

1974 S.C. Op. Atty. Gen. 264 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3852, 1974 WL 22440

Office of the Attorney General

State of South Carolina

Opinion No. 3852

September 3, 1974

\*1 Sections 47–18 through 47–18.1 Code of Laws of South Carolina include the provisions for annexation of a public highway into the corporate limits of a city or town.

Mayor

Town of Summerville

You have requested an opinion from this office in regard to the annexation of an area presently outside of the corporate limits of the Town of Summerville, which area includes U.S. Highway No. 78.

Provisions for the annexation of a right-of-way of a highway lying beyond but abutting on corporate limits are found at Sections 47–18 and 48–18.2 Code of Laws of South Carolina, 1962, as amended. Prior to annexation of a highway, these sections specifically require that notice be filed with the Secretary of State and the State Highway Department. Also, Section 47–18.2 requires the Town to obtain consent to annex the road from the Chief Highway Commissioner. Such consent may be given by the Chief Highway Commissioner without an order.

M. Elizabeth Crum

Assistant Attorney General

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