

1975 WL 29316 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 9, 1975

\*1 Mr. Wylie H. Caldwell, Jr.  
Post Office Box 1323  
Florence, SC 29501

Dear Mr. Caldwell:

Your letter regarding the steps necessary to resell property acquired by the Florence Housing Authority pursuant to Article XIV, Section 5 of the South Carolina Constitution has been referred to me for response. Of course any procedures which provide notice and a fair opportunity to the condemnee to exercise the rights secured by the Constitution would be legally sufficient. However, it is desirable that the title reflect compliance. Accordingly you may obtain a notarized letter from the condemnee renouncing his 'right or option' to repurchase the property or simply follow the procedures you suggest in your letter—i.e., service of summons and petition, taking steps in either event to record the same.

It would not be necessary to have a special act passed though Article VIII would not necessarily preclude such an act if passed pursuant to a specific constitutional provision.

With kindest personal regards, I remain  
Very truly yours,

Kenneth L. Childs  
Staff Attorney

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