to the provision of Section 1 of this act are also shown on a plat prepared by Sigma Engineers, Inc., dated July 10, 1978, and signed on behalf of Sigma Engineers. Inc., by Harold J. LeaMond, P.E. and L.S. The governing body of Charleston County shall cause such plat to be recorded in the Office of the Register of Mesne Conveyances for Charleston County and the governing body of Dorchester County shall cause such plat to be recorded in the Office of the Clerk of Court for Dorchester County. To the extent that the further delineation of the boundaries of Charleston County as contained in Section 4-3-100 of the 1976 Code also affects the boundaries of Dorchester County, such boundaries of Dorchester County are hereby redelineated accordingly.



#### **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.



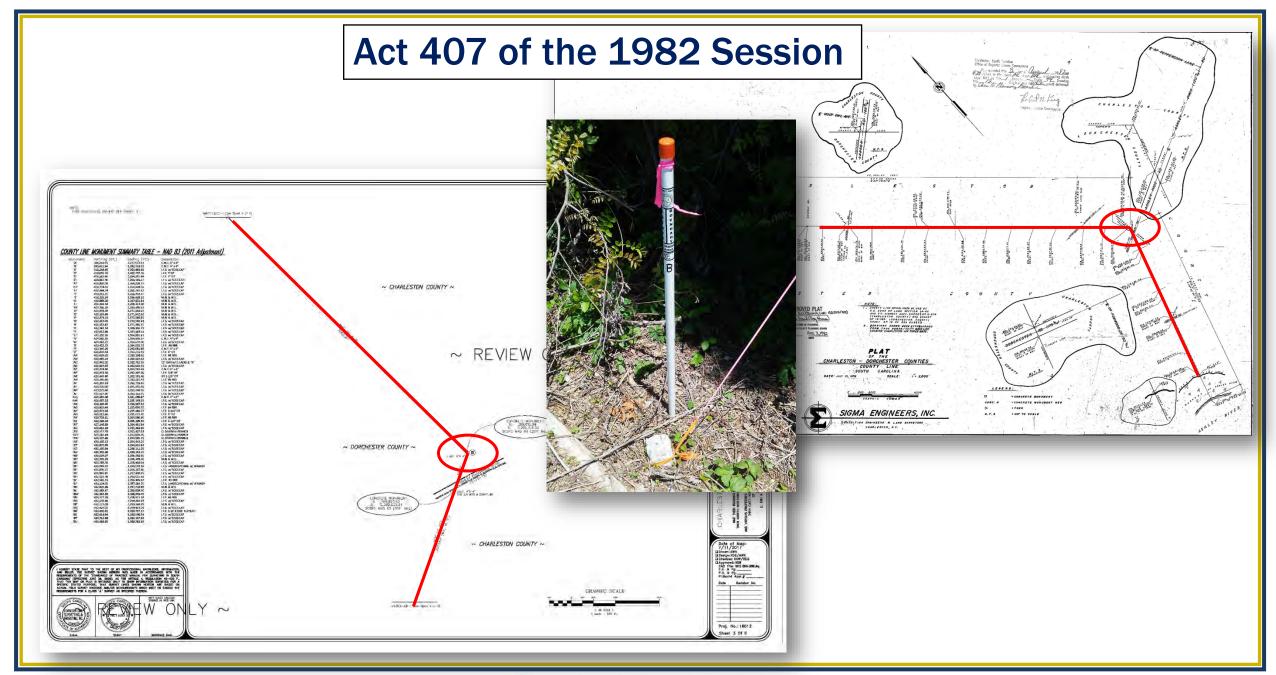


## Act 407 of the 1982 Session



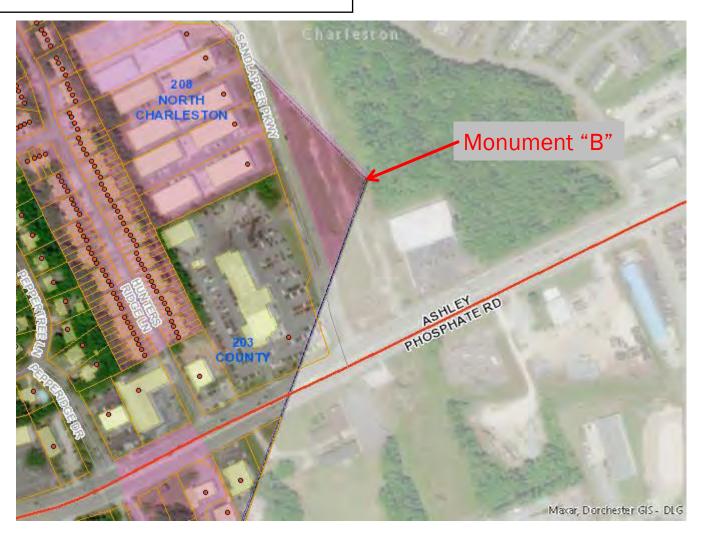
Monument "A"

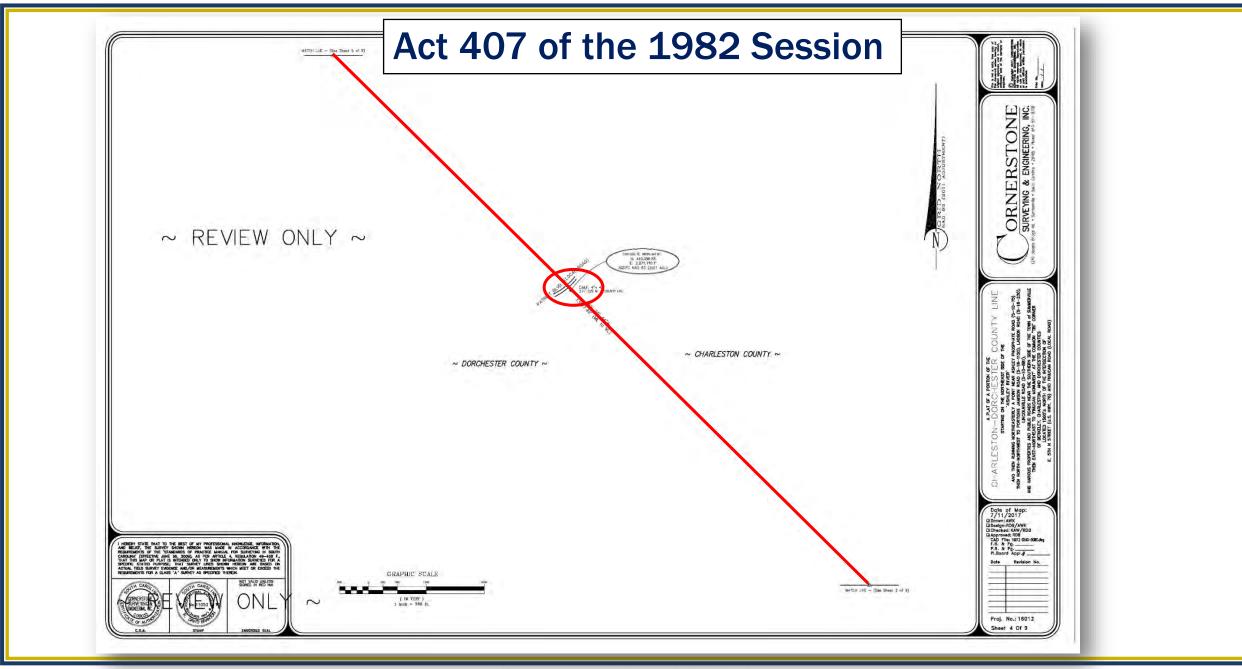


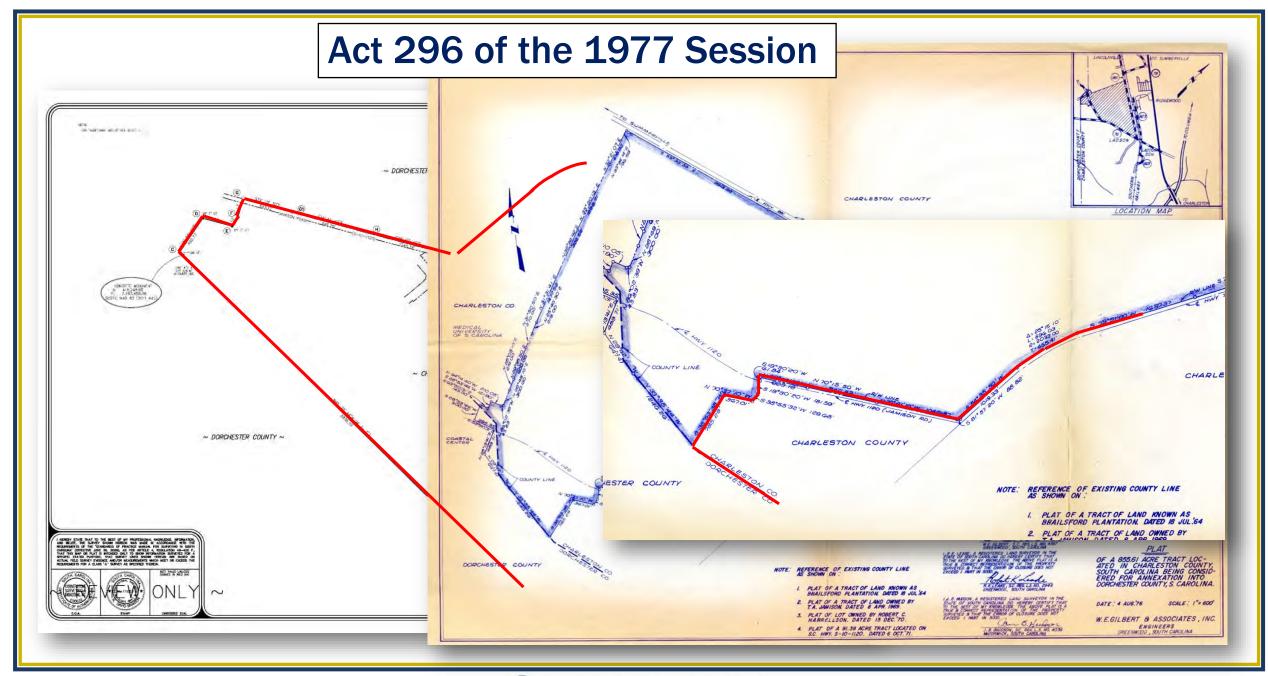


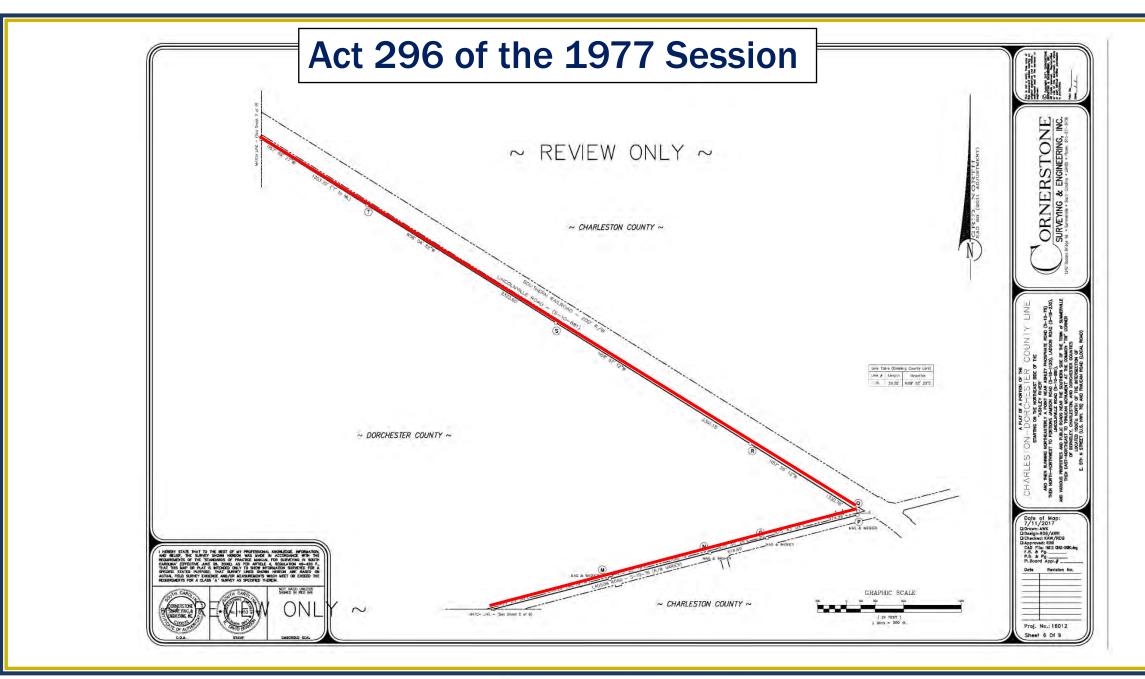
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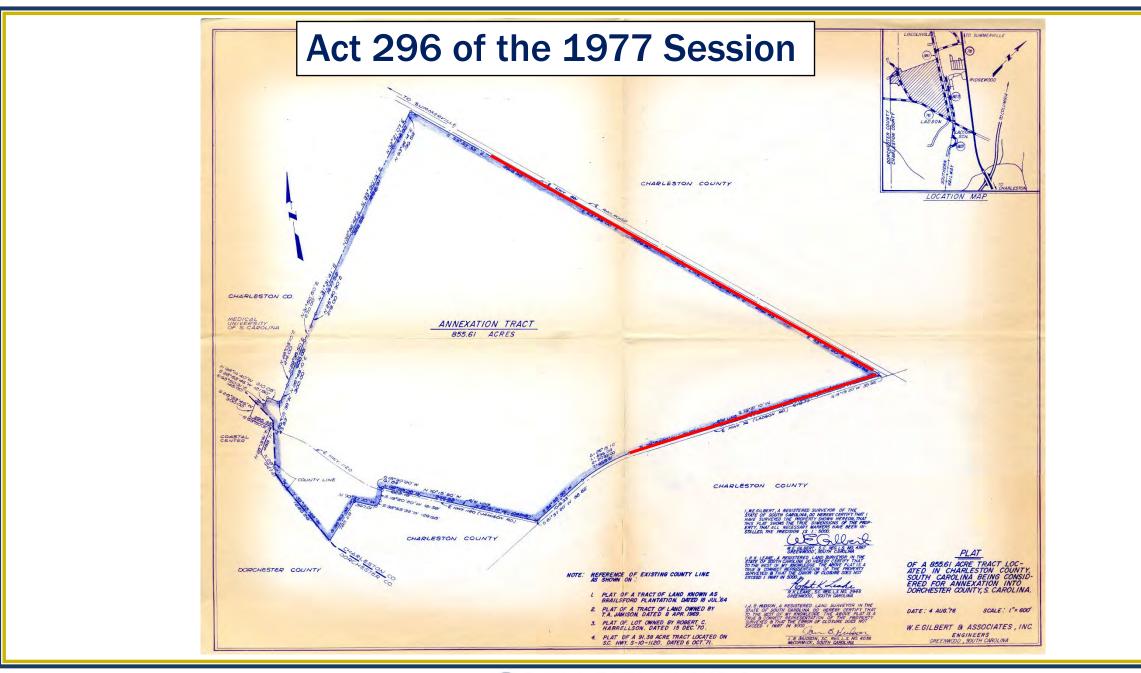


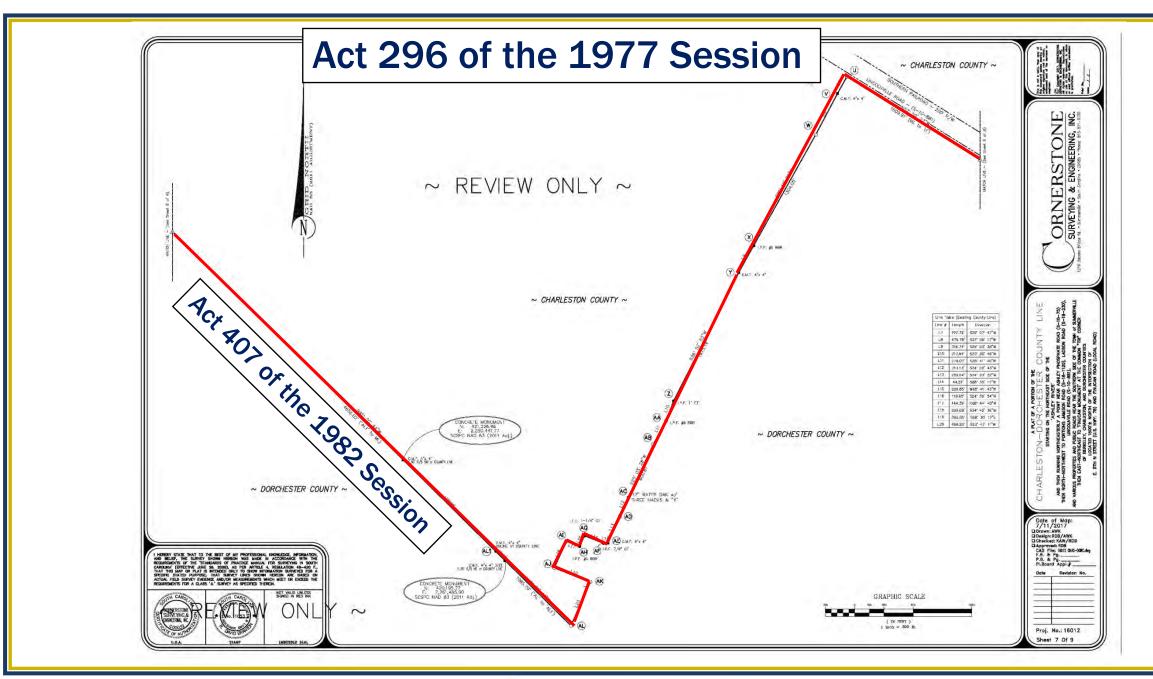


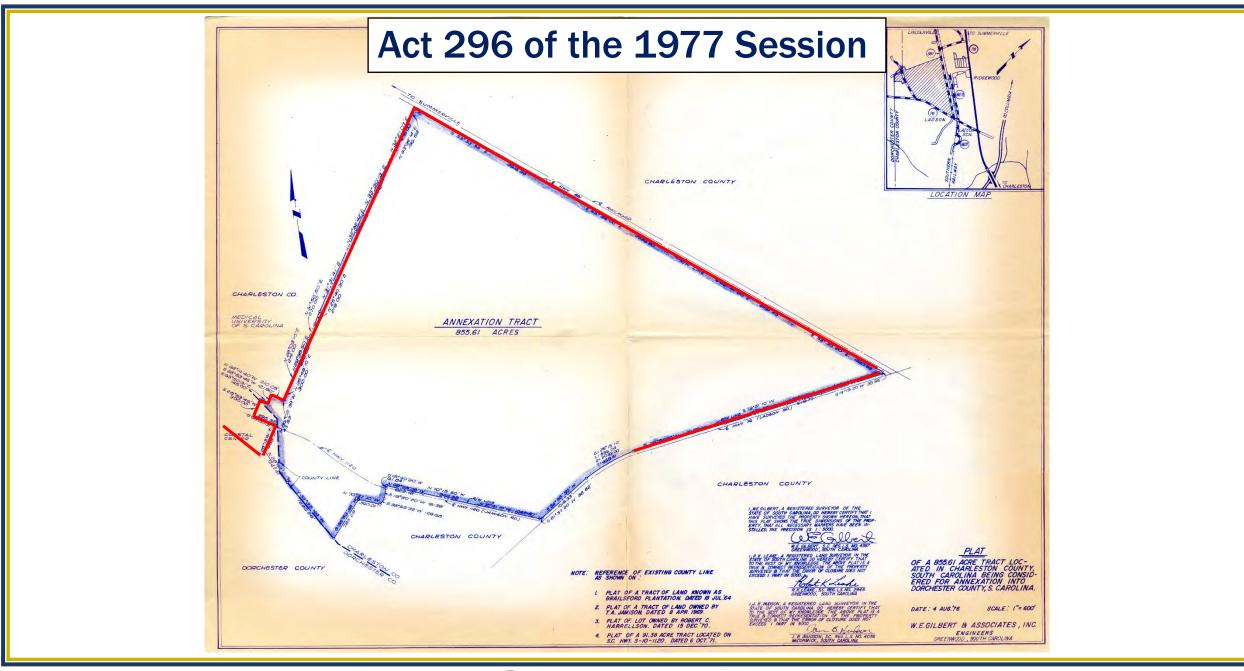


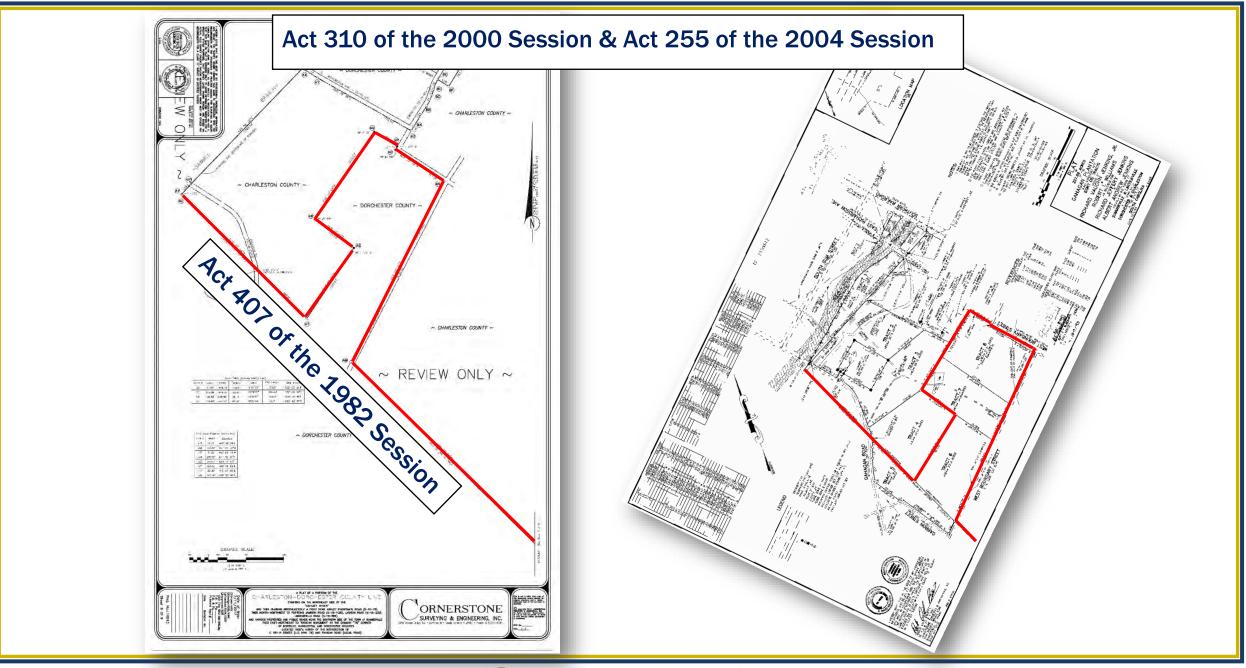




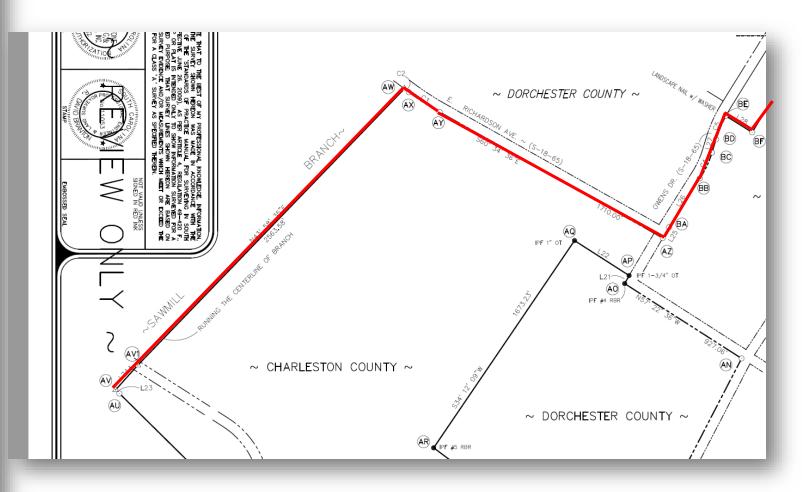


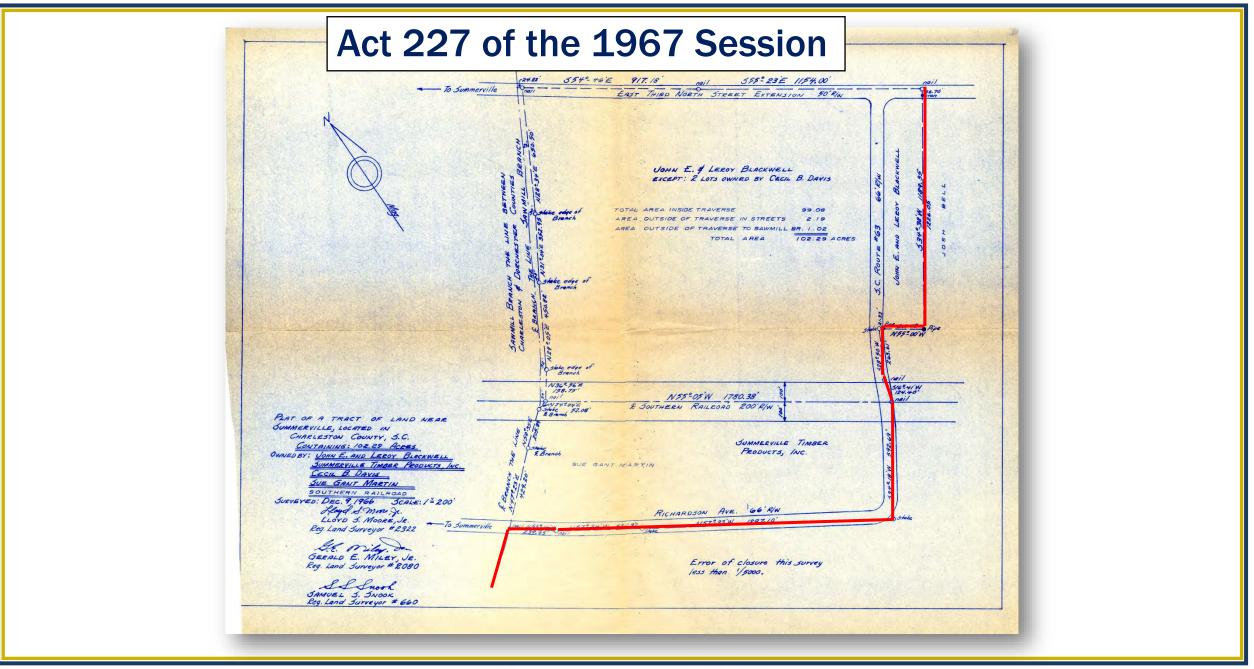


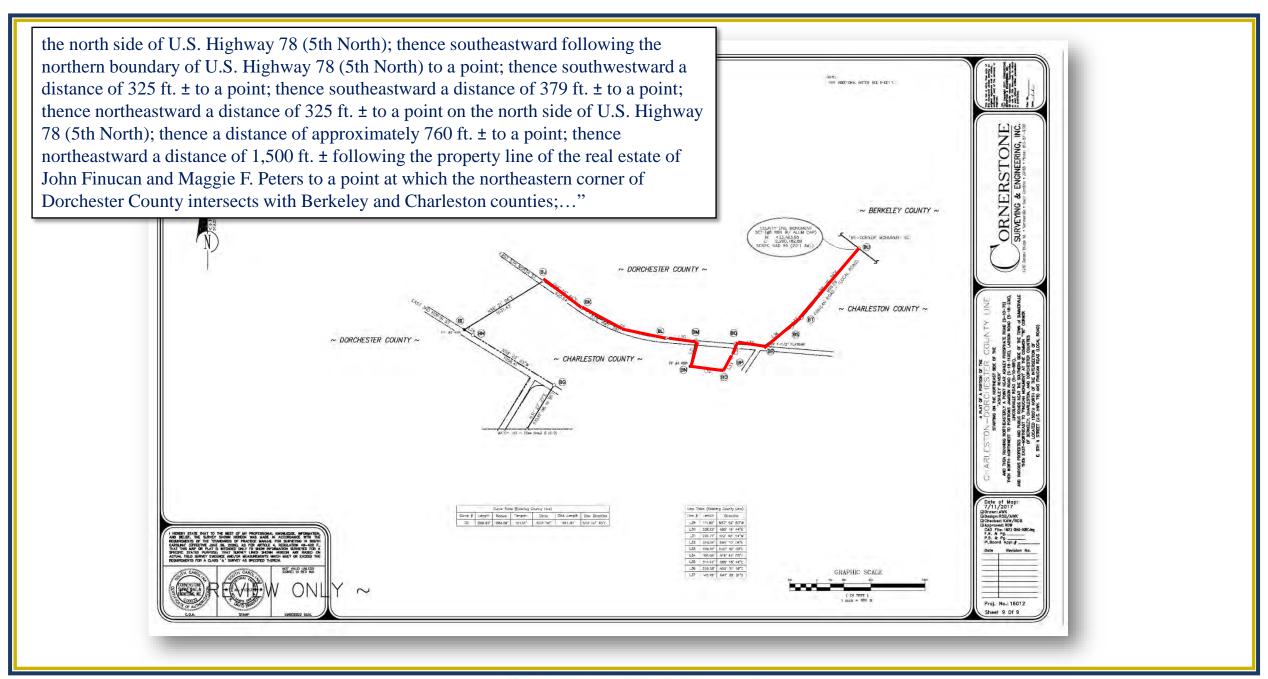




## Act 227 of the 1967 Session









Monument "BU"
Tri-County Corner



### WHAT HAPPENS NEXT:

- -PUBLIC MEETING
- -CERTIFICATION OF PLAT
- -NOTIFY AFFECTED PARTIES
- -60 DAY APPEAL WINDOW
- -RECORD/FILE PLAT UNDER COVER LETTER
- -DATE OF LETTER IS THE EFFECTIVE DATE OF THE BOUNDARY

# **Project Page:**

https://rfa.sc.gov/programs-services/geodetic/county/charleston-dorchester-ashleytosawmill

# **QUESTIONS?**

Or Information You Would Like to Provide?

PLEASE CALL: 803-734-3793

or EMAIL: <u>boundary@rfa.sc.gov</u>

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