

Henry E Darby, Chair
Jenny Costa Honeycutt
Anna B Johnson
Kylon Jerome Middleton
Brantley Moody
Teddie Pryor
Herb Sass
Dickie Schweers
Robert L Wehrman



Planning & Public Works Committee Agenda
September 15, 2022 at 5:00 PM
4045 Bridge View Drive, North Charleston, SC 29405

- 1 APPROVAL OF MINUTES**
 - 1A Minutes of September 6, 2022** - Request to Consider
- 2 ZONING AND PLANNING ITEMS**
 - 2A Historic Preservation Ordinance Amendments** - Request to Consider
- 3 PUBLIC WORKS ITEMS**
 - 3A Abandonment of ROW Adjacent to Saint James Drive, Riverland Terrace Subdivision** - Request to Approve

Charleston County Council

Memorandum

To: Members of Planning/Public Works Committee
From: Kristen Salisbury, Clerk of Council
Date: September 9, 2022
Subject: Minutes of September 6, 2022

At the Planning/Public Works Committee of September 6, 2022, the draft minutes of the September 6, 2022, PPW Committee will be presented for consideration of approval.

PROPOSED TEXT AMENDMENTS TO THE CHARLESTON COUNTY HISTORIC PRESERVATION ORDINANCE

Historic Preservation Commission Meeting: August 16, 2022

Planning/Public Works Committee: September 15, 2022

Public Hearing: September 20, 2022

First Reading: September 20, 2022

Second Reading: October 11, 2022

Third Reading: October 25, 2022

Background

The Charleston County Historic Preservation Ordinance (Ord. No. 2028) was adopted on August 21, 2018. The ordinance, which is located in the County's Code of Ordinances and is not part of the Zoning and Land Development Regulations Ordinance, accomplishes the following:

- Sets up a Historic Preservation Commission;
- Establishes a Designation of Historic Property process for County Council to create a list of locally significant historic properties and districts; and
- Creates a process by which proposed changes to County-designated and NRHP-listed historic properties and districts can be reviewed and determined by the Commission (called Certificates of Historic Appropriateness).
- April 13, 2021: The Historic Preservation Ordinance was amended (Ord. No. 2150) to remove the application requirement for owners of property within proposed historic districts to sign restrictive covenant affidavits.
- October 26, 2021: The Historic Preservation Ordinance was amended (Ord. No. 2176) to exempt limited site plan review applications and specific types of subdivision plat applications from the Certificate of Historic Appropriateness requirements, and make clerical changes and clarifications as needed.

The Historic Preservation Commission was formed in late 2018/early 2019 and met for the first time on February 19, 2019. Since that time, they have heard many applications for Certificates of Historic Appropriateness (CHA) that have been required due to proximity to, or located within, historically designated properties/districts. Some cases have identified specific zoning permit applications of the Zoning and Land Development Regulations (ZLDR) Ordinance that could be exempt from Historic Preservation Commission review. The growing amount of CHA applications have also generated the potential need for a process for administrative review to minor modifications to approved CHAs, as described below.

Proposed exemptions from the CHA process include the following specific types of Zoning Permit applications:

1. Existing Communications Towers where no changes to the lease area or equipment area are proposed;
2. Face changes for existing, legally permitted Signs;
3. Home Occupations;
4. Permits for Tree Removal that meet the requirements of the Charleston County Zoning and Land Development Regulations Ordinance;
5. Power Poles where no alteration, modification, addition to, new construction, rehabilitation, relocation, or restoration is proposed;
6. Temporary Special Events; and
7. Temporary Uses and Structures.

Proposed modifications to approved Certificates of Historic Appropriateness include the following:

The Zoning and Planning Director shall determine whether a proposed modification to a previously approved Certificate of Historic Appropriateness is considered a minor or major modification, pursuant to the criteria in this section. Modifications of approved Certificates of Historic Appropriateness are categorized as major or minor depending on the type and extent of proposed changes, as described

below:

1. Minor Modifications.

- a. Increase in Common Open Space area;
- b. Decrease in residential Density or number of Dwelling Units;
- c. Increase in Setbacks;
- d. Increase in the area, dimensions, and/or Density of Landscape Buffers;
- e. Decrease in Building Floor Area;
- f. Decrease in the number or size of Signs;
- g. Minor shifts in the layout of the land uses in an approved Site Plan;
- h. Minor shifts in the location of access points or internal Roadways necessary to resolve regulatory (e.g., SCDOT) permitting issues; and
- i. The Zoning and Planning Director is authorized to approve minor modifications to an approved Certificate of Historic Appropriateness.

2. Major Modifications.

- a. Any modification not considered “minor” pursuant to paragraph 1, above, is considered a major modification;
- b. Major modifications require a new Certificate of Historic Appropriateness, in accordance with the procedure specified in this Article; and
- c. Any Certificate of Historic Appropriateness application must comply with all requirements of this Article.

Additional proposed amendments include separating Subdivision and Site Plan Review application requirements for Historic Properties/properties within Historic Districts and those within 300 feet of a Historic Property/District, as well as requiring applicants to obtain Certificate of Historic Appropriateness approval from the Historic Preservation Commission prior to placement on a Board of Zoning Appeals agenda, if applicable.

Staff Recommendation:

Amend the Historic Preservation Ordinance to exempt specific zoning permit applications from CHA requirements, create an administrative review process for minor amendments to approved CHAs, formalize the process for CHA applications that also require BZA approval, and clarify the Subdivision and Site Plan Review application requirements, as needed (proposed amendments are attached-see the bold, red, italic text showing modifications to the ordinance language).

Historic Preservation Commission: August 16, 2022

Public Input: No letters in support or opposition received.

Notifications: 131 notifications were sent to individuals on the Historic Preservation Interested Parties List on July 29, 2022. Additionally, the meeting was advertised in the Post & Courier on July 29, 2022.

Planning/Public Works Committee Meeting: September 15, 2022

Public Input: No letters in support or opposition received.

Public Hearing: September 20, 2022

Notifications: 132 notifications were sent to individuals on the Historic Preservation Interested Parties List on September 2, 2022. Additionally, the meeting was advertised in the Post & Courier on September 2, 2022.

Proposed Amendments to the Historic Preservation Ordinance

September 15, 2022

Historic Preservation Ordinance

The Charleston County Historic Preservation Ordinance (Ord. No. 2028) was adopted on August 21, 2018. The ordinance, which is located in the County's Code of Ordinances and is not part of the Zoning and Land Development Regulations Ordinance, accomplishes the following:

- Sets up a Historic Preservation Commission;
- Establishes a Designation of Historic Property process for County Council to create a list of locally significant historic properties and districts; and
- Creates a process by which proposed changes to County-designated and NRHP-listed historic properties and districts can be reviewed and determined by the Commission (called Certificates of Historic Appropriateness).

Prior Amendments to the Ordinance

- April 13, 2021: The Historic Preservation Ordinance was amended (Ord. No. 2150) to remove the application requirement for owners of property within proposed historic districts to sign restrictive covenant affidavits.
- October 26, 2021: The Historic Preservation Ordinance was amended (Ord. No. 2176) to exempt limited site plan review applications and specific types of subdivision plat applications from the Certificate of Historic Appropriateness requirements, and make clerical changes and clarifications as needed.

Proposed Amendments

Sec. 21-4 – Certificate of Historic Appropriateness

A. Purpose

In order to ensure that any alteration, modification, relocation, demolition, addition to, new construction, rehabilitation, or restoration of a Historic Property or on a property included in a Historic District, or subdivision or development of property located within 300 feet of a Historic Property or Historic District, is in keeping with the historical, cultural, and architectural character of the Historic Property or Historic District, a Certificate of Historic Appropriateness must be obtained pursuant to the standards set forth in this Section, except where exempt pursuant to the provisions of this Section.

B. Applicability

1. Certificate Required. A Certificate of Historic Appropriateness is required **before**:
 - a. ***Subdivision Plat and Site Plan Review approvals for Historic Properties and properties within Historic Districts, except that the following specific types of Subdivision Plat applications are exempt from the Certificates of Historic Appropriateness requirements of this Ordinance:***
 - i. ***Subdivision Plats submitted for sole purpose of creating an easement(s), delineating OCRM Critical Line Areas, and/or delineating the location(s) of freshwater wetlands;***
 - ii. ***The combination or recombination of portions of previously platted Lots where the total number of Lots is not increased;***
 - iii. ***Boundary plats;***
 - iv. ***Property line adjustments where no new Lots are created; and***
 - v. ***Subdivision Plats that are the result of a court order.***

Proposed Amendments

b. The issuance of Zoning Permits for the demolition, alteration, modification, addition to, new construction, rehabilitation, relocation, or restoration to a Historic Property or a property located in a Historic District, including construction of new structures in Historic Districts. ***The following specific types of Zoning Permit applications are exempt from the Certificate of Historic Appropriateness requirements of this Ordinance:***

- i. Existing Communications Towers where no changes to the lease area or equipment area are proposed;***
- ii. Face changes for existing, legally permitted Signs;***
- iii. Home Occupations;***
- iv. Permits for Tree Removal that meet the requirements of the Charleston County Zoning and Land Development Regulations Ordinance;***
- v. Power Poles where no alteration, modification, addition to, new construction, rehabilitation, relocation, or restoration is proposed;***
- vi. Temporary Special Events; and***
- vii. Temporary Uses and Structures.***

Proposed Amendments

J. Modifications to Approved Certificates of Historic Appropriateness

The Zoning and Planning Director shall determine whether a proposed modification to a previously approved Certificate of Historic Appropriateness is considered a minor or major modification, pursuant to the criteria in this section. Modifications of approved Certificates of Historic Appropriateness are categorized as major or minor depending on the type and extent of proposed changes, as described below:

1. Minor Modifications.

- a. Increase in Common Open Space area;*
- b. Decrease in residential Density or number of Dwelling Units;*
- c. Increase in Setbacks;*
- d. Increase in the area, dimensions, and/or Density of Landscape Buffers;*
- e. Decrease in Building Floor Area;*
- f. Decrease in the number or size of Signs;*
- g. Minor shifts in the layout of the land uses in an approved Site Plan;*
- h. Minor shifts in the location of access points or internal Roadways necessary to resolve regulatory (e.g., SCDOT) permitting issues; and*
- i. The Zoning and Planning Director is authorized to approve minor modifications to an approved Certificate of Historic Appropriateness.*

2. Major Modifications.

- a. Any modification not considered “minor” pursuant to paragraph 1, above, is considered a major modification;*
- b. Major modifications require a new Certificate of Historic Appropriateness, in accordance with the procedure specified in this Article; and*
- c. Any Certificate of Historic Appropriateness application must comply with all requirements of this Article.*

K. Board of Zoning Appeals

In the event an applicant is required to obtain approval from the Board of Zoning Appeals for a property(ies) that also requires a Certificate of Historic Appropriateness, the Certificate of Historic Appropriateness approval must be obtained from the Historic Preservation Commission prior to placement on a Board of Zoning Appeals agenda.

Proposed Amendments

Recommendations

Historic Preservation Commission Recommendation: Approval, 9-0

Staff Recommendation: Approval

Notifications

July 29, 2022

- 131 notifications were sent to individuals on the Historic Preservation Interested Parties List
- Meeting was advertised in the Post & Courier

September 2, 2022

- 132 notifications were sent to individuals on the Historic Preservation Interested Parties List
- Meeting was advertised in the Post & Courier

Committee Agenda Item

To: Bill Tuten, County Administrator
From: Steve L. Thigpen **Dept.:** Public Works
Subject: Abandonment of ROW Adjacent to Saint James Dr, Riverland Terrace
Request: Request to Approve
Committee: Planning/Public Works Committee **Date:** September 15, 2022

Department	Approver
Deputy County Administrator	James D. Armstrong
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:

None

Funding: Was funding previously approved? N/A

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item

Situation:

The Charleston County Legal Department received a petition filed in the Court of Common Pleas, Case#2022CP1003431, petitioning the County for Abandonment and Closure of Roads. The Plaintiffs, Ilderton, Stone, Creasy, Fletcher; are seeking closure and abandonment of two unopened and unnamed drives located between County owned Saint James Drive and SCDOT owned Fort Pemberton Drive. Charleston County and SCDOT are both identified as Defendants. The plat of Riverland Terrace dated January 15, 1926, recorded in Book E at Page 33 identifies two small portions of unopened and unnamed drives between parcels #3430100095 and 3430100094 and 3430100093 as shown in the attached site map. The Plaintiffs are seeking title to this area adjacent to their parcel as the Court may determine.

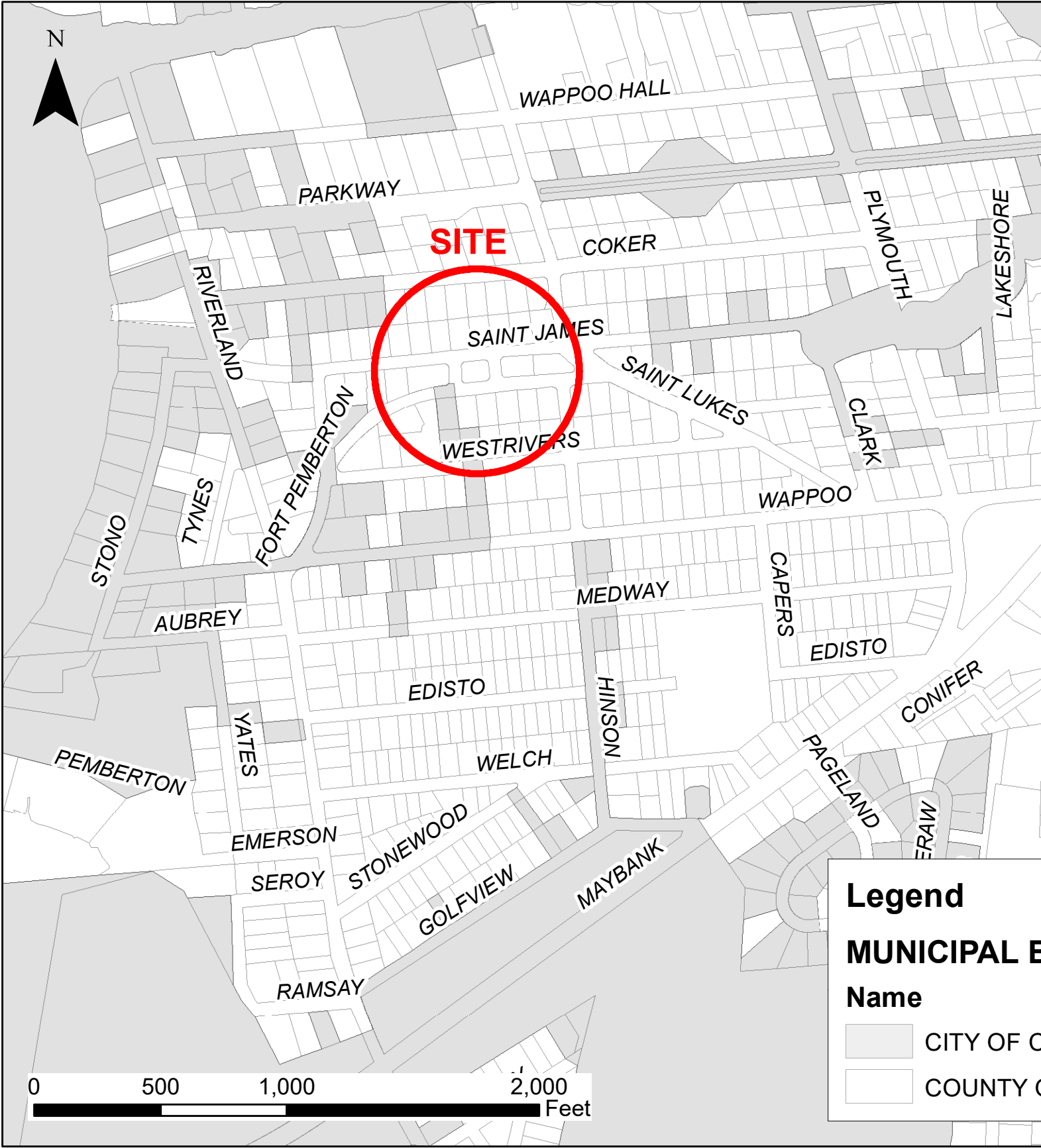
Charleston County Public Works has no record of maintaining any assets within this area, but the County may have an ownership interest in the property given it is adjacent to the Saint James Drive right of way. Public Works does not object to these areas being permanently abandoned for use as streets.

Department Head Recommendation:

Charleston County abandon any and all interest it may have in the unopened and unnamed drives located between Saint James Drive and Fort Pemberton Dr and adjacent to parcels #3430100095 and 3430100094 and 3430100093.

ABANDONMENT OF ROW ADJACENT TO SAINT JAMES DRIVE, RIVERLAND TERRACE

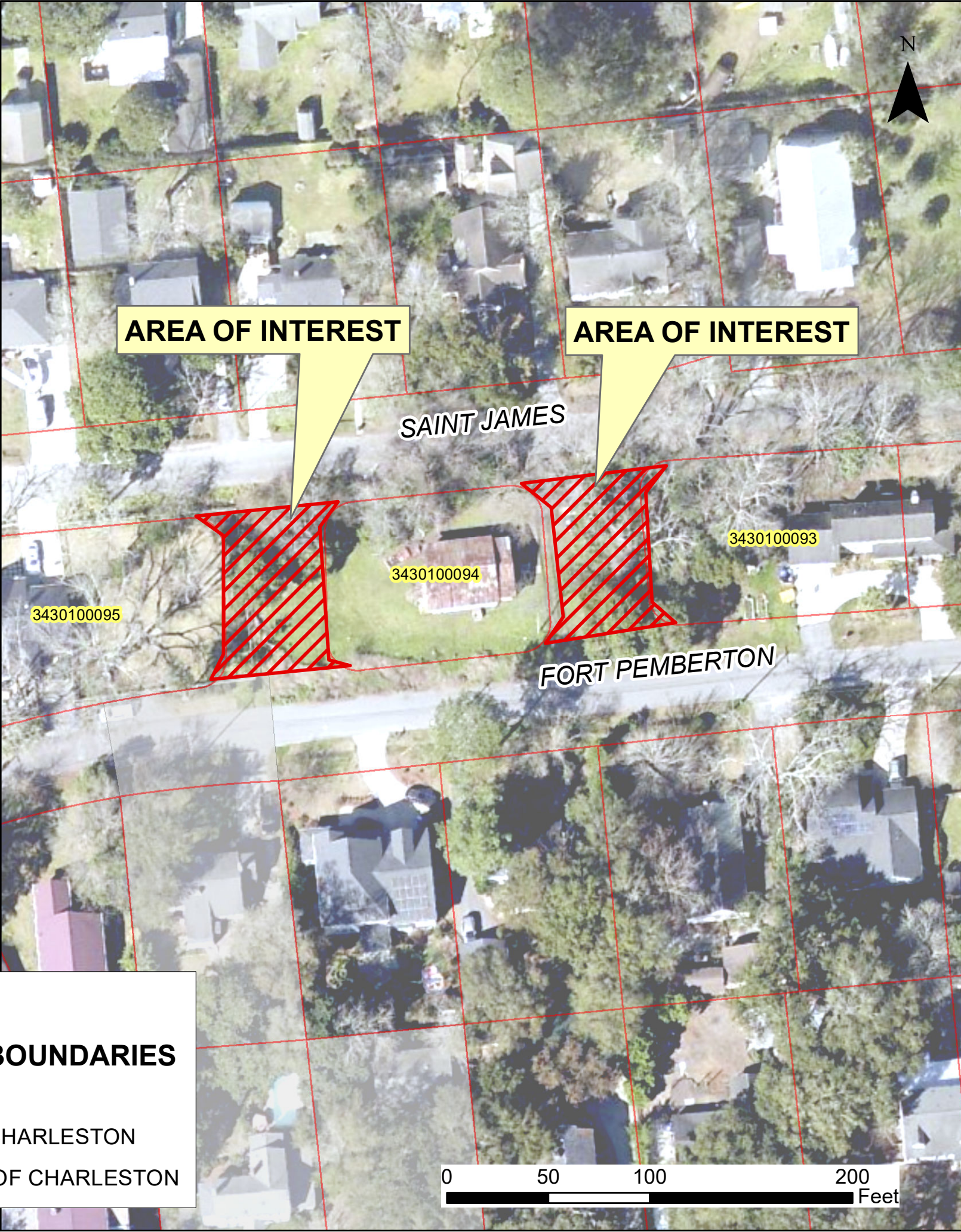
Date: 8/26/2022



Legend

MUNICIPAL BOUNDARIES

	Name
	CITY OF CHARLESTON
	COUNTY OF CHARLESTON



STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON	)	Civil Action No. 2022-CP-10-_____
)	
Caroline I. Ilderton, A. Marion Stone,)	
Michael J. Creasy and Jessica Lynn)	
Fletcher,)	
)	
Plaintiffs,)	
	)	SUMMONS
vs.)	
)	
County of Charleston and South Carolina)	
Department of Transportation,)	
)	
Defendants.)	
_____)	

TO: DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Petition for Abandonment and Closure of Roads in this action, a copy of which is hereby served upon you, and to serve a copy of your Answer to the Petition for Abandonment and Closure of Roads upon the subscribers at 134 Meeting Street, Third Floor, Charleston, South Carolina 29401, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Petition for Abandonment and Closure of Roads within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Petition for Abandonment and Closure of Roads.

By: s/ Stafford J. McQuillin III
David M. Swanson (SC Bar #5451)
Stafford J. McQuillin, III (SC Bar #78203)
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, Third Floor (29401)
P. O. Box 340
Charleston, SC 29402-0340
Telephone: (843) 722-3366
Facsimile: (843) 722-2266
Email: mmcquillin@hsblawfirm.com
dswanson@hsblawfirm.com

July 25, 2022

Attorneys for Plaintiffs

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON	)	Civil Action No. 2022-CP-10-_____
)	
Caroline I. Ilderton, A. Marion Stone,)	
Michael J. Creasy and Jessica Lynn)	
Fletcher,)	
)	
Plaintiffs,	)	PETITION FOR ABANDONMENT
	)	AND CLOSURE OF ROAD
vs.	)	(Non-Jury)
)	
County of Charleston and South Carolina)	
Department of Transportation,)	
)	
Defendants.)	
)	

Plaintiffs above-named, complaining of Defendants herein, respectfully allege as follows:

1. Plaintiffs bring this action pursuant to Section 57-9-10, et seq. of the 1976 South Carolina Code of Laws, as amended for the purpose of closing and abandoning two unopened and unnamed drives located between Saint James Drive and Fort Pemberton Drive, Charleston County, South Carolina.

2. Upon information and belief, defendant County of Charleston (the “**County**”), is a political subdivision of the State of South Carolina and has or may claim to have some interest in the Roads, as hereinafter defined, and is a proper party to this action.

3. Upon information and belief, defendant South Carolina Department of Transportation (the “**SCDOT**”, together with the County sometimes referred to as the “**Defendants**”), is a political subdivision of the State of South Carolina and is made a defendant in this action for the reason that the Roads, as hereinafter defined, are located within the State of South Carolina and SCDOT has or may claim to have some right, title or interest in the Roads.

4. Plaintiff Caroline I. Ilderton (“**Ilderton**”), is a citizen and resident of the County of Charleston and is the owner of a parcel of real property located in Riverland Terrace,

Charleston County, South Carolina that is identified as Charleston County tax map parcel number 343-01-00-093 (the “**Ilderton Property**”).

5. Plaintiffs Michael J. Creasy and Jessica Lynn Fletcher (together, “**Creasy Fletcher**”), are citizens and residents of the County of Charleston and are the owners of a parcel of real property located in Riverland Terrace, Charleston County, South Carolina that is identified as Charleston County tax map parcel number 343-01-00-095 (the “**Creasy Fletcher Property**”).

6. Plaintiff A. Marion Stone (“**Stone**”), is a citizen and resident of the County of Charleston and is the owner of a parcel of real property located in Riverland Terrace, Charleston County, South Carolina that is identified as Charleston County tax map parcel number 343-01-00-094 (the “**Stone Property**”).

7. The Ilderton Property and the Stone Property are the only properties adjacent to the road between the two, which road runs from St. James Drive south to Fort Pemberton Drive (the “**Ilderton/Stone Road**”), as more fully shown on a plat entitled “PLAT OF RIVERLAND TERRACE CHARLESTON COUNTY, SOUTH CAROLINA” dated January 15, 1926, prepared by John McCrady, Registered Civil Engineer and recorded in Book E at Page 33 in the Office of the Charleston County Register of Deeds (the “**Plat**”). A copy of the Plat is attached hereto as Exhibit A. The Ilderton/Stone Road is a fifty foot (50’) wide right of way that runs between St. James Drive and Fort Pemberton Drive as shown on the Plat.

8. Plaintiff Ilderton and Plaintiff Stone are a “interested persons” as to the Ilderton/Stone Road, as defined under S.C. Code Ann. Section 57-9-10, because they own the properties that are adjacent to the Ilderton/Stone Road.

9. Plaintiff Ilderton and Plaintiff Stone desire that the Ilderton/Stone Road be closed as a street a public street as described on the Plat.

10. Plaintiff Ilderton and Plaintiff Stone are informed and believe that the travelling public has never used the Ilderton/Stone Road because the Ilderton/Stone Road has never been completed and is not in a condition to be travelled upon.

11. Plaintiff Ilderton has used a portion of the Ilderton/Stone Road as part and parcel to the Ilderton Property and Plaintiff Stone has used a portion of the Ilderton/Stone Road as part and parcel to the Stone Property.

12. The Ilderton/Stone Road is no longer necessary as a thoroughfare to Plaintiffs, County, SCDOT or any member of the public.

13. Plaintiff Ilderton and Plaintiff Stone plan to incorporate the portions of the Ilderton/Stone Road adjacent to their respective properties into their existing parcels in order to more adequately maintain the Ilderton/Stone Road, preventing the area from becoming a public nuisance and depreciating the value of the other properties in the immediate vicinity to such an extent that it is harmful to the community, which will be a general and permanent benefit to the citizens and residents of the surrounding area.

14. Plaintiff Ilderton and Plaintiff Stone are informed and believe that it would be in the best interest of the citizens and residents of the surrounding area for the Ilderton/Stone Road to be permanently abandoned and closed and that the fee simple interest of the Ilderton/Stone Road be deeded Plaintiff Ilderton and Plaintiff Stone as the adjoining property owners in accordance with Section 57-9-10, et seq. of the 1976 South Carolina Code of Laws, as amended.

15. The Creasy Fletcher Property and the Stone Property are the only properties adjacent to the road between the two, which road runs from St. James Drive south to Fort Pemberton Drive (the “*Creasy Fletcher/Stone Road*”, together with the Ilderton/Stone Roads, sometimes referred to herein as the “*Roads*”), as more fully shown on the Plat. The Creasy

Fletcher/Stone Road is a fifty foot (50') wide right of way that runs between St. James Drive and Fort Pemberton Drive as shown on the Plat.

16. Plaintiff Creasy Fletcher and Plaintiff Stone are "interested persons" as to the Creasy Fletcher/Stone Road, as defined under S.C. Code Ann. Section 57-9-10, because they own the properties that are adjacent to the Creasy Fletcher/Stone Road.

17. Plaintiff Creasy Fletcher and Plaintiff Stone desire that the Creasy Fletcher/Stone Road be closed as a street a public street as described on the Plat.

18. Plaintiff Creasy Fletcher and Plaintiff Stone are informed and believe that the travelling public has never used the Creasy Fletcher/Stone Road because the Creasy Fletcher/Stone Road has never been completed and is not in a condition to be travelled upon.

19. Plaintiff Creasy Fletcher has used a portion of the Creasy Fletcher/Stone Road as part and parcel to the Creasy Fletcher Property and Plaintiff Stone has used a portion of the Creasy Fletcher/Stone Road as part and parcel to the Stone Property.

20. The Creasy Fletcher/Stone Road is no longer necessary as a thoroughfare to Plaintiffs, County, SCDOT or any member of the public.

21. Plaintiff Creasy Fletcher and Plaintiff Stone plan to incorporate the portions of the Creasy Fletcher/Stone Road adjacent to their respective properties into their existing parcels in order to more adequately maintain the Creasy Fletcher/Stone Road, preventing the area from becoming a public nuisance and depreciating the value of the other properties in the immediate vicinity to such an extent that it is harmful to the community, which will be a general and permanent benefit to the citizens and residents of the surrounding area.

22. Plaintiff Creasy Fletcher and Plaintiff Stone are informed and believe that it would be in the best interest of the citizens and residents of the surrounding area for the Creasy Fletcher/Stone Road to be permanently abandoned and closed and that the fee simple interest of

the Creasy Fletcher/Stone Road be deeded Plaintiff Creasy Fletcher and Plaintiff Stone as the adjoining property owners in accordance with Section 57-9-10, et seq. of the 1976 South Carolina Code of Laws, as amended.

23. That in accordance with S.C. Code Section 57-9-10, et seq., prior to filing this Petition, Plaintiffs published a Notice of Intention to File a Petition for Abandonment and Closure once a week for three consecutive weeks in a newspaper published in Charleston County, State of South Carolina, the county and state where the roads are located, as evidenced by an Affidavit of Publication attached hereto as Exhibit B and incorporated herein by reference.

24. Notices have been physically posted along the Roads by Plaintiffs, pursuant to the requirements set forth in S.C. Code of Regulations R 63-1000, as evidenced by the Affidavits of Posting attached hereto as Exhibit C and incorporated herein by reference.

25. Plaintiffs are informed and believe that they are entitled to an Order closing and abandoning the Roads.

26. Plaintiffs are informed and believe that any interest in the Ilderton/Stone Road held by SCDOT and/or the County should be permanently closed and abandoned and all rights, if any, held by these Defendants be terminated, and that title to all portions of the Ilderton/Stone Road located over, adjacent to and within the Ilderton Property and the Stone Property be vested in the names of the Ilderton and Stone as the Court may determine.

27. Plaintiffs are informed and believe that any interest in the Creasy Fletcher/Stone Road held by SCDOT and/or the County should be permanently closed and abandoned and all rights, if any, held by these Defendants be terminated, and that title to all portions of the Creasy Fletcher/Stone Road located over, adjacent to and within the Creasy Fletcher Property and the Stone Property be vested in the names of Creasy Fletcher and Stone as the Court may determine.

WHEREFORE, Plaintiffs pray that this Court investigate these facts as it deems necessary and issue its order as follows:

(1) Ordering that the Roads be permanently abandoned, closed, discontinued and vacated for use as streets;

(2) Ordering that any and all rights the defendant South Carolina Department of Transportation, the defendant County of Charleston and the public in general might have in and to the Roads be permanently terminated;

(3) Ordering that the fee simple title to the land under the Ilderton/Stone Road be declared to be in Plaintiffs Ilderton and Stone as the owners of all of the abutting properties, as aforesaid; and

(4) Ordering that the fee simple title to the land under the Creasy Fletcher/Stone Road be declared to be in Plaintiffs Creasy Fletcher and Stone as the owners of all of the abutting properties, as aforesaid; and

(5) For such other and further relief as the Court deems just and proper.

Respectfully submitted,

By: s/ Stafford J. McQuillin III
David M. Swanson (SC Bar #5451)
Stafford J. McQuillin, III (SC Bar #78203)
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, Third Floor (29401)
P. O. Box 340
Charleston, SC 29402-0340
Telephone: (843) 722-3366
Facsimile: (843) 722-2266
Email: mmcquillin@hsblawfirm.com
dswanson@hsblawfirm.com

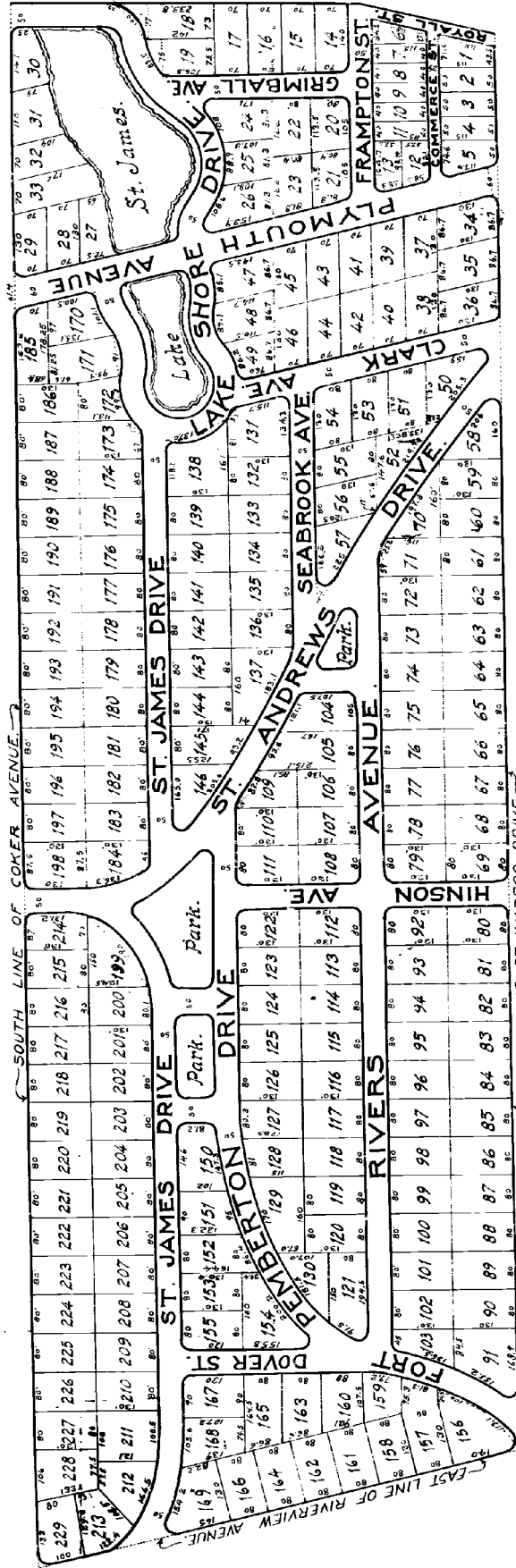
July 25, 2022

Attorneys for Plaintiffs

EXHIBIT “A”
(Plat)

PLAT OF *Riverland Terrace*

CHARLESTON COUNTY, SOUTH CAROLINA.



MADE BY

John McBrady

REGISTERED
CIVIL ENGINEER

Charleston, S. C.
January 15, 1926. Scale: 1"=200'

NOTE:-

Street line dimensions of corner lots as shown on this plat are distances to the intersection of such street lines produced. The curved corners of such lots, shown on the plat, are all formed by circular curves of 15 foot radius, tangent to the street lines; and such lots do not include any land lying outside of such curves.

EXHIBIT “B”
(Affidavit of Publication)

TAMME SUGGS HAYNSWORTH, SINKLER BOYD, PA
134 MEETING STREET, THIRD FLOOR
CHARLESTON SC 29401

AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

06/10/22	Fri	PC	06/24/22	Fri	CNW
06/17/22	Fri	PC			
06/24/22	Fri	PC			
06/10/22	Fri	CNW			
06/17/22	Fri	CNW			

at a cost of \$467.34
Account# 107632
Order# 2006818
P.O. Number:

Subscribed and sworn to before
me this 27th day
of June
A.D. 2022

advertising clerk

NOTARY PUBLIC, SC
My commission expires



STATE OF
SOUTH CAROLINA IN
THE COURT OF COM-
MON PLEAS COUNTY
OF CHARLESTON CIVIL
Action No. 2022-CP-10-
Caroline I. Ilderton, A.
Marion Stone, Michael J.
Greasy and Jessica Lynn
Fletcher, Plaintiffs, vs.
County of Charleston and
the South Carolina
Department of
Transportation,
Defendants. NOTICE OF
INTENTION TO FILE
PLEASE TAKE NOTICE
that the Plaintiffs above
named intend to file, in
accordance with S.C. Code
§57-9-10, et seq., a petition
or complaint seeking to
close those two unopened
and unnamed drives loca-
ed between Saint James
Drive and Fort Pemberton
Drive as shown on a plat
entitled "PLAT OF
RIVERLAND TERRACE
CHARLESTON COUNTY,
SOUTH CAROLINA" dated
January 15, 1926, prepared
by John McCrady,
Registered Civil Engineer
and recorded in Book E at
Page 33 in the Office of the
Charleston County
Register of Deeds (the
"Plat"). The unopened and
unnamed drives are fifty
foot (50') wide rights of
way that run between Saint
James Drive and Fort
Pemberton Drive as shown
on the Plat. The petition or
complaint to be filed by the
Plaintiffs shall also request
the Court to issue its Order
declaring that the
unopened and unnamed
drives described above be
permanently abandoned
and closed as drives and
that they be deeded to the
Plaintiffs, who are the
owners of all of the adjoin-
ing properties. A copy of
the plat referenced above
can be reviewed by con-
tacting the undersigned.
HAYNSWORTH SINKLER
BOYD, P.A. By: David M.
Swanson (SC Bar #5451)
and Stafford J. McQuillin,
III (SC Bar #78203) 134
Meeting Street, 3rd Floor,
Charleston, SC 29401 843-
7 2 2 - 3 3 6 6
mmcquillin@hsblawfirm.co
m and dswanson@hsblaw-
firm.com Attorneys for
Plaintiffs June 6, 2022
AD # 2006818

EXHIBIT “C”
(Affidavits of Posting)

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON	)	CIVIL ACTION NO. 2022-CP-10-_____
)	
Caroline I. Ilderton, A. Marion Stone,)	
Michael J. Creasy and Jessica Lynn)	
Fletcher,)	
)	
Plaintiffs,)	
)	
vs.	)	AFFIDAVIT OF POSTING
)	
County of Charleston and South Carolina)	
Department of Transportation,)	
)	
Defendants.)	
_____)	

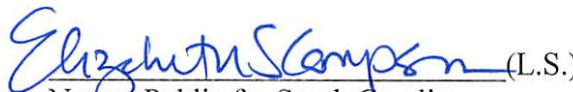
PERSONALLY APPEARED before me, Benjamin Kepes, who, being duly sworn, deposes and says:

1. That I am employee of EPIQ; and
2. That on June 6, 2022, I posted copies of the Notice of Intention to File in the above-referenced matter at various locations located along St. James Drive and Fort Pemberton Drive in the County of Charleston, South Carolina. A copy of the Notice of Filing posted is attached hereto.



 Benjamin Kepes

Sworn to before me this
5th day of July, 2022.

 (L.S.)
 Notary Public for South Carolina
 Printed Name: Elizabeth S. Campsen
 My Commission Expires: 12/3/2029



STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF CHARLESTON)

CIVIL ACTION NO. 2022-CP-10-_____

Caroline I. Ilderton, A. Marion Stone,
 Michael J. Creasy and Jessica Lynn
 Fletcher,

Plaintiffs,

vs.

AFFIDAVIT OF POSTING

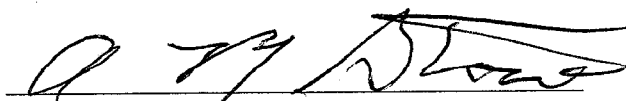
County of Charleston and South Carolina
 Department of Transportation,

Defendants.

PERSONALLY APPEARED before me, A. Marion Stone, who, being duly sworn, deposes and says:

1. That I am a Plaintiff in the above-referenced action; and

2. That on June 9, 2022, I posted signs as required by the South Carolina Code of Regulations, which signs are in substantial compliance with both the Federal Highway Administration's Manual on Uniform Traffic Control Devices and the South Carolina Department of Transportation at locations located along St. James Drive and Fort Pemberton Drive in the County of Charleston, South Carolina. Copies of the pictures taken evidencing the same are attached hereto.


 A. Marion Stone

Sworn to before me this
17 day of July, 2022.

Donna S Tisdale (L.S.)
 Notary Public for South Carolina
 Printed Name: Donna S Tisdale
 My Commission Expires: 6-26-29