

1974 WL 27586 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 8, 1974

**\*1 RE: Transfer of Roper Mountain property**

Mr. Fred P. Brinkman  
Executive Director  
South Carolina Department of Parks, Recreation and Tourism  
Box 1358  
Columbia, South Carolina 29202

Dear Mr. Brinkman:

With regard to the state of the title to the Roper Mountain property, we believe that the Department of Parks, Recreation and Tourism holds title to the property free and clear of any encumbrance by Greenville County,

As you suggest, the deeds for the entire acreage of the Roper Mountain property show the sole Grantee to be the South Carolina Tricentennial Commission. Pursuant to 57 STAT. 1130 (1971), ' . . . the three Tricentennial Exposition Parks [of which Roper Mountain is one], all powers, duties, personnel, funds, and all other properties of the South Carolina Tricentennial Commission are hereby transferred to the Department of Parks, Recreation and Tourism.' Also, the letter from Representative Caroline Frederick which you provided which authorized the local Greenville County funds makes no mention of repayment of the funds or of any restriction upon the money other than that it be spent on the Roper Mountain project. Finally, there is no agreement that we are aware of or can find that requires the the Tricentennial Commission and, therefore PRT, to repay the monies to Greenville County.

Consequently, it is our opinion that PRT holds a free and unencumbered title to the Roper Mountain property. I trust that this letter has sufficiently answered your question.

Yours very truly,

M. Elizabeth Crum  
Staff Attorney

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