



SC DEPARTMENT of
ENVIRONMENTAL
SERVICES

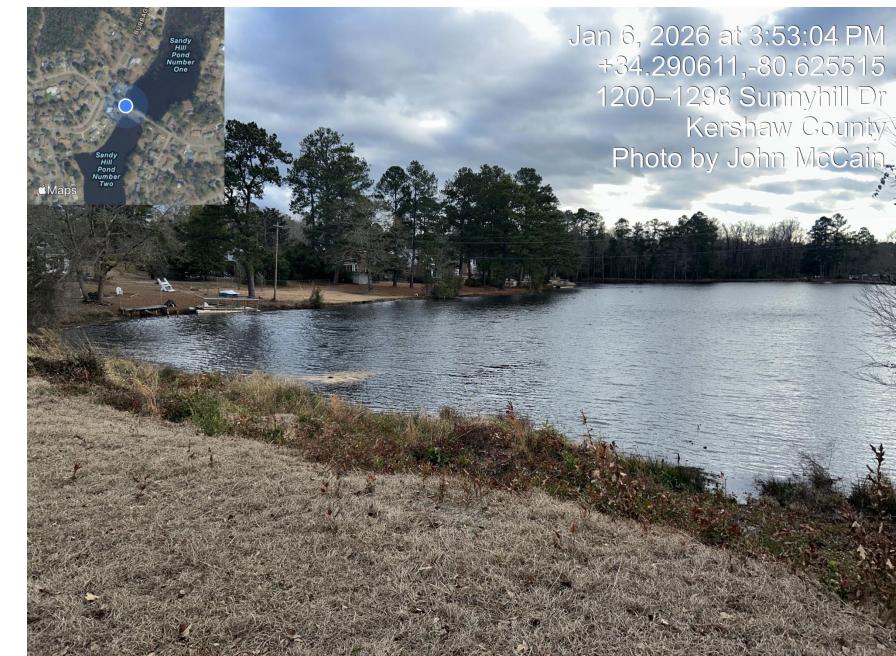
Upper Sunnyhill Dam Community Meeting

January 14, 2026 @ 6:30 PM

Please sign in!



Jan 6, 2026 at 3:53:41 PM
+34.290568,-80.625341
1200-1298 Sunnyhill Dr
Kershaw County
Photo by John McCain



Jan 6, 2026 at 3:53:04 PM
+34.290611,-80.625515
1200-1298 Sunnyhill Dr
Kershaw County
Photo by John McCain



Agenda

- Start @ 6:30 PM
- Welcome and Introductions (~5 mins)
- Background (~15 mins)
- Report on Current Condition (~15 mins)
- Possible Solutions (~20 mins)
- Question and Answer (~30 mins)
- Discussion (~30 mins)
- Adjourn

Welcome and Introductions



Introductions

- John McCain, P.E., Section Manager, Dam Safety Section, SC Department of Environmental Services
- Matt DeWitt, City Manager, City of Camden
- Joseph Haas, P.E., Michael Baker International
- Brian Motley, Assistant District Maintenance Engineer, SC Department of Transportation



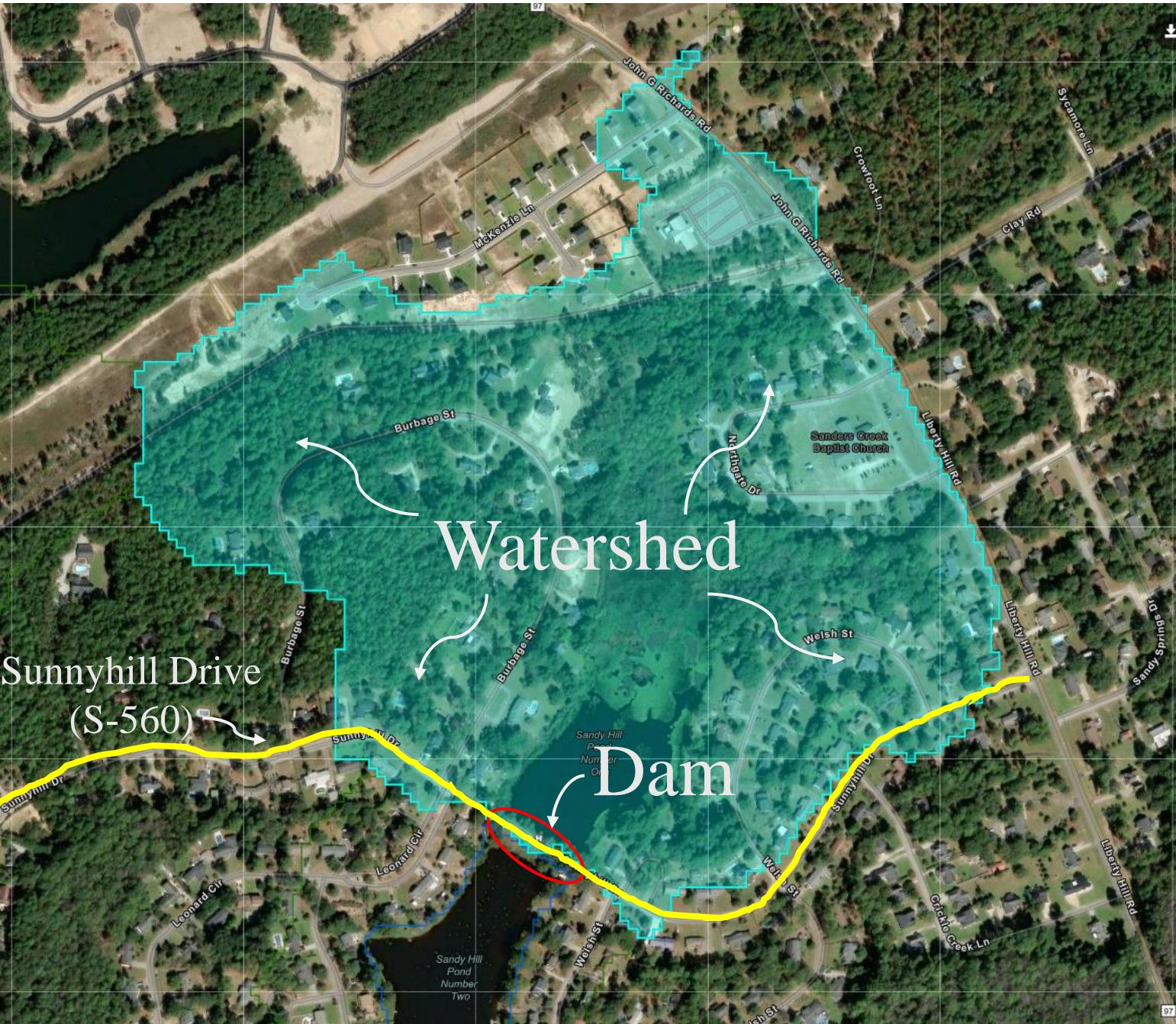
Background



Location

- Sunnyhill Community (developed late 1960s)
- Approx. 3 miles north of downtown Camden
- Light blue is watershed (115 acres)
- Dark blue is breach inundation zone





Background

- Dam Name: Upper Sunnyhill Pond Dam
- Alternate Names: Sunnyhill Upper Pond Dam, Sunny Hill Number 1 Dam
- State-Federal Dam Number: SCD02523
- Year Constructed: 1964 (USACE)
- Year Regulated: 1979 (initial inventory)
- Designed by: Sheddie Tetterton, RLS
- Hazard Classification: High
- Reason for Hazard Classification:
In the event of failure, dam would potentially inundate homes on Leonard Circle and overtop roads (Sunnyhill Drive and Knights Hill Road)
- Dam Height: ~15 feet (USACE)
- Dam Length: ~495 feet (USACE)
- Crest Width: 46 feet (USACE)
- Dam Max Storage: ~174 acre-ft (USACE)
- Watershed size: 0.18 sq. mi. (115.2 ac.)
- Impounded stream: Unnamed tributary to Wateree River
- Road on Dam: Sunnyhill Drive (State Secondary Route S-560)
- Last Department Inspection: July 8, 2024
- Inspection Rating: Poor

Construction of Dam



Image Source: <https://digital.library.sc.edu/collections/south-carolina-aerial-photograph-indexes-1937-1989/>

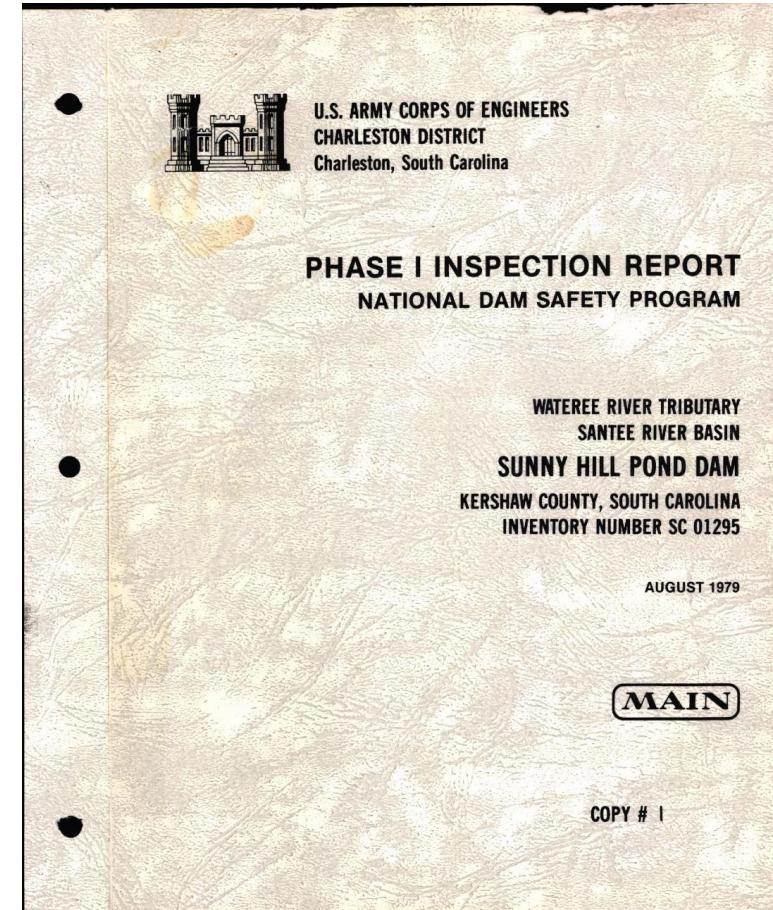
Initial Inspection

- US Army Corps of Engineers (USACE), August 1979

BRIEF ASSESSMENT

The Sunny Hill Pond Dam discussed in this report is directly upstream from another dam and is designated Sunny Hill Pond #1 Dam. The dam directly downstream is designated Sunny Hill Pond #2 Dam. The #1 Dam is a 15-foot high earth embankment about 495 feet long. Its outlet works consist of a drop-inlet fabricated from one-half of a corrugated metal pipe and a flat metal plate, connected to a 36-inch diameter, CMP outlet conduit which extends through the dam embankment. It has no spillway.

The dam is classified as "small" in size and has a "high" hazard potential. The size classification is based on the height of the dam and the storage capacity of the reservoir. The hazard potential has been defined as high because several structures that are located on waterfront lots around Sunny Hill Pond #2 directly downstream appear to be in areas susceptible to flooding.



Initial Inspection (cont'd)

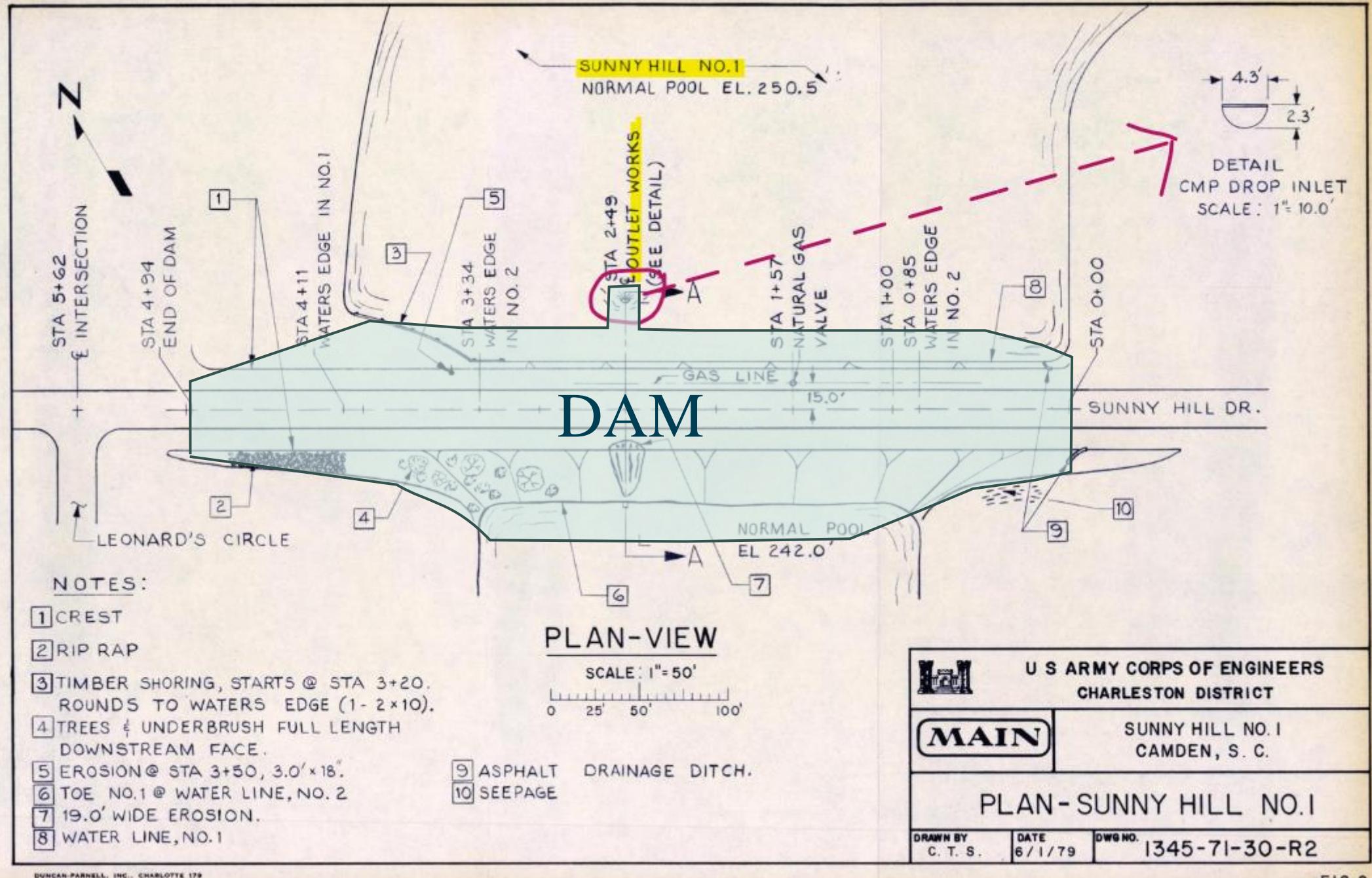
BRIEF ASSESSMENT

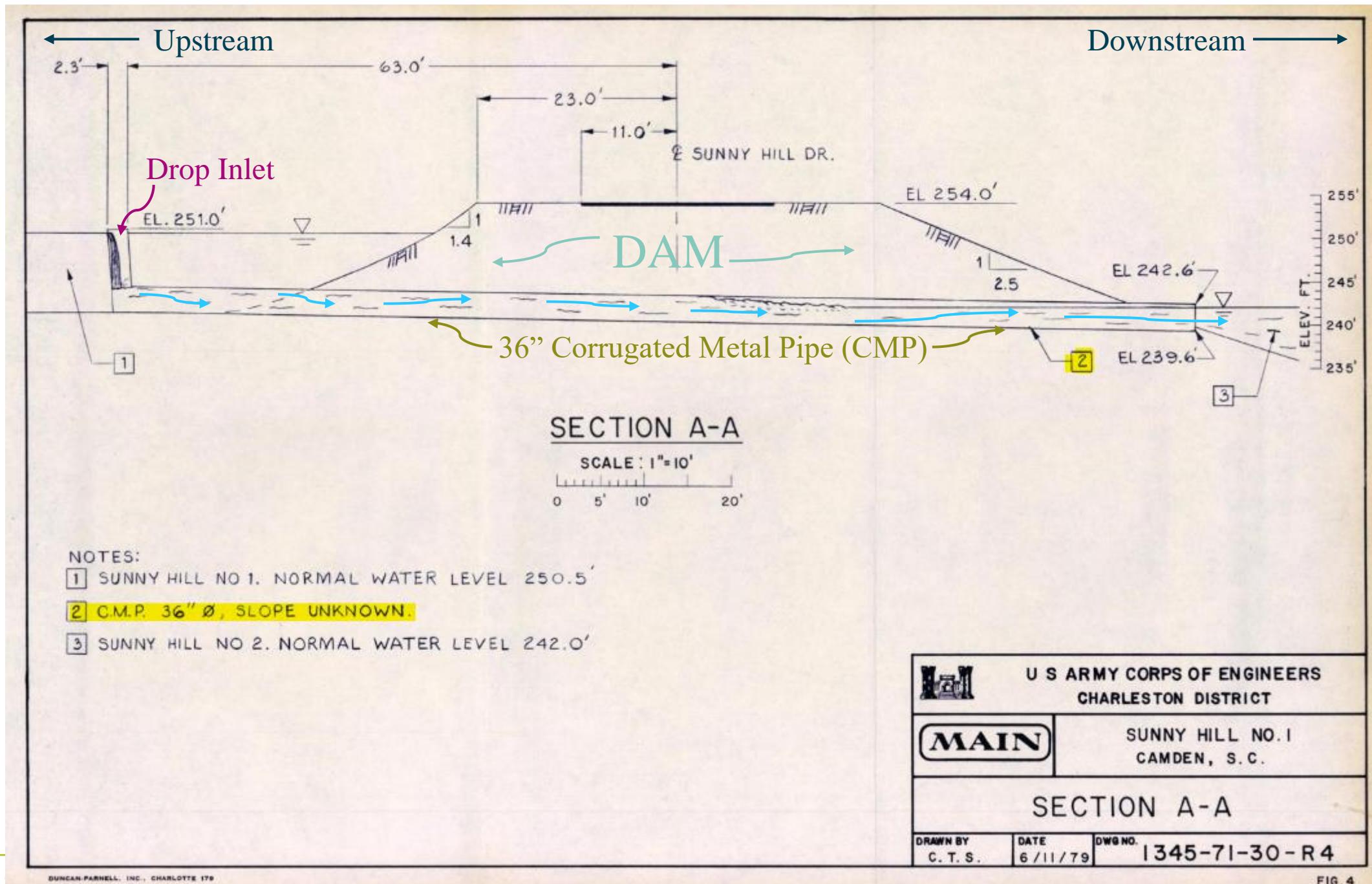
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The required spillway design flood (SDF) for the Sunny Hill Pond #1 Dam can range from one-half of the probable maximum flood (PMF) to the full PMF. Because of the size of the dam and the number of structures situated in potential flood-prone areas downstream from the dam, the SDF was selected to be one-half of the PMF. A preliminary hydrology study, which utilized broad assumptions concerning the hydrologic and hydraulic characteristics of the upstream watershed, showed that the existing reservoir storage and dam discharge capacity are capable of only handling a flood equivalent to about 26 percent of the SDF (13 percent of the full PMF) without the dam crest overtopping.

Since the preliminary hydrology study suggests that the existing dam discharge capacity is not adequate to handle the SDF, the dam is considered "unsafe." In addition,





	U S ARMY CORPS OF ENGINEERS CHARLESTON DISTRICT	
MAIN	SUNNY HILL NO.1 CAMDEN, S.C.	
SECTION A-A		
DRAWN BY C. T. S.	DATE 6/11/79	DWG NO. 1345-71-30-R4

Intervening Years (1979 - 2001)

- **Dec 1979** - Dam purportedly originally owned by Sunnyhill, Inc. Sheddie Tetterton is sent USACE inspection report as "President" of "Sunny Hill Corporation"
- **Feb 1980** - Dam Safety Program sends copies of inspection report to Tetterton, Hurst, Green, West, Ford and Hendrix. All deny responsibility for dam.
- **Dec 1980** - Dam Safety Program requests SC Attorney General assistance in determining ownership
- **10-year gap in timeline**
- **Jan 1991** - Dam Safety Program again requests SC Attorney General assistance in determining ownership
- **Apr 1991** - SC Attorney General's office assigns outside attorney to perform title search
- **Aug 1991** - Internal Dam Safety Program memo says outside attorney was unable to provide any conclusive establishment of owners of the dam
- **Feb 1992** - Dam Safety Program letter states staff attorney has performed an extensive title search and concludes South Lake Inc. owns the southern (downstream) portion of the dam and the shareholders of Sunnyhill, Inc own the remainder. Shareholders of Sunnyhill, Inc. are named as John C. West Sr., Sheddie Tetterton, and Alice Ford.
- **Jun 1992** - Dam Safety Program issues a repair order to John C. West, Sr., Sheddie Tetterton, Alice Ford, and South Lake, Inc.
- **Jun 1992** - Attorney for West, Tetterton and Ford claim they are not responsible for dam, but still hired an engineer to assess condition of dam and found it adequate
- **July 1992** - Attorneys for West, Tetterton, and Ford file a petition to appeal repair order in the court of common pleas
- **Aug 1992** - Permit application received. As owner, application states "Unknown but allegedly West, Tetterton, Ford, South Lake, Inc." Application is signed by Attorney for Tetterton.
- **Dec 1992** - Attorney for Tetterton, et al motions to Court to add Highway Dept. as a party to the lawsuit
- **Apr 1993** - Judge determines that not all remedies have been pursued and West, Tetterton, et al must request a hearing before the SC Land Resources Conservation Commission before appealing to Court of Common Pleas
- **July 1994** - Dam Safety Program moves from SC Land Resources Conservation Commission to DHEC; SCLRCC dissolved as an agency
- **Aug 1994** - Contested Case Hearing is held.
- **July 1995** - Hearing officer's findings of fact released. Officer finds ownership may rest with multiple parties, and provides reasons why, but that Repair Order should be dismissed.
- **Aug 1995** - DHEC Board takes up hearing officer's findings
- **Nov 1995** - DHEC Board directs staff to re-issue a repair order
- **Dec 1995** - Dam Safety Program adds Outlaw, Green and Montgomery as dam owners
- **Jan 1996** - Outlaws appeal the issuance of a repair order, claim not dam owners
- **Feb 1997** - Dam Safety Program petitions Court of Common Pleas for Kershaw County to decide ownership of dam
- **Mar 1998** - Dam Safety Program proposes a settlement with defendants
- **Jan 2001** - Settlement agreement signed by Judge Barber

Disclaimer: This is not intended to be a complete and fully accurate summary!

Settlement Agreement (2001)

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF KERSHAW) CIVIL ACTION NO.97-CP-28-0097
IN RE: SUNNY HILL POND,)
CAMDEN, S.C.)
SOUTH CAROLINA DEPARTMENT)
OF HEALTH AND ENVIRONMENTAL)
CONTROL,)
Plaintiff,)
v.)
John C. West, Sr., Sheddie Tetterton,)
Alice B. Ford, Marion and Elizabeth)
Outlaw, Bebe R. Bailey, Michael Y. Horton,)
Wade A. Green, Fred and Sheridan Oxley,)
Tommy S. Granger, Stephen and Elizabeth)
Shataka, Colonel Hudson R. and Ruth L.)
Hurst, Marquis B. and Shirley C. Reger,)
Lane Garrity, John M. and Annah J. Deal,)
Wendle W. and Cora L. Wolfe, Melvin C.)
and Beverly Kaye Harris, William E. and)
Barbara H. Rush, Jim Fike, James H. and)
Frances A. Montgomery, George T. and)
Margaret S. Cracraft, Gary S. and Leslie P.)
Strozyk, Timothy L. and Paula T. Bordner,)
FCCA LLC c/o Anthony M. and Sarah C.)
Messier, James E. Sullivan c/o Randy and)
Bonnie Sullivan)
including his or her spouse, if any there be,)
and if he, she, or they be dead (as parties in)
interest whose names are unknown) and)
children and heirs at law or distributees of)
the above-named, and all persons claiming)
any right, title, estate, interest in or lien upon)
lots bordering upon Sunny Hill Pond (also)
known as Upper Sunnyhill Pond), Camden,)
SC, any unknown adults being as a class)
designated as John Doe and any unborn)
infants or persons under a disability being)
as a class designated as Richard Roe,)
South Lake Homeowners Association, Inc.,)
a South Carolina corporation, and)
South Carolina Department of)
Transportation,)
Defendants.)

SETTLEMENT AGREEMENT

FILED FOR RECORD

01 FEB - 6 AM 11:47
JOYCE MCDONALD
CLERK OF COURT
KERSHAW COUNTY, S.C.

I hereby certify that the foregoing is
a true and exact copy of original on
file in this office.
Joyce McDonald
Joyce McDonald
Clerk of Court
Kershaw County, S. C.

Defendants*:

1. John C. West, Sr.
2. Sheddie Tetterton
3. Alice B. Ford
4. Marlon and Elizabeth Outlaw
5. Bebe R. Bailey
6. Michael Y. Horton
7. Wade A. Green
8. Fred and Sheridan Oxley
9. Tommy S. Granger
10. Stephen and Elizabeth Shataka
11. Col. Hudson R. and Ruth L. Hurst
12. Marquis B. and Shirley C. Reger
13. Lane Garrity
14. John M. and Annah J. Deal
15. Wendle W. and Cora L. Wolfe
16. Melvin and Beverly Kaye Harris
17. William E. and Barbara H. Rush
18. Jim Fike
19. James H. and Frances A. Montgomery
20. George T. and Margaret S. Cracraft
21. Cary S. and Leslie P. Strozyk
22. Paula T. Bordner
23. FCCA, LLC c/o Anthony M. and Sarah C. Messier
24. James E. Sullivan c/o Randy and Bonnie Sullivan
25. South Lake Homeowners Association, Inc.
26. South Carolina Department of Transportation

*Includes spouses, children, heirs and any persons claiming any right, title, estate, interest in or lien upon lots bordering Sunny Hill Pond aka Upper Sunnyhill Pond

This matter came before the Court on October 3, 2000, on complaint of the South Carolina Department of Health and Environmental Control (DHEC) seeking judicial determination of the party or parties who are responsible for operation and maintenance of the dam impounding the Upper Sunnyhill Pond located near Camden, SC.

The parties submitted a verbal settlement to the Court. After questioning all parties either in their individual capacity or through counsel, I conclude that the proposal is fair and equitable and will resolve the dispute among them. Therefore, with the consent of the parties, it is hereby ordered that :

1. Small trees having trunk diameter at the ground of six inches or less, and other undergrowth on the dam, will be removed.

a) To this end, South Lake Homeowners Association will contribute \$1,000; the residents of the upper Sunnyhill Pond will contribute \$1,000; and defendants West, Tetterton, and Ford will contribute a total of \$2,000; said funds to be paid to Robert J. Sheeheen, Esquire, within fourteen days of the date of this order to be held in escrow for payment of the expense of clearing the dam.

b) The South Carolina Department of Transportation will remove small trees and undergrowth within its right of way adjacent to SC 560.

2. The homeowners having lots on the upper Sunnyhill Pond will establish a homeowners' association in corporate form issuing such shares and having such bylaws as may be agreeable to them which will notify the Department of Health and Environmental Control of its acceptance of the responsibility for receiving and responding to DHEC's inspection reports; maintaining the dam; and establishing and maintaining an emergency notification plan. A plan for establishing this association will be provided to all parties within fourteen days of the date of

this order.

3. Once formed, the upper Sunnyhill Pond homeowners' association will assume control of the dam. Defendants West, Tetterton, and Ford will deliver quit-claim deeds transferring whatever ownership interest they have in the dam to the homeowners' association.

4. Once the homeowners' association is formed, DHEC will deliver releases from any further responsibility under the Dams and Reservoirs Safety Act in appropriate form to defendants West, Tetterton, and Ford in their personal and corporate capacities.

5. South Lake Homeowners' Association shall grant the upper Sunnyhill Pond homeowners' association or its contractors reasonable access to the lower slope of the dam to inspect and operate the dam as may be necessary.

6. Once the trees and undergrowth are removed from the dam in accordance with paragraph 1, DHEC will inspect the dam in accordance with its normal procedures. DHEC will notify the homeowners' association if, after inspecting the dam, the inspection schedule can be changed from annual to triennial inspections.

This order inures to the benefit of all parties, and is binding on all parties.

AND IT IS SO ORDERED.

1/31 *Q108*
Camden, SC
Columbia
2000

J. R. Barber
James R. Barber, III
Judge, Fifth Judicial Circuit

HOA Creation

STATE OF SOUTH CAROLINA SECRETARY OF STATE		4 Bim Miles SECRETARY OF STATE FILED AUG 27 2001 AM 7:49 PM 7 8 9 0 1 2 1 2 3 4 5 6 7
ARTICLES OF INCORPORATION STATUTORY CLOSE CORPORATION		
TYPE OR PRINT CLEARLY IN BLACK INK		
1 The name of the proposed corporation is <u>Sunnyhill Northlake, Inc.</u>		
2 This corporation is a statutory close corporation, pursuant to Chapter 18, Title 33 of the 1976 South Carolina Code of Laws, as amended.		
3 The initial registered office of the corporation is <u>1111 Church Street</u> Camden Kershaw <u>South Carolina</u> 29020 City County State Zip Code and the initial registered agent at such address is <u>Robert J. Sheeheen</u> Agent's Signature		
4 The corporation is authorized to issue shares of stock as follows. Complete "a" or "b", whichever is applicable a <input checked="" type="checkbox"/> The corporation is authorized to issue a single class of shares, the total number of shares authorized is <u>25</u>		
5 The existence of the corporation shall begin as of the filing date with the Secretary of State unless a delayed date is indicated (See Section 33-1-230(b) of the 1976 South Carolina Code of Laws, as amended)		
6 Unless specified otherwise below, the transfer of shares of stock of the corporation shall be subject to the restrictions set out in Sections 33-18-110 through 33-18-130 of the 1976 South Carolina Code of Laws, as amended. Specify any variations in the statutory format in Sections 33-18-110 through 33-18-130 The shares of stock in this Corporation may be owned only by those lot owners whose lot fronts on the Upper Sunnyhill Pond in Sunnyhill subdivision in Kershaw County, South Carolina. Each lake front lot is entitled to one (1) share and the share of stock must be transferred with the ownership of the lot and may not be transferred to any other person(s) who is not a lot owner which lot fronts on said pond.		
7 Unless otherwise specified below the corporation shall have a board of directors (See Section 33-18-210 of the 1976 South Carolina Code of Laws, as amended) <input type="checkbox"/> This corporation elects not to have a board of directors.		
8 Check, if applicable		

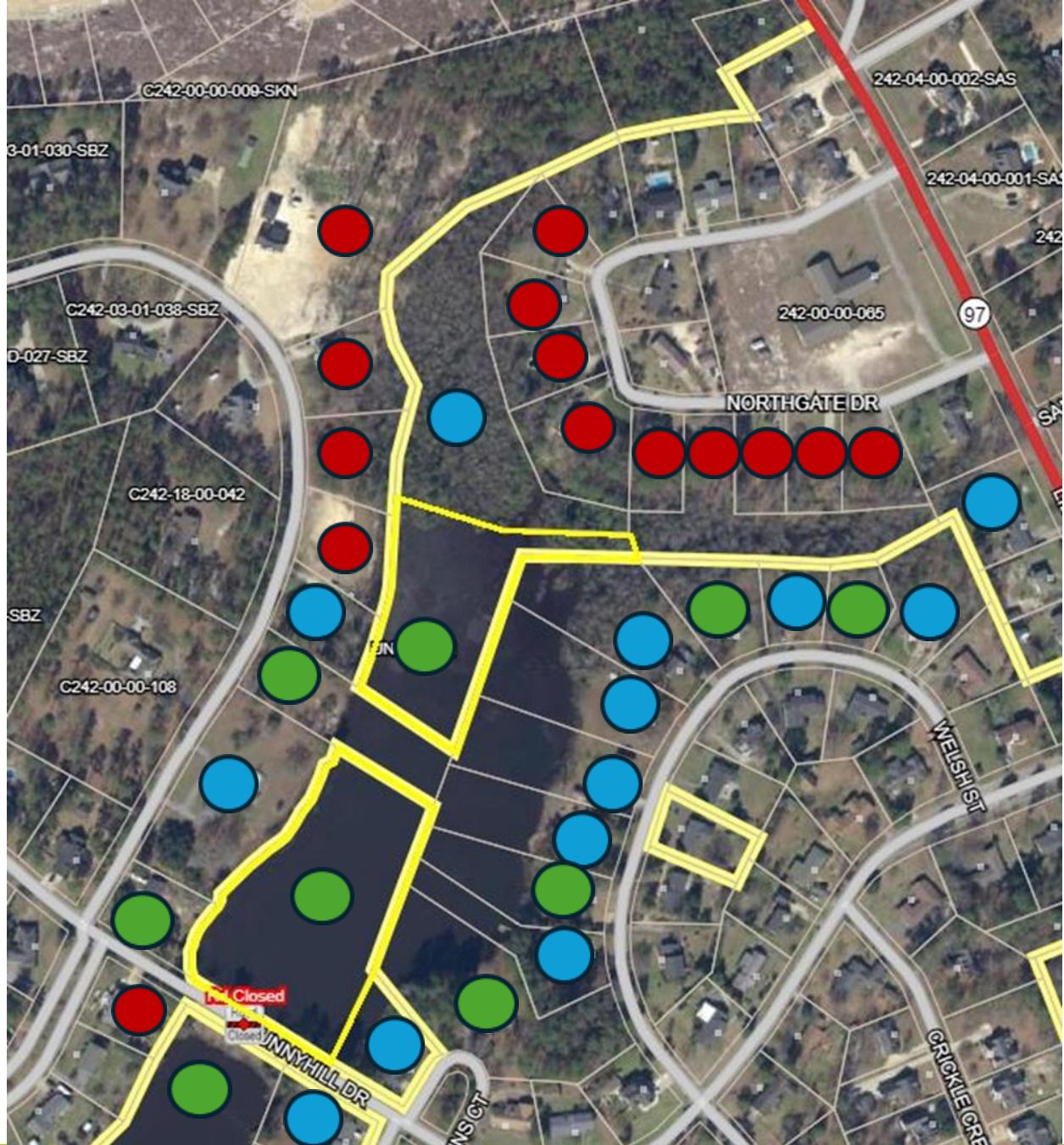
<u>Sunnyhill Northlake, Inc.</u> NAME OF CORPORATION	
Specify any variations in the statutory format in Sections 33-18-140 through 33-18-170. The only variation which applies to this corporation is the variation which is stated in No. 6 of these articles: The shares of stock in this Corporation may be owned only by those lot owners whose lot fronts on the Upper Sunnyhill Pond in Sunnyhill subdivision in Kershaw County, South Carolina. Each lake front lot is entitled to one (1) share and the share of stock must be transferred with the ownership of the lot and may not be transferred to any other person(s) who is not a lot owner which lot fronts on said pond	
9 The optional provisions, which the corporation elects to include in the articles of incorporation, are as follows (See the applicable provisions of Sections 33-2-102, 33-18-330, 35-2-105, and 35-2-221 of the 1976 South Carolina Code of Laws, as amended).	
10. The name, address, and signature of each incorporator is as follows (only one is required): a <u>Anthony Messier</u> Name <u>228 Ann's Court Camden, S.C. 29020</u> Address <u>Anthony Messier</u> Signature	

<u>Sunnyhill Northlake, Inc.</u> NAME OF CORPORATION	
11 I, <u>Robert J. Sheeheen</u> , an attorney licensed to practice in the state of South Carolina, certify that the corporation, to whose articles of incorporation this certificate is attached, has complied with the requirements of Chapter 2, Title 33 of the 1976 South Carolina Code of Laws, as amended, relating to the articles of incorporation.	
Date <u>2001</u>	
<u>Robert J. Sheeheen</u> Signature	
Robert J. Sheeheen Type or Print Name	
1111 Church Street Address	
Camden, S.C. 29020 Telephone Number	
803-432-4391	
FILING INSTRUCTIONS	
1 Two copies of this form, the original and either a duplicate original or a conformed copy, must be filed.	
2 If the space in this form is insufficient, please attach additional sheets containing a reference to the appropriate paragraph in this form.	
3 Enclose the fee of \$135.00 payable to the Secretary of State.	
4 THIS FORM MUST BE ACCOMPANIED BY THE ANNUAL REPORT (SEE SECTION 12-19-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS, AS AMENDED).	
Return to Secretary of State PO Box 11250 Columbia, SC 29211	
SPECIAL NOTE	
ALL SHARE CERTIFICATES ISSUED BY A STATUTORY CLOSE CORPORATION MUST CONTAIN THE FOLLOWING CONSPICUOUS NOTICE: THE RIGHTS OF SHAREHOLDERS IN A STATUTORY CLOSE CORPORATION MAY DIFFER MATERIALLY FROM THE RIGHTS OF SHAREHOLDERS IN OTHER CORPORATIONS. COPIES OF THE ARTICLES OF INCORPORATION AND BY-LAWS, SHAREHOLDERS' AGREEMENTS AND OTHER DOCUMENTS, ANY OF WHICH MAY RESTRICT TRANSFERS AND AFFECT VOTING AND OTHER RIGHTS, MAY BE OBTAINED BY A SHAREHOLDER ON WRITTEN REQUEST TO THE CORPORATION.	
THE FILING OF THIS DOCUMENT DOES NOT, IN AND OF ITSELF, PROVIDE AN EXCLUSIVE RIGHT TO USE THIS CORPORATE NAME OR IN CONNECTION WITH ANY PRODUCT OR SERVICE. USE OF A NAME AS A TRADEMARK OR MARK, FOR MORE INFORMATION, CONTACT THE TRADEMARKS DIVISION OF THE SECRETARY OF STATE'S OFFICE AT (803) 734-2511	

Green-The current property owner was a named party in the 2001 settlement

Blue-The property owner at the time of the settlement was a named party to the settlement

Red-The property owner at the time of the settlement was not a named party to the settlement



Quitclaim Deed

000011211 RELEASED 11/12/2001 02:36:46PM RELEASER: HYDRO300 Page 4 FEES: \$0.00 STATUS:OK DRAFTING:OK JUDGE: McDonald, Clerk of Court Kershaw County, SC	<div style="text-align: right; margin-bottom: 10px;"> 013668 SRS 79 </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>STATE OF SOUTH CAROLINA)</p> <p>COUNTY OF KERSHAW)</p> </div> <div style="width: 45%;"> <p>QUIT CLAIM DEED</p> <p>11211 BK1075 PG340</p> </div> </div> <p>TO ALL WHOM THESE PRESENTS MAY COME:</p> <p>WHEREAS: John C. West, Sheddie Tetterton and Alice Ford SEND GREETINGS:</p> <p>Whereas, the named John C. West, Sheddie Tetterton and Alice Ford were involved in the development of the Sunnyhill Subdivision in Kershaw County, State of South Carolina through the ownership in stock in Sunnyhill, Inc.; and,</p> <p>Whereas, the corporation was dissolved and the named parties are the sole surviving former stockholders in said corporation; and,</p> <p>Whereas, by that certain civil action (97-CP-28-0097) in Kershaw County, State of South Carolina, State of South Carolina was brought to determine the ownership of the Upper Sunnyhill Pond dam; and,</p> <p>Whereas, a settlement agreement executed by James R. Barber III called for the quietclaiming of any interest in said ownership of said dam by the Grantors hereto:</p> <p>NOW, KNOW ALL MEN BY THESE PRESENTS, That John C. West, Sheddie Tetterton and Alice Ford, the said Grantors in consideration of the premises and also in consideration of the sum of Five (\$ 5.00) Dollars to us in hand paid at and before the sealing and delivery of these presents and in compliance with the Settlement Agreement executed by the Court (by Sunnyhill Northlake, Inc.) (the receipt whereof is hereby acknowledged), have remised, released, and forever quit-claimed, and by these presents do remise, release and forever quit-claim unto the said Sunnyhill Northlake Inc., and by these presents do remise, release, and forever quit-claim unto the said Sunnyhill Northlake, Inc. its successors and assigns:</p> <p style="margin-left: 40px;">All right, title and interest which we may own in the following described property:</p> <p style="margin-left: 40px;">The parcel of land lying directly beneath the roadway known as Sunnyhill Drive (SC Road 560) and extending from the roadway right-of-way, bounding on Lots 42-J and I-L of Sunnyhill Subdivision on the south and extending from the roadway right-of-way bounding on Lots 22-E and 23-B of Sunnyhill Subdivision on the north and being all the land comprising the upper Sunnyhill Pond dam lying between the lot lines of the adjoining lots on the North now or formerly owned by Outlaw and Messier and lot lines and the right of way of the roadway on the South (the land outside the right of way being now or formerly owned by South Lake Corporation and lot owners Cole and Montgomery).</p> <p style="margin-left: 40px;">In: <i>Reserve H 404</i> <i>13th Dec 2001</i> <i>Sheddie Tetterton</i> <i>11211 BK1075 PG340</i></p>
KERSHAW COUNTY ASSessor TX MAP # 023211-000-000-005 JUDGE: McDonald, Clerk of Court - BMC Kershaw County Courthouse 000011211	
FILED FOR RECORD 11/13/2001 AT 02:30P BOOK 01075 PAGE 00340 Joyce McDonald-Clerk of Court - BMC Kershaw County Courthouse 000011211	

11211 BK1075 PG341

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said Sunnyhill Northlake, Inc., its successors and assigns, forever - so that neither we the said John C. West, Sheddie Tetterton and Alice Ford nor our heirs, nor our heirs, nor neither we the said John C. West, Sheddie Tetterton, and Alice Ford nor our heirs, nor any other person or persons, claiming under us or them, shall at any time hereafter, by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

By acceptance of this deed, the Grantee fully releases the Grantors from any liability, maintenance, obligations, claims, or any ownership interest, of any nature whatsoever pertaining to the within described property.

WITNESS the Hand and Seal of the Grantor this day 27 of October in the year of our Lord two thousand one and in the two hundred and twenty-sixth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Ryan Hunter
Robert B. Bick
as to Sheddie Tetterton

Sheddie Tetterton (Seal)
Sheddie Tetterton

William S. Tetterton (Seal)
William S. Tetterton, his attorney-in-fact

Alice B. Ford (Seal)
Alice Ford

John C. West (Seal)
John C. West

Hannah S. Bishop
as to Alice Ford and John C. West

Certificate of Dissolution (2013)

130801-0039 SUNNYHILL NORTHLAKE, INC. Filed: 08/01/2013 Filing Fee: \$0.00 ORIC  Mark Hammond South Carolina Secretary of State	130801-0039 SUNNYHILL NORTHLAKE, INC. Filed: 08/01/2013 Filing Fee: \$0.00 Mark Hammond South Carolina Secretary of State
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STATE OF SOUTH CAROLINA
SECRETARY OF STATE
COLUMBIA, SOUTH CAROLINA

CERTIFICATE OF DISSOLUTION
BY ADMINISTRATIVE DISSOLUTION

SUNNYHILL NORTHLAKE, INC.
1111 CHURCH ST
CAMDEN , SC 29020-3501

Date of Dissolution:
AUG 01, 2013
20304300

South Carolina Code of Laws §33-14-200 provides that the South Carolina Secretary of State's Office shall administratively dissolve a corporation for the following reasons:

(1) The corporation does not pay any franchise taxes, taxes payable under Chapter 7, of Title 12, or penalties imposed by the law;
(2) The corporation does not deliver its annual report to the Department of Revenue when it is due;
(3) The corporation is without a registered agent or registered office in this state;
(4) The corporation does not notify the Secretary of State that its registered agent or registered office has been changed, that its registered agent has resigned, or that its registered office has been discontinued; or
(5) The corporation's period of duration stated in its articles of incorporation expires.

Based on the records provided by the South Carolina Department of Revenue, it appears that after proper statutory notice, the above named corporation has failed to meet the requirements of (1) and/or (2) as set forth above.

Now therefore, under the authority of South Carolina Code of Laws §33-14-200, the above named corporation is administratively dissolved as of the date of this Certificate of Dissolution.

Mark Hammond
Mark Hammond
South Carolina Secretary of State

Inquiries concerning this administrative dissolution should be directed to the South Carolina Department of Revenue, Corporate Section, Columbia, SC 29214-0100 or (803) 896-1730.

NIXIE 292 DE 1009 6009/03/13
ADM. DISSOLUTION RETURN TO SENDER
UNCLASMED
UNABLE TO FORWARD

ed by South Carolina
y of State, April 2008

P.B. 00288 SC: 29201374525 *0554-87322-05-36
11

Registered Agent Correspondence (2014)

SAVAGE ROYALL & SHEHEEN L.L.P.
ATTORNEYS AND COUNSELORS AT LAW

EDWARD M. ROYALL
ROBERT J. SHEHEEN
MOULTRIE B. BURNS, JR.
WILLIAM B. COX, JR.
VINCENT A. SHEHEEN *
STEPHEN R. SMOAK
MICHAEL D. WRIGHT

HENRY SAVAGE, JR.
1903 - 1990
* CERTIFIED MEDIATOR & ARBITRATOR

RECEIVED
OCT 23 2014
FLORENCE EQC OFFICE

1111 CHURCH STREET
CAMDEN, S.C. 29020
P.O. DRAWER 10
CAMDEN, S.C. 29021
TELEPHONE: (803) 432-4391
FACSIMILE: (803) 425-4816

October 21, 2014

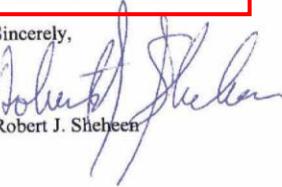
Mr. Kevin Kim
SCDHEC
145 E. Cheves Street
Florence, SC 29506

Re: Sunnyhill Northlake, Inc.
Camden, SC

Mr. Kim:

I am returning the notice of the dam inspection that you sent to me. I represented the Stockholders of Sunnyhill Northlake, Inc. in a lawsuit in 2000 but have had no contact with them since then. I am not the appropriate party for receipt of this notification.

Each of the lot holders who surround the lake are stockholders in the corporation.

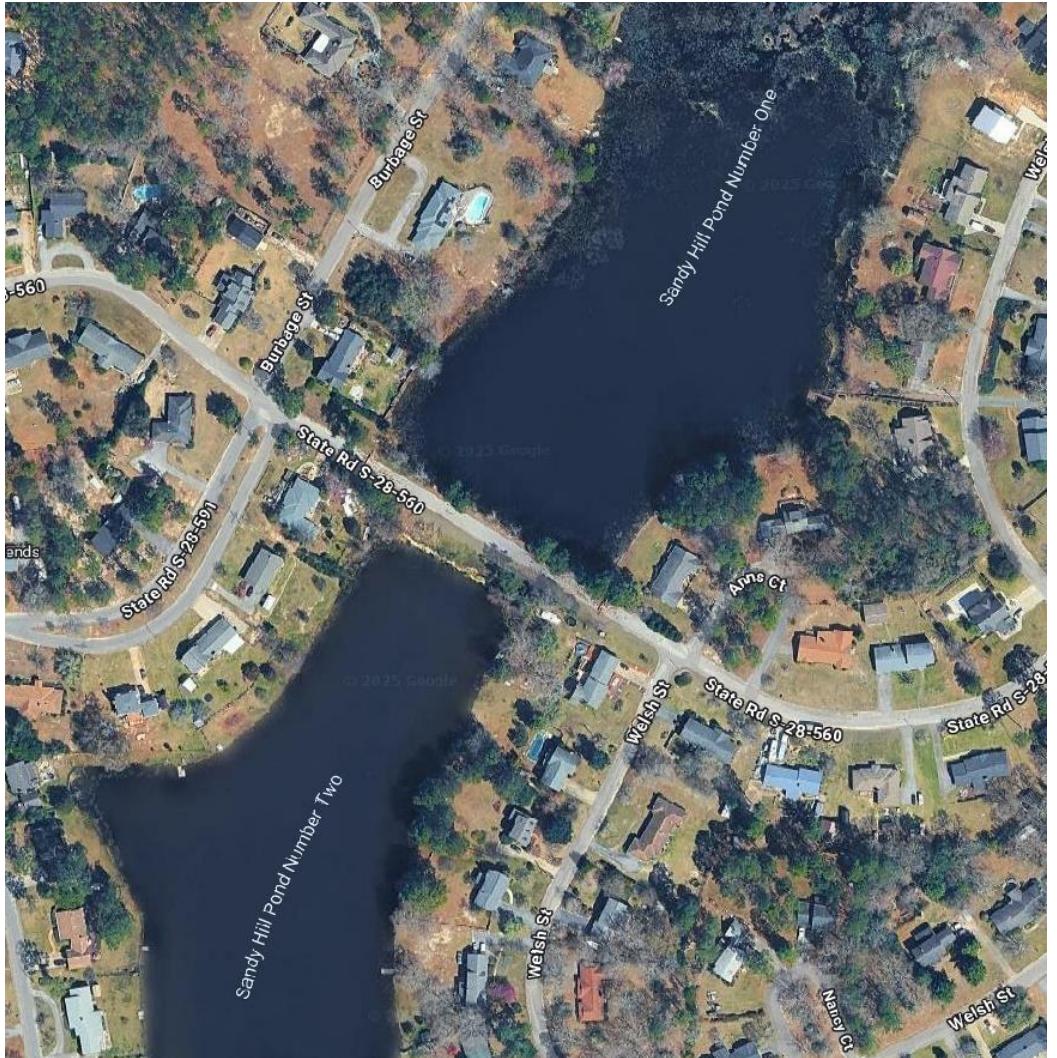
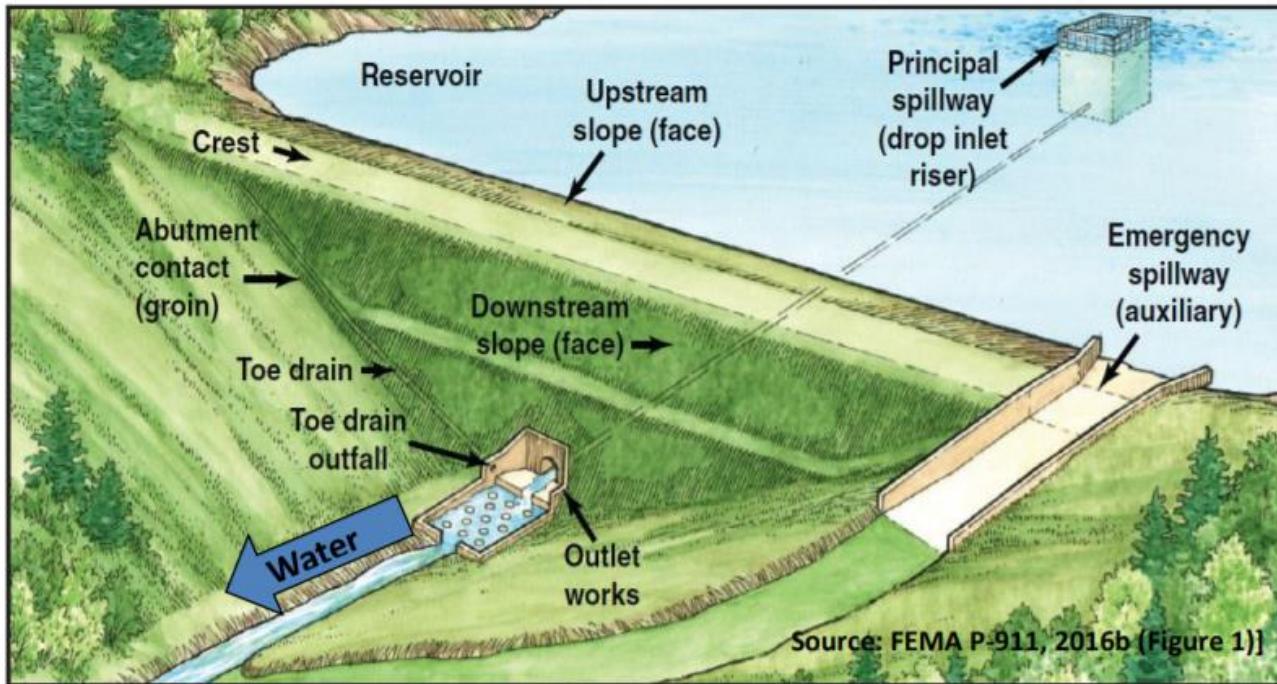
Sincerely,

Robert J. Sheheen

Current Condition of Dam



Preliminary Investigation

- City of Camden Assistance
 - Additional Funding Still Available
- Components of Dam Investigation
 - Geotechnical (Sub-Surface)
 - Hydrologic & Hydraulic

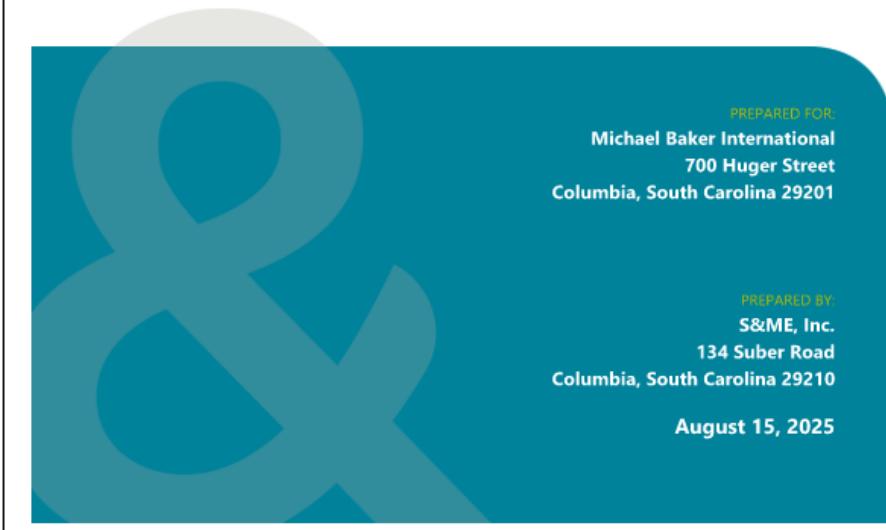


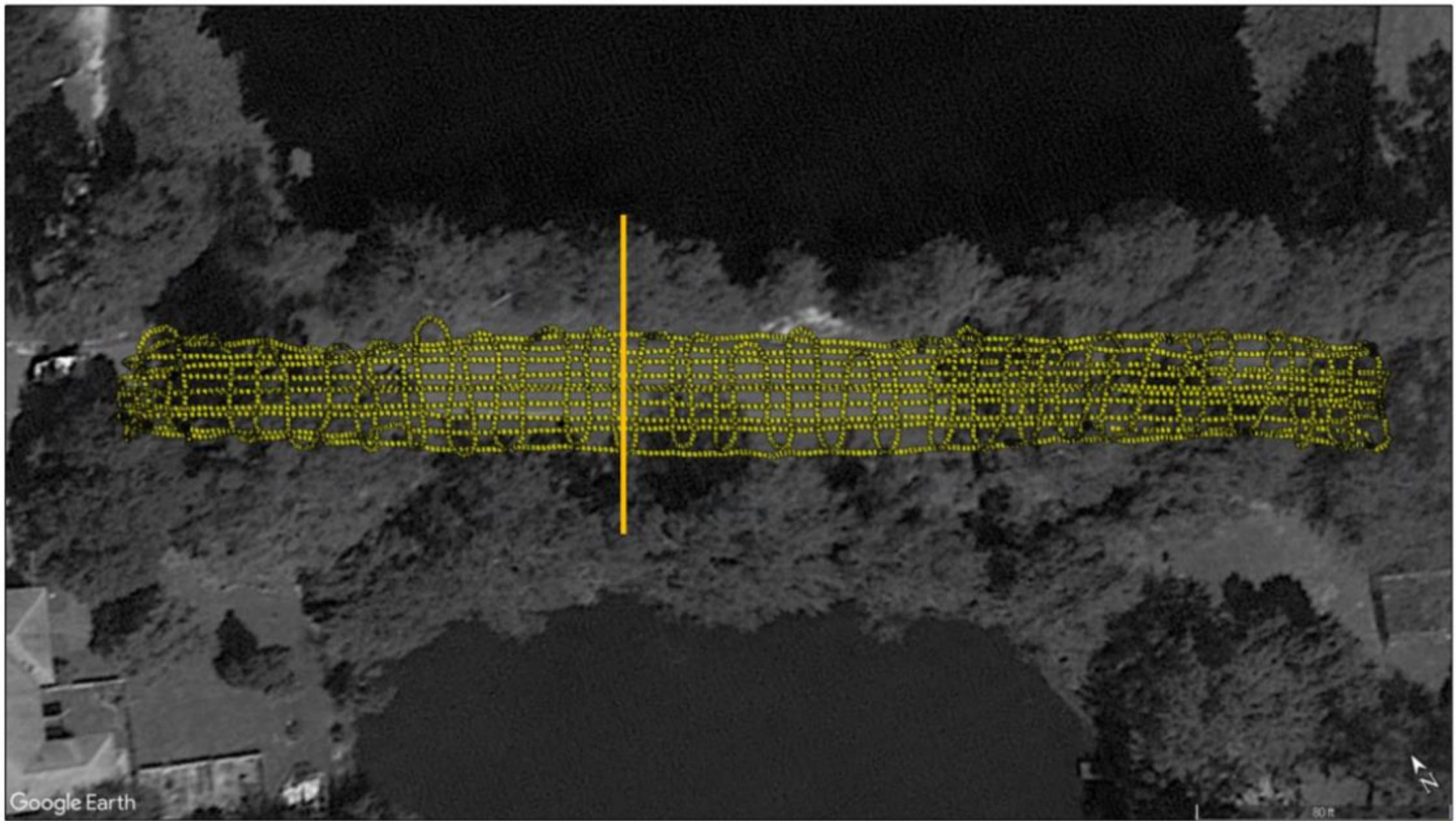
Geotechnical

- Geophysical Investigation
 - Frequency Domain Electromagnetics
 - Ground Penetrating Radar
- Non-Invasive techniques
- No soil borings, cone penetrometer tests, etc.
(nothing invasive performed)



Results of Geophysical Survey
Upper Sunnyhill Pond Dam
Camden, South Carolina
S&ME Project No. 25610138





LEGEND

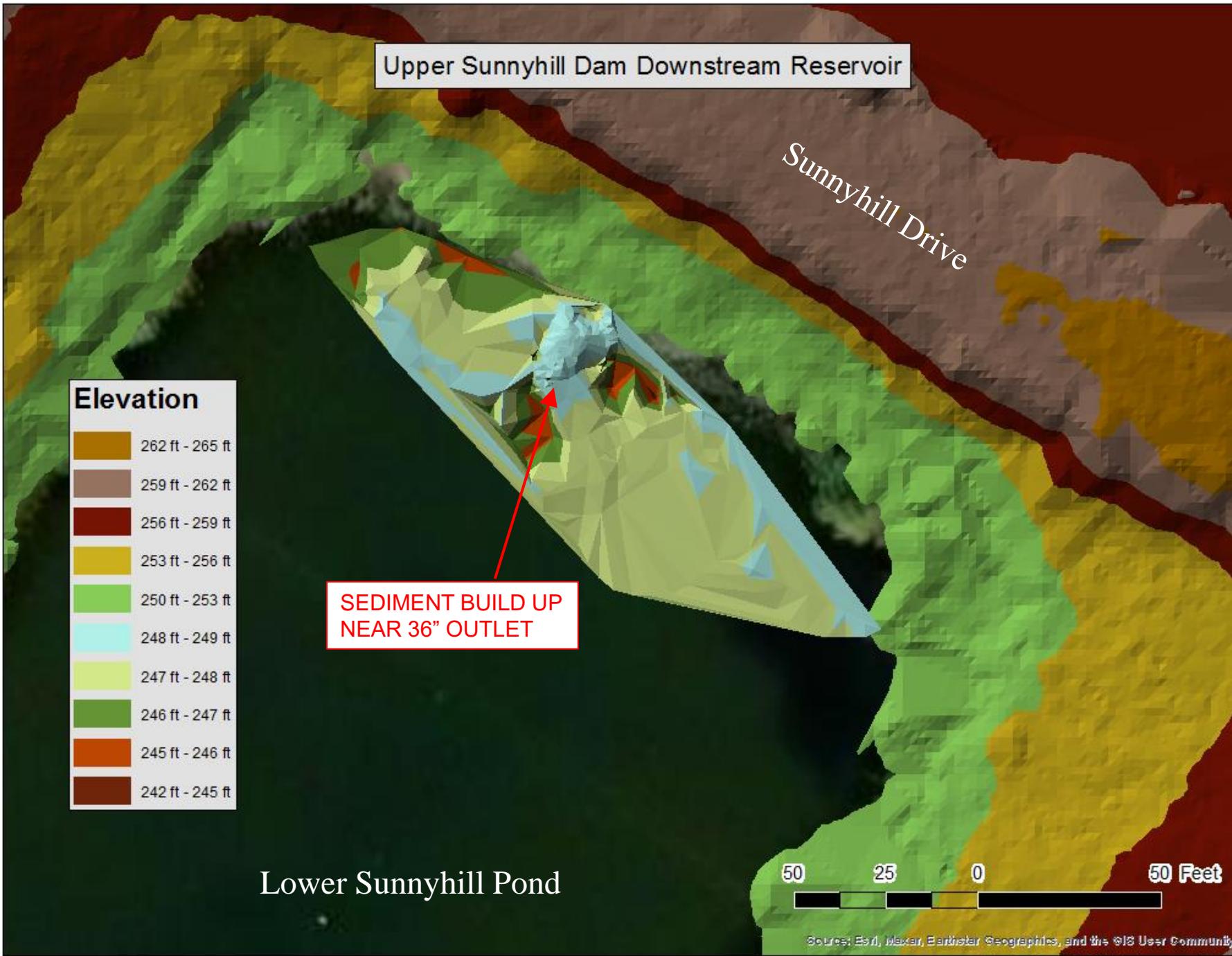
Corrugated Metal Pipe (CMP)

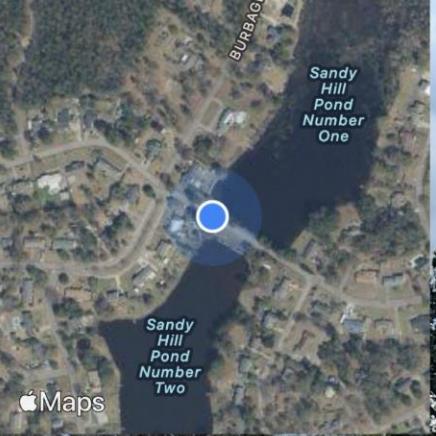


FDEM Data Path









Jan 6, 2026 at 3:53:04 PM
+34.290611,-80.625515
1200–1298 Sunnyhill Dr
Kershaw County
Photo by John McCain

Hydrologic and Hydraulic

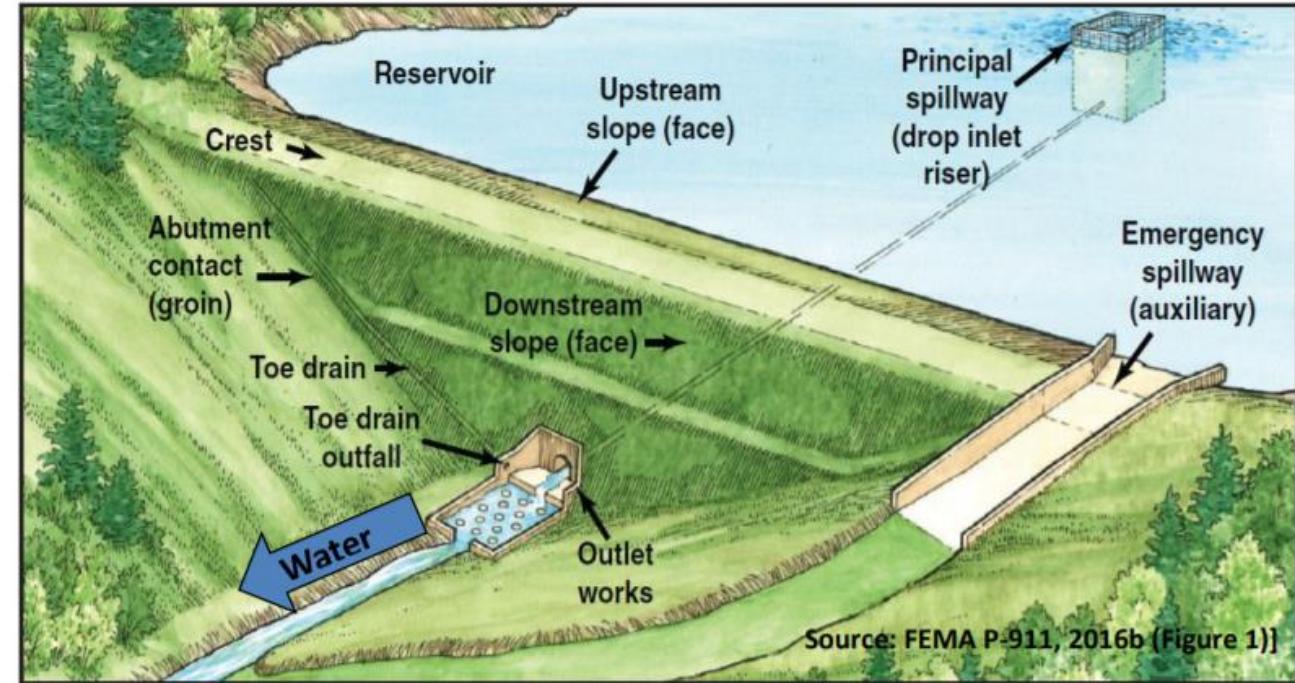
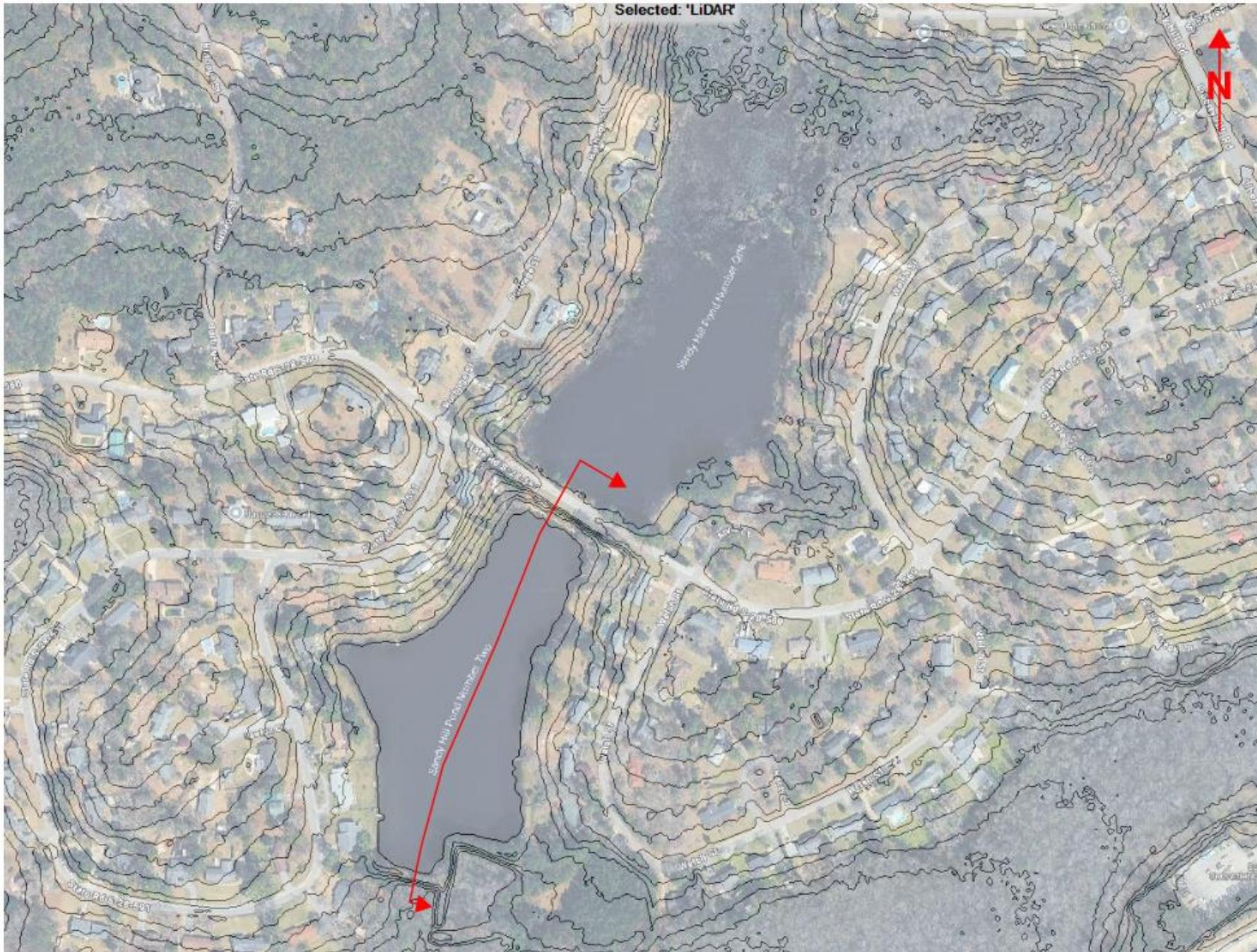


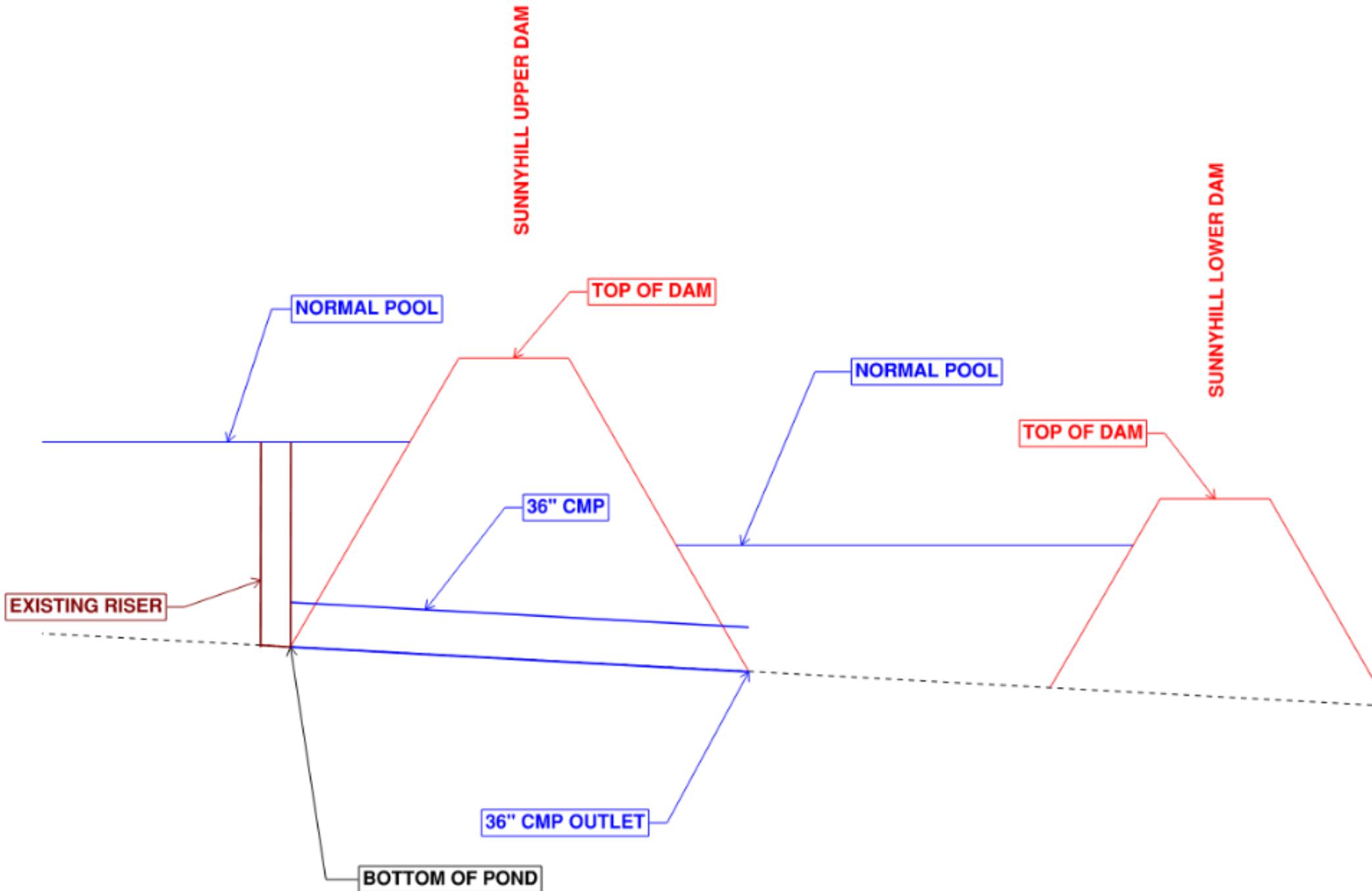
TABLE I

SPILLWAY DESIGN FLOOD CRITERIA

Hazard	Size	Spillway Design Flood (SDF)*
High	Very Small	100-yr. to $\frac{1}{2}$ PMF
	Small	$\frac{1}{2}$ PMF to PMF
	Intermediate	PMF
	Large	PMF
Significant	Small	100-yr. to $\frac{1}{2}$ PMF
	Intermediate	$\frac{1}{2}$ PMF to PMF
	Large	PMF
Low	Small	50 to 100-yr. frequency
	Intermediate	100-yr. to $\frac{1}{2}$ PMF
	Large	$\frac{1}{2}$ PMF to PMF

*Note: When appropriate, the spillway design flood may be reduced to the spillway discharge at which dam failure will not significantly increase the downstream hazard which exists just prior to dam failure.





Potential Solutions



Before any Solution – Reform HOA

- Any solution will require a dam owner that accepts responsibility for the dam.
- Lot owners can proactively reform the HOA – Sunnyhill Northlake, Inc. (reason HOA dissolved was failure to file paperwork with SC Department of Revenue in 2013).
- How to reform HOA? Contact SC Department of Revenue to find out what paperwork is needed. SCDOR will notify SC Secretary of State once HOA in compliance. SCSOS will restore Sunnyhill Northlake, Inc.'s corporate status.
- If HOA not reformed, SCDES prepared to name all parties from the settlement agreement and Sunnyhill Northlake, Inc. as owners of the dam and pursue repair or removal of dam in court.

Solution 1 – Repair the Dam

What needs to be done?

- Hire a licensed professional engineer to fully investigate condition of dam and then develop a permit application for repair
- HOA submits permit application and gets permit from SCDES
- Engineer oversees repairs and, once work is complete, certifies construction performed properly
- After repair, dam still has to be maintained!

Solution 1 – Repair (cont'd)

- How to pay for a repair?
 - SCDES Dam Repair Assistance Grant (State grant)
 - 50%-50% cost share for repairs (increases to 75%-25% in cases of financial hardship)
 - Grant Program funded at \$1.5 million annually; competitive grants
 - Next application window opens March 2, 2026
 - Requirements:
 - Dam must be High or Significant Hazard and in Poor or Unsatisfactory Condition.
 - Dam must have an owner! Applications can only be submitted by a dam owner.
 - If a dam has multiple owners, all must sign a statement that they are in support of the grant application.
 - Applications must be prepared with an engineer's involvement.
 - Grants for construction projects must contain an engineer's cost estimate and Preliminary Engineering Report (if no permit issued or no permit application developed).

Solution 1 – Repair (cont'd)

- How to pay for a repair?
 - FEMA High Hazard Potential Dams Rehabilitation Grant (Federal grant)
 - SCDES Dam Safety administers this grant, too
 - Funds available but SCDES not currently accepting applications (anticipating a new funding round in 2026)
 - 65%-35% cost share (increases to 100% if project carried out by or for an underserved community)
 - Requires a public sponsor to apply
 - Requires dam have an approved Emergency Action Plan
 - Special Tax District
 - Once formed, Kershaw County will collect special tax with Property Tax Bill that can be used for repair and maintenance of the dam
 - Special Tax District can also be used to secure a loan, as the repayment stream is guaranteed by the County via taxes
 - Could provide funding for repair as well as a long-term recurring funding source for maintenance of the dam

Solution 2 – Remove the Dam

- Removal of a regulated dam requires a permit from Dam Safety Program
- A licensed Professional Engineer with SC Registration must develop the repair plan and permit application
- What does removal achieve? The SCDES Dam Safety Program would no longer consider there to be a regulated dam at this location. The liability and responsibility for owning a dam is removed from all parties.
- What does dam removal look like? (next slide)

Solution 2 – Remove (cont'd)



Image Credit: SCDES

McMeekin Pond Dam (Marlboro Co.)
dam removal underway on 8/9/2024



Image Credit: www.sedaliademocrat.com

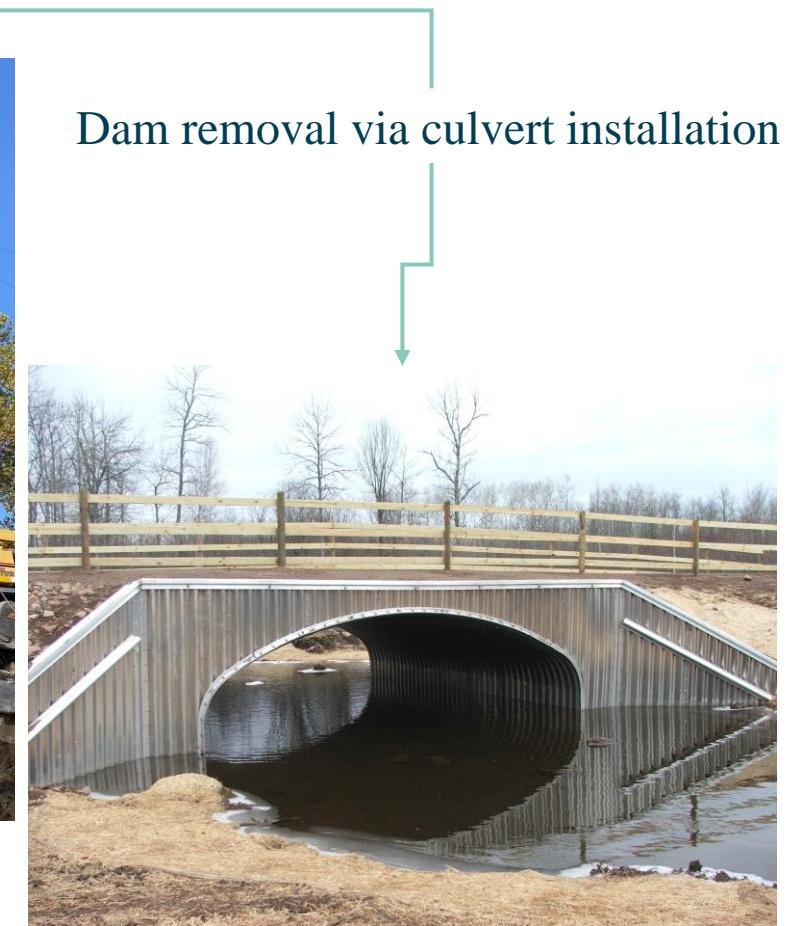


Image Credit: www.conteches.com

Solution 2 – Remove (cont'd)

- SCDOT willing to undertake the engineering and construction to remove the dam at no cost to HOA
- SCDOT requires a dam owner to authorize SCDOT activities to remove the dam

Solution 3 – Make a Smaller Dam?

- Dams <25 feet in height and <50 acre-feet in storage are EXEMPT from state regulation
 - Current storage of Upper Sunny Hill is approximately 174 acre-feet (USACE estimate)
 - Exception: where dam poses a risk for loss of life
- May not be feasible...a licensed engineer will need to evaluate
- Also potentially eligible for grant funding

Q&A for SCDES





SC DEPARTMENT of
ENVIRONMENTAL
SERVICES

Get in touch

John M. McCain, P.E. // Section Manager

Dam Safety Section

John.McCain@des.sc.gov

803.898.8178



des.sc.gov/dams

Discussion

