

1972 WL 25232 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 2, 1972

***1 Re: Town of Santee**

Honorable F. Hall Yarborough
Box 606
Orangeburg, S. C. 29115

Dear Mr. Yarborough:

You have requested that this office advise you as to which description of the boundaries of the Town of Santee should be given credence inasmuch as there is a conflict between that description as set forth in the notice of election for incorporation of such town and that contained in the official charter of incorporation. The description as is contained in the charter of incorporation, filed with the Secretary of State, is the normal and accepted legal document for the town's description and boundaries. The charter is thus the controlling document and should be referred to in any instance in which questions arise as to such description of boundaries. In the event, and as is present in this case, the description contained in the charter is so vague and ambiguous as to be impossible of exact determination, it is the opinion of this office that reference can be made to the notice of election for incorporation in order to determine the exact boundaries. Inasmuch as the notice for incorporation for the Town of Santee contains an exact legal description, capable of precise determination, it is felt that this document would control in the instant case, case, inasmuch as the official charter of incorporation contains such a vague description.

I trust that this will be sufficient to answer the question you posed. If we may be of any further assistance, please do not hesitate to call or write.

Very truly yours,

Timothy G. Quinn
Assistant Attorney General

1972 WL 25232 (S.C.A.G.)

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.