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The State of South Carolina

YES
1457 February



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

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suspended
see letter
of 10/2/85 ATTACHED

February 22, 1985

The Honorable Robert N. King
The Register of Mesne Conveyances
2 Courthouse Square
Charleston, South Carolina 29401

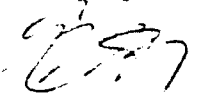
Dear Mr. King:

You have requested the advice of this office as to whether two witnesses are required for the affidavit filed under the authority of Section 33-42-300 of the Code of Laws of South Carolina 1976, as amended. See Act 491, Acts and Joint Resolutions of South Carolina, 1984 page 2075. This affidavit contains information concerning a limited partnership and must be filed prior to selling, conveying or transferring an interest in property owned by a limited partnership.

Section 27-7-10 of the Code requires two or more witnesses to conveyances of land or real estate in fee simple. The affidavit in question is not such a conveyance in that it merely states information concerning the limited partnership. Therefore, Section 27-7-10 would not require two witnesses to the affidavit. Recording of an affidavit can be accomplished by compliance with the requirements of Section 30-5-30 of the Code.

I hope that this information will be of assistance to you. If I may be of additional help, please let me know.

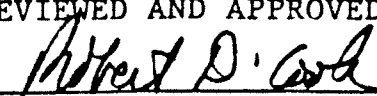
Yours very truly,


J. Emory Smith, Jr.
Assistant Attorney General

JESjr/srcj

cc: The Honorable Virginina Hafen, Spartanburg RMC
The Honorable Donnie S. Tankersley, Greenville RMC
The Honorable Ken Huckaby, President, Clerks of Court

REVIEWED AND APPROVED BY:


Robert D. Cook
Executive Assistant for Opinions