



Benz Law
Attorney at Law

September 29, 2025

VIA Email: countymanager@pikecoga.gov

Mr. Rob Morton

County Manager

Pike County Board of Commissioners

331 Thomaston St

Zebulon, GA 30295

Re: Proposed Abandonment of Ethridge Mill Road

Dear Mr. Morton,

I represent Wabash regarding the potential abandonment of Ethridge Mill Road. Please be advised that Wabash opposes the proposed abandonment and asserts that the roadway continues to serve a substantial public purpose and it is in the public interest to continue to maintain Ethridge Mill Road as a public roadway.

Pursuant to O.C.G.A. § 32-7-2(b)(1), for a County government to abandon a roadway it must determine that the road has "ceased to be used by the public to the extent that no substantial public purpose is served by it or that its removal from the county road system is otherwise in the best interest". Procedurally, the County must also provide notice to property owners located along the roadway and that the County is published once a week for two weeks and then conduct a public hearing. As of September 23, 2025 there has been no advertisement in the Pike County legal organ of the Pike County Journal and Reporter announcing the public hearing.¹

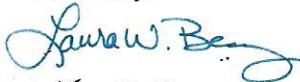
Based on historical aerial photographs, the development presently operated by Wabash was the first facility to establish operations along Ethridge Mill Road. As such, Wabash established its operations prior to any other business and on the basis that vehicles could enter the facility from either direction along Ethridge Mill Road. Multiple times a week, tractor trailers with materials use the shoulder of Ethridge Mill Road for staging until they can access the facility during business hours. If the County were to abandon Ethridge Mill Road and allow adjacent property owners to block access to the roadway, tractor trailers would be forced to stage along Liberty Road at a greater safety risk to travelers rather than Ethridge Mill Road adjacent to the facility. In addition, the potential closure of a portion of Ethridge Mill Road would significantly increase passenger vehicles to the intersection of Highway 41 and Liberty Road at the beginning and end of each shift. During shift changes Wabash has approximately 100 vehicles that leave the facility to use Ethridge Mill Road in both the north and south directions. The ability to exit the Wabash facility and travel north on Ethridge Mill Road allows vehicle

¹ [https://www.georgiapublicnotice.com/\(S\(dyc42nv50ztuxzselzeni2uh\)\)/Search.aspx](https://www.georgiapublicnotice.com/(S(dyc42nv50ztuxzselzeni2uh))/Search.aspx)

traffic to avoid having to utilize Highway 41 when employees want to continue traveling north. If the roadway is abandoned and adjacent property owners restrict the current access, all Wabash employees will be forced to exit the facility turning south causing traffic to stack up along the roadway waiting to use the stop sign before turning onto Highway 41 and continuing to use Shackelford Road to return to Etheridge Mill Road. By eliminating means of ingress and egress from the facility, excess traffic will be forced to one access point and significantly increase the potential for incidents with tractor trailer and cement trucks on Highway 41 and Liberty Road. There have already been several serious traffic incidents at this intersection when vehicles have tried to cross this area and significantly increasing tractor trailer and passenger vehicles interactions is not in the public interest.

Under Georgia law, evidence supporting the lack of substantial public use is critical to justify an abandonment decision². Courts have found that to justify “no public purpose” a County must provide evidence of the road being unsafe for public use, serves no homes or businesses and is not being used by the public.³ While courts have also considered the expense of maintaining a roadway as a consideration for abandonment, expense is a factor for roadways deemed no longer useful or convenient.⁴ In this case, none of the applicable criteria have been satisfied given that Etheridge Mill Road serves several businesses and provides a public safety feature of decreasing the potential interaction of tractor trailers, concrete trucks and passenger vehicles. It is important to note that when a County abandons a roadway, the abutting landowners become the presumptive owners of the fee to the middle of the road, provided the county did not acquire fee-simple title to the roadway through an express grant, deed, or condemnation proceedings.⁵ There has been no information discussed within the minutes of prior meetings as to how the County acquired Etheridge Mill Road and therefore, any attempt by adjacent landowners to gate or restrict access along Etheridge Mill Road adjacent to property boundaries of the Wabash facility would be a violation of Wabash’s property rights which would be defended vigorously. We assert that any decision to abandon a portion of Etheridge Mill Road would be for the benefit of a specific private property owner and to the detriment of the public and other property owners along Etheridge Mill Road and as such be arbitrary and capricious and contrary to well established Georgia law. The closure of any portion of Etheridge Mill Road will have a direct adverse impact on the future operations of Wabash by restricting access that it and its employees have relied on for over twenty years.

Sincerely,



Laura W. Benz
Attorney for Wabash

² *Torbett v. Butts County*, 271 Ga. 521 (1999).

³ *Scarborough v Hunter*, 293 Ga. 431 (2013).

⁴ *Stevens v. Bluff Holdings, LLC*, 373 Ga.App. 886 (2024).

⁵ *Glass v. Carnes*, 260 Ga. 627 (1990).