

1977 WL 37282 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 28, 1977

\*1 Glen S. Baldwin, Esquire  
Assistant County Attorney  
Greenville County Courthouse  
Greenville, South Carolina 29601

Dear Glen:

I hope that the copy of the opinion to Senator Land vis a vis the continuation of the office of county supervisor in the council-administrator form of county government which I sent to you on Friday is of assistance to you. As we discussed on the telephone, there is no clear-cut answer on whether the supervisor or the council has the authority to decide whether a road has attained the legal status of a public road since no statute specifically grants to either official or body that express power. I do think that a judicial determination pursuant to the Uniform Declaratory Judgments Act is needed in order to resolve the question definitely.

I shall be out of town this entire week but I plan to contact you when I return. I know that both you and the county officials concerned are most eager to have our Office's opinion on the matter; it may be, however, that we will not be able to issue one that will be helpful in view of the vagueness of the statutes involved.

With kind regards,

Karen LeCraft Henderson  
Assistant Attorney General

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