



ORDER OF CONDEMNATION

February 8, 2024

Owner: Don Lacy LLC
330 Red Fork, Clinton, OK 73601

Address: 405, 405 1/2 & 407 S. 10th
Legal: Lots S 1/2 of 14 and All of lots 15-16 Block 11, Clinton Shoeboy Addition, City of Clinton, Custer County, OK

On the 6th day of February 2024 at 5:30P.M. the City Council of the City of Clinton, Oklahoma, conducted a hearing pursuant to the notice served on the owner more than ten days prior to this date; Don Lacy LLC.

The City Council of the City of Clinton, Oklahoma, found that proper notice was given to the owner and that it has jurisdiction to hear this matter.

The condition of the property constitutes a detrimental or hazard and the property would benefit by the removal of the conditions.

The City Council of the City of Clinton, Oklahoma, shall cause the dilapidated building(s)/Structure(s) to be torn down and removed at the expense of the owner, if said owner fails or refuses to remove said building(s)/structure(s) within the time limit hereinafter set.

That said owner shall commence work on or before the 7th day of February 2024 and shall complete said work on or before the 20th day of March 2024.

IT IS HEREBY ORDERED that the aforesaid structure(s) be condemned, and that removal of such conditions shall be commenced on or before the 7th day of February 2024, and shall be completed on or before the 20th day of March 2024.

CITY OF CLINTON, OKLAHOMA

(Seal)

BY: [Signature] (MAYOR)

Subscribed and sworn to before me this 8th day of February, 2024
My commission expires: 9/18/27
Notary Public [Signature]



JOINT TENANCY QUIT CLAIM DEED



KNOW ALL MEN BY THESE PRESENTS:

That DON LACY LLC

I-2024-001022 Book 2056 Pg 626
02/16/2024 9:44am Pg 0626-0628
Fee: \$22.00 Doc: \$0.00
Melissa Graham - Custer County Clerk
State of OK

Part(ies) of the first part in consideration of the sum of \$10 (TEN) dollars, and other valuable consideration, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby quitclaim, grant, bargain, sell and convey unto

Johnnie Dixon and Tina Dixon, husband and wife

As joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor in the event of the death of either, parties of the second part the following described real property and premises situated in Custer County, State of Oklahoma, to wit:

The South half of Lot 14, all of lots 15+16, Block 11, Shoe Boy Addition to the City of Clinton, Custer County, Oklahoma, according to the recorded Plat thereof.

Together with all the improvements thereon and the appurtenances thereunto belonging. TO HAVE AND TO HOLD the above described premises unto the said parties of the second part as joint tenants, and to the heirs and assigns of the survivor forever.

SIGNED AND DELIVERED THIS 16th DAY OF February 2024

R S Lacy - Manager - Owner

State of Oklahoma, County of Custer ss.

Before me the undersigned Notary Public in and for said County and State on this 16th Day of February, 2024 personally appeared Don Lacy as Member / Manager on behalf of Don Lacy, LLC

To me to be the identical person(s) who executed the within and foregoing instruments and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

D L Matz

Notary Public:

My Commission Expires : 02-08-2027



AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: INDIVIDUAL

STATE OF Oklahoma)

COUNTY OF Custer County)

TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

SS.

1-2024-001022 Book 2056 Pg 627
02/16/2024 9:44am Pg 0626-0628
Fee: \$22.00 Doc: \$0.00
Melissa Graham - Custer County Clerk
State of OK

Before me, the undersigned Johnnie Dixon
(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states as of the date of this Affidavit:

- 1. I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
- 2. I have personal knowledge of the statements made herein.
- 3. I am:
 - a citizen of the United States; or
 - not a citizen of the United States, but an alien who is or shall become a bona fide resident of the State of Oklahoma.

- 4. I acquired title to the real property identified in the Deed to which this Affidavit is attached (the "Property").
- 5. This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:

No alien or any person who is not a citizen of the United States shall acquire title to or own land in this state either directly or indirectly through a business entity or trust, except as hereinafter provided, but he or she shall have and enjoy in this state such rights as to personal property as are, or shall be accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce in accordance with federal law.

- 6. I acknowledge and understand that section 121 generally prohibits an alien or person who is not a citizen of the United States from acquiring title to or owning land in the State of Oklahoma. I further acknowledge and understand that section 121 does not prohibit an alien who is or who shall become a bona fide resident of the State of Oklahoma from acquiring title to or owning land in the State of Oklahoma.
- 7. I acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of section 121 or any other state or federal law.
- 8. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

Johnnie Dixon
AFFIANT

2-16-2024
Date

The foregoing instrument was subscribed and sworn to before me this 16 day of February, 2024 by Johnnie Dixon

My Commission Expires: 2-8-2027

Derek L. Matz
NOTARY PUBLIC

My Commission Number: 23061889

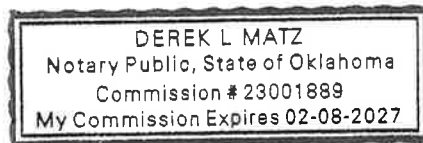


Exhibit to Deed

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: INDIVIDUAL

STATE OF OKLAHOMA)

COUNTY OF CUSTER)

TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

SS.

1-2024-001022 Book 2056 Pg 628
02/16/2024 9:44am Pg 0626-0628
Fee: \$22.00 Doc: \$0.00
Melissa Graham - Custer County Clerk
State of OK

Before me, the undersigned Tina Dixon

(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states as of the date of this Affidavit:

1. I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
2. I have personal knowledge of the statements made herein.
3. I am:
 - a citizen of the United States; or
 - not a citizen of the United States, but an alien who is or shall become a bona fide resident of the State of Oklahoma.

4. I acquired title to the real property identified in the Deed to which this Affidavit is attached (the "Property").
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7. I acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of section 121 or any other state or federal law.
8. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

Tina Dixon
AFFIANT

2-16-24
Date

The foregoing instrument was subscribed and sworn to before me this 16 day of February, 2024 by Tina Dixon.

My Commission Expires: 2-8-2027

Derek L Matz
NOTARY PUBLIC

My Commission Number: 23001889

DEREK L MATZ
Notary Public, State of Oklahoma
Commission # 23001889
My Commission Expires 02-08-2027

Renovation Proposal: 405/407 10th Street, Clinton, OK

Timeline	Repairs to be completed by date
Feb 29, 2024	Secure all doors and windows Clean up yard/remove shed/remove all trash
Apr 30, 2024	Repair exterior of house Replace Roof Assess apartment in back- either secure and repair or demolish building. Paint all trim Replace all doors/windows as needed Install fence for backyard
Aug 31, 2024	Convert house from 2 units to single family Replace all bathroom showers, sinks, toilets Replace and install new kitchen cabinets, sink Replace/Repair all electric, water, sewer lines Remove all gas lines- convert to all electric home. Repair all floors and install floor coverings Install new outlets, lights, electric panel

Cost estimate	
\$6000	Replace Roof
\$7000	Central Heat/AC unit
\$3000	Plumbing
\$5000	Electric
\$20,000	Remodel
\$41,000	Total invested cost

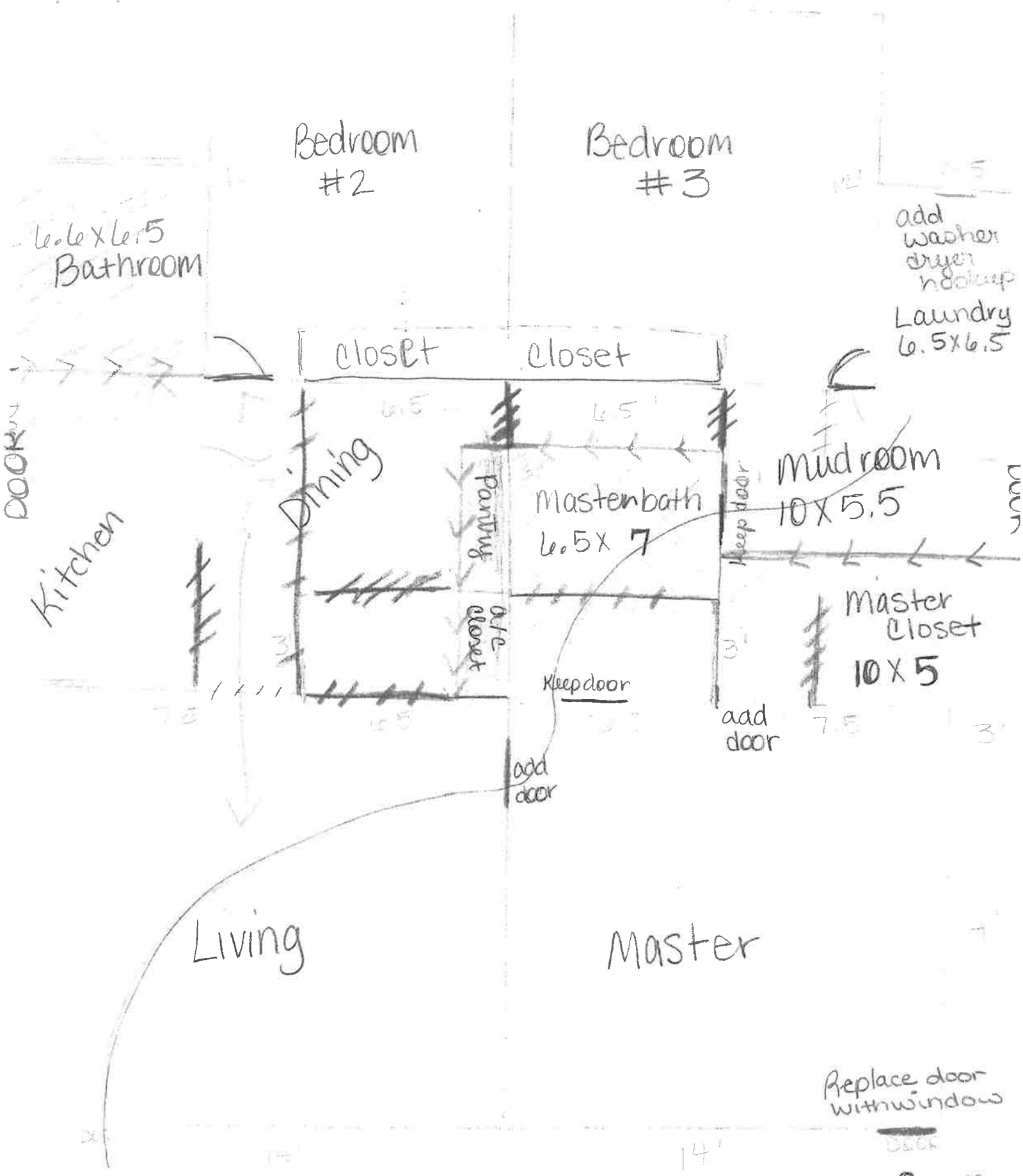
This property appears to be structurally sound. This assessment is based on information provided by Clinton city inspector, Toby Anders and by a personal walk through. By April 30th, I will have a better assessment on the apartment located on backside of property. By that date, I will either repair exterior and secure or have it demolished and debris removed from the property.

The intention at this time is to repair and restore 405/407 back to a single family home. The apartment located on backside of property will be renovated into a storage/shed/hobby building for the single family home, not as living quarters. I intend to work with the city inspector to secure all necessary permits and that the repairs made are up to city code. Once all repairs are completed, this property will be either occupied by one of my sons or sold.

Johnnie Dixon

(580) 243-9825

10435 N 2220 Rd, Clinton, OK 73601



Bedroom #2

Bedroom #3

6.6 x 6.5 Bathroom

add washer dryer hook up
Laundry 6.5 x 6.5

closet

closet

Dining

Masterbath 6.5 x 7

Mud room 10 x 5.5

Kitchen

Pantry
a/c closet

Master Closet 10 x 5

Living

Master

Replace door with window
Deck

option

- 6 wall + 4 walls

Existing



4052407 10th Street.

J. KENT DEWEES I

411 S. 10th Street
Clinton, Oklahoma 73601
580-500-7486
jdeweess7@att.net

February 29, 2024

City of Clinton
Attn: Robert Johnson
Clinton City Manager
PO Box 1177
Clinton, Oklahoma 73601

Dear Mr. Johnson,

The purpose of this letter is to discuss the recent transfer of ownership of condemned property located at 405, 405½, and 407 S 10th Street in Clinton, Oklahoma, to wit:

The south half of Lot 14, and all of lots 15 and 16, Block 11, Shoe Boy Addition to the City of Clinton, Custer County, Oklahoma, according to the recorded plat thereof.

This property was transferred by Quit Claim Deed from Don Lacy LLC to Johnnie Dixon and Tina Dixon, husband and wife, on February 16, 2024. It is my understanding that Mr. and Mrs. Dixon plan to petition the Clinton City Council to modify its Condemnation Order.

Under precedent set in Oklahoma Law, the transfer of ownership of condemned property should happen in one of two ways. Either (1) the property owner at the time of condemnation brings the property up to code and into compliance before said transfer of ownership or (2) it is to be understood by the purchaser that the property owner is transferring the property "as is", indicating that the transfer is of the property only and that value is no longer assigned to any of the condemned structures on the property. Legal action that has already occurred demonstrates that, in the current situation, the property was sold "as is". The legal action to which I refer is (1) the zeroing out of valuation of structures on the property by the Custer County Assessor, leaving only a land valuation of \$4688 and (2) the filing of a Quit Claim Deed on February 16, 2024 with no Document Stamps purchased. This indicates that no monetary consideration was given or received.

Mr. Dixon, having worked with the City of Clinton in other condemnation proceedings, appears to have taken possession of this property as a Speculator; knowing full well the implications of condemnation. There seems to be something fundamentally wrong and unjust about individuals taking possession of a property involved in a condemnation proceeding before seeking to have it's status changed. Requests by Speculators for modifications to Condemnation Orders done in good faith should preceed a transfer of ownership of condemned real estate to avoid the appearance of collusion. Action to the contrary is, no doubt, one reason why the public finds it difficult to trust elected officials. When (1) a land transfer occurs first and then (2) modifications are made to a standing order, it leaves citizens wondering if some prior deal was struck between officials and a Speculator that assured the Speculator ahead of time that a desired rule change would occur. Surely the Dixon's knew this and were willing to take a risk by choosing to take possession of this property without obtaining prior consent from the City Council for a

Condemnation Order change/extension and must have believed that the property could be sold for enough to cover the cost of demolition and still make a profit should a change/extension not be granted.

To their credit, the Dixon's did take action on February 28, 2024 to remove refuse and debris from the property and removed a delapidated shack from the back yard. Also, when 407 S 10th was again unsecure, with the front door standing wide open on February 23, 2024, the issue appeared to have been remedied that night.

Please don't misconstrue my letter as an attempt to steer you and the Council in a given direction. Let me simply state that my wife and I still feel some degree of trepidation as a result of having been through hell during the last several years of Don Lacy's ownership of the property. This was more than enough to last a lifetime. We are now hoping for a little peace and enjoyment of our property should we decide to remain in the neighborhood. What we would ask is for the assurance that, if the structures are allowed to remain, they would be remodeled to a level where they would attract a more palatable buyer or renter than in the past. We would hope that the front structure would be updated in a way that you and council members would find it acceptable if it were next door to your own homes. I would think it reasonable to request that the fire-damaged back structure either be demolished or adequately updated on the outside as to not be an eyesore. This could possibly be an arrangement that all could agree to. Sufficient updating of the front structure would require a sizeable expenditure of cash and I would hope that the Dixon's would be prepared to spend beyond their estimated outlay should that amount prove insufficient to make the unit both functional and attractive.

My hope is that the Clinton City Council will give careful consideration to the outcomes which may occur in regard to this matter dependent upon action taken by them. Thank you for your kind consideration regarding this issue and may Clinton continue to benefit from your leadership and that of the Council.

Sincerely,



J. Kent Dewees I

CC David Berrong
Ernie Dowdell
Stormie Hill
Arthur Lloyd
Ernesto Villanueva
Clinton Daily News