

LA-South Carolina  
Waccamaw NWR  
10a, b; 11; 17m, n, p; 30

## **Surveyor's Preliminary Legal Description Review** **US Route 701 ROW**

I have reviewed the following information for the purpose of determining right of way encumbrance limits of US Route 701 across subject refuge tracts.

### **Warranty Deeds**

Tract 10a, b TNC to USA Book 1118 pg 11  
Tract 11 Creek Associates to USA Book 934 pg 231  
Tract 17m, n TCF to USA Book 3350 pg 2992  
Tract 17p TCF to USA Book 1421 pg 185  
Tract 30 Yauhannah Properties Inc. Book 1309 pg 222  
US Route 701 SCDOT preliminary bridge relocation plans  
Horry County Board of Commissioners to South Carolina Highway Department Bk G pg 8

### **Findings USA Tract 30 SCDOT Tract 9**

This property was acquired by USA on the 19<sup>th</sup> day of February, 2009 and consists of 31.4 acres being part of the upland portion of land shown on an unrecorded survey by S.D. Cox dated 1<sup>st</sup> day June, 1925. **A copy of S.D. Cox survey was not available for this review.** However an earlier survey of subject property dated the 6<sup>th</sup> day June, 2002 by Robert Frank for The Nature Conservancy was available. The Frank survey listed the acreage as 22.9 acres considerably less than the 31.4 acres listed in USA's deed. It also listed as reference documents a 1925 S.D. Cox survey and SCDOT plans 2226.2262. The Frank survey depicts U.S. Route 701 right of way frontage along the tract's northwesterly boundary as being 1736.45 feet between Ellis Landing Road and Yauhannah Lake. The right of way is shown as varying in width with iron pipes set at all property corners. Not having seen the 1925 S.D. Cox survey or the SCDOT 2226.2262 plans I cannot confirm if the Frank survey is an accurate retracement of those records. As far as the right of way goes, the Frank survey generally seems to agree with the information shown on SCDOT 2011 preliminary bridge relocation plans.

**Recommendation, Obtain copies of the 1925 S.D. Cox survey cited in the deed and the SCDOT 2226.2262 plans and verify they are consistent with the 2002 Frank survey, locate iron pipe property corners shown on the survey(s) and compare their relationship to Route 701 right of way plans.**

### **Findings USA Tract 11 SCDOT Tract 18**

Tract 11 was acquired by USA the 15<sup>th</sup> day of December, 1998 and is shown on SCDOT 2011 preliminary bridge relocation plans to include a narrow strip approximately 120 wide lying in the southeast quadrant where Route 701 crosses Yauhannah Lake. This area is not part of USA Tract 11 and is incorrectly shown on SCDOT Route 701 preliminary bridge relocation plans. It was originally part of a 490 acre Kings Grant to William Hull and possibly more recently property N/F Elliott. USA did not include this portion of the 490 acre Hull Grant as part of its 1998 acquisition of Tract 11 or its 2003 acquisition of Tract 17p from The Conservation Fund, (G.P. Elliott Tract). At this time title to SCDOT Tract 18 is unknown.

**Recommendation, verify ownership of narrow strip, approximately 120 wide, lying in the southeast quadrant where Route 701 crosses Yauhannah Lake.**

### **Findings USA Tract 17p SCDOT Tract 16**

Tract 17p was acquired by USA the 10<sup>th</sup> day of September, 2003 and consists of 331.65 acres. The deed references a survey prepared for Sustainable Forest LLC by Robert A. Warner Associates dated the 8<sup>th</sup> day of May, 2003 and recorded in Georgetown County Registers Office in Slide 465 pg 8. **A copy of this survey was not available for this review.** However an earlier survey of subject property dated the 2<sup>nd</sup> day of December, 2002 also prepared for Sustainable Forest LLC by Robert Warner was available for review. The acreage on the earlier Warner survey agrees with USA's deed and depicts Route 701 right of way frontage along the southeasterly boundary of USA Tract 17p as 309.75 feet. No width was given for the right of way but the survey indicates an iron pipe was found at one of the property corners. Copy of the earlier 2002 Warner survey is attached. It is believed this is the same property acquired by USA as Tract 17p from The Conservation Fund, (G.P. Elliott Tract). No mention of an iron pipe is given on SCDOT 2011 preliminary bridge relocation plans; therefore the relationship of existing and planned right of way to USA's property can be not be ascertained at this time.

**Recommendation, Obtain copy of recorded survey cited in the deed at Slide 465 pg 8 and verify the earlier Warner survey is consistent with it, locate iron pipe property corners shown on the survey and compare their relationship to Route 701 right or way plans.**

### **Findings USA Tracts 10a, b SCDOT Tract 17**

Tracts 10a, b were acquired by USA the 18<sup>th</sup> day of December 2008 and consists of 1192.9 and 99.5 acres respectively. The deed description is a carryover from USDA WRP Conservation Easement SC-64-4639-7-010 shown on a survey prepared by Nova Digital Systems Inc. for the Normandy Corporation dated 10<sup>th</sup> day of August, 2007 recorded in the Georgetown County Registers Office at slide 659 pg 7. Copy of unrecorded survey is attached. The deed and plat depicts Tract 10a having a right of way frontage along its southeasterly boundary of 3184.19 feet. Tract 10b has a right of way frontage along its northwesterly boundary of 2985.45 feet. The width of the right of way is listed as 200 feet total width. This agrees with the 200 feet width shown on SCDOT 2011 preliminary bridge relocation plans.

**Recommendation, verify the property lines cited in the survey at slide 659 pg 7 by locating iron pipe property corners shown on the survey and compare their relationship to Route 701 right of way plans.**

**Findings USA Tracts 17m, n SCDOT Tracts 19, 20**

Tracts 17m, n were acquired by USA the 24th day of June, 2008 and consists of 246.7 and 269.8 acres respectively. The deed references a survey prepared for SP Forest LLC by Robert A. Warner Associates dated the 10<sup>th</sup> day of December, 2002 and recorded in Horry County Registers Office at Plat Book 187 pg 56. The deed and plat depicts Tract 17m having a right of way frontage along its southeasterly boundary of 4103.84 feet. Tract 17n has a right of way frontage along its northwesterly boundary of 4134.08 feet. The width of the right of way is listed as 75 feet total width. This conflicts with the 400 feet width dedicated in 1924 deed to Horry County Board of Commissioners filed in Book 5 pg 352 and subsequent 1930 deed to South Carolina Highway Department filed in Horry County Book G pg 8 and as shown on SCDOT 2011 preliminary bridge relocation plans.

**Recommendation, USA deed and survey appear to be in error. SCDOT has valid right of 400 feet width across this property. File a correction deed for USA Tract 17m, n**

**SCDOT should submit a survey plat and description for each USA Tract a new right of way permit is being requested. The plat and description must be referenced to South Carolina NAD 83 SPC System and include the acreage of additional new right of way being requested. Submit all above requested information for final description review and approval.**

A handwritten signature in cursive script, appearing to read "Leon McGee", written in dark ink.

Leon McGee  
Acting Regional Land surveyor  
October 19, 2011