

Lawsuits

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The suit states the county holds title to the roads, including the Sea Island Causeway and all the platted roads on Sea Island, and that title should be returned to Glynn County.

County manager Fallon is named because, according to the lawsuit, he has a duty to maintain the Sea Island Causeway and Sea Island's platted roads and to make sure these roads are open to the public.

The second lawsuit naming only Glynn County states the County unlawfully abandoned the roads; that to abandon them was beyond the county's legal authority; and that the public was still using these roads when they were abandoned.

The lawsuit states the public used the Sea Island roads and beaches for over 40 years and that the county maintained these roads for over 40 years.

The lawsuit states that the Sea Island Entities earn profit from these roads, which should be held in the public trust, by charging a fee permitting access to Sea Island.

The suit states "if the court determines that the County's approval of the abandonment application was lawful (it was not), the Causeway Segment should have reverted to the Holders of the Cain Reverter under the terms of the Cain Deed because the Causeway Segment is no longer being used by the public."

The lawsuit also seeks an alternative declaration "that if the County properly abandoned the Causeway Segment, that title in the Causeway Segment reverted to the Holders of the Cain Reverter (which includes Fraser) because T.L. Cain's dedication of the Causeway Segment to the County specified that if the road ceased to be used by the public, title would revert back to T.L. Cain.

Fraser and other are the holders of interests in the Cain Reverter having acquired their interests from the successors to the property dedicated

by T.L. Cain.

The Cain Reverter stems from the 2016 lawsuit brought by plaintiffs Glynn Environmental Coalition and Jane Fraser alleging that Glynn County did not have the right to convey the Twitty Park property, at Frederica and Sea Island Roads, to Sea Island in 1982.

In 2019 Glynn County Superior Court Judge Stephen Kelley agreed with plaintiffs that the county did not have the right to convey the property to Sea Island.

T.L. Cain left the property to Glynn County in 1924, expressly

stating that it be used as a park and a right-of-way for a road to Sea Island. Should the county violate the terms of the will, ownership of the park would revert to Cain's heirs.

Judge Kelley declared the land swap void and that Glynn County still owns Twitty Park.

The Fraser / Kilgore suit against the County asks that the abandonment of all the roads from the County to the Sea Island Entities be declared void and that Sea Island be stopped from blocking public access to Sea Island roads and Sea Island beaches.

Two lawsuits filed against Sea Island, Glynn County

By Pamela Permar-Shierling

Last week Plaintiffs Jane Fraser and Jeff Kilgore filed two lawsuits against Sea Island and Glynn County.

In 2004 Glynn County deeded the Sea Island Causeway from east of Black Banks subdivision and all the platted roads on Sea Island to the Sea Island Company.

The lawsuit against Sea Island Company, LLC; SIA Propco I, LLC; and County Manager William Fallon asks for a "mandatory injunction to compel" the defendants to allow the public to travel all of Sea Island's roads including the Sea Island Causeway and the platted roads on Sea Island, use of Sea Island's beach, and to remove the gatehouse.

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