

RESOLUTION NO. 24 - \_\_\_\_\_

**A RESOLUTION DECLARING CERTAIN STRUCTURE(S) AND ALL SECONDARY STRUCTURES TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.**

WHEREAS, the condition of the structure(s) on the property located at:

**Lawton Heights Addition, Block One Hundred Nineteen (119), West 58'1" of Lot Two (2) and West 132'7" Lot Three (3), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1217 NW Cache Road**

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Cornish Properties, LLC  
Ref: 1217 NW Cache Road  
PO Box 6568  
Lawton, Oklahoma 73506

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on November 27, 2024;

by posting a copy of said notice on the property on November 27, 2024;

and by publishing a copy of said notice in the Lawton Constitution on November 27, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and secondary structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) and secondary structure(s) located on the following-described real property:

**Lawton Heights Addition, Block One Hundred Nineteen (119), West 58'1" of Lot Two (2) and West 132'7" Lot Three (3), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1217 NW Cache Road**

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) and secondary structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) and secondary structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) and secondary structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s) and secondary structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) and secondary structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) and secondary structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s)

and secondary structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) and secondary structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s) and secondary structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s) and secondary structures(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and secondary structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

**ADOPTED and APPROVED** by the Mayor and Council of the City of Lawton, Oklahoma, this 28<sup>th</sup> day of January, 2025.

ATTEST:

\_\_\_\_\_  
Stanley Booker, Mayor

\_\_\_\_\_  
Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 28<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
John R Andrew, City Attorney

RESOLUTION NO. 24 - \_\_\_\_\_

**A RESOLUTION DECLARING CERTAIN STRUCTURE(S) AND ALL SECONDARY STRUCTURES TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.**

WHEREAS, the condition of the structure(s) on the property located at:

**Selected Investment Addition, Block One (1), Lots Forty-Four (44), Forty-Five (45), Forty-Six (46, and Forty-Seven (47). to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2550 NW Ft Sill Blvd.**

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Tanwood III, LLC (CFD)  
Luis Gallegos  
c/o Gallegos Enterprises LLC  
Ref: 2550 NW Ft Sill Blvd  
1400 NW 67<sup>th</sup> Street  
Lawton Oklahoma 73505 2721

Mortgages: None

Lienholders: None

Other: Luis Gallegos  
Ref: 2550 NW Ft Sill Blvd  
1400 NW 67<sup>th</sup> Street  
Lawton Oklahoma 73505

Tanwood III, LLC  
Ref: 2550 NW Ft Sill Blvd  
4626 Meadowbrook Avenue  
Lawton, Oklahoma 73505

Tanwood III, LLC  
c/o Steve Mansell  
Ref: 2550 NW Ft Sill Blvd  
204 N Robinson, 21<sup>st</sup> Floor  
Oklahoma City, Oklahoma 73102

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on November 27, 2024;

by posting a copy of said notice on the property on November 27, 2024;

and by publishing a copy of said notice in the Lawton Constitution on November 27, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and secondary structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) and secondary structure(s) located on the following-described real property:

**Selected Investment Addition, Block One (1), Lots Forty-Four (44), Forty-Five (45), Forty-Six (46, and Forty-Seven (47). to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2550 NW Ft Sill Blvd.**

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) and secondary structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) and secondary structure(s) located upon the real property hereinbefore described is/are

dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) and secondary structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s) and secondary structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) and secondary structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) and secondary structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) and secondary structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) and secondary structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s) and secondary structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s) and secondary structures(s), and (4) any other expenses that may be

necessary in conjunction with the demolition, dismantling and removal of the structure(s) and secondary structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

**ADOPTED and APPROVED** by the Mayor and Council of the City of Lawton, Oklahoma, this 28<sup>th</sup> day of January, 2025.

ATTEST:

\_\_\_\_\_  
Stanley Booker, Mayor

\_\_\_\_\_  
Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 28<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
John R Andrew, City Attorney

RESOLUTION NO. 24 - \_\_\_\_\_

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WHEREAS, the condition of the structure(s) on the property located at:

**Freeman Addition, Block One (1), Lot One (1), Less: Beginning in the Northeast corner of Lot One (1), Thence West Along the North Line of Said Lot One (1), a Distance of 385.0' to the Northwest Corner of Said Lot (1), Thence South along The West Line of Said Lot (1) a Distance of 12.1'; Thence (S89\*29'E) 385.0' to a Point on the East Line of Said Lot One (1); Thence North along said East Line a Distance of 10.9' to point of beginning, to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 3134 NW Cache Road**

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Lawton Investments LLC  
Ref: 3134 NW Cache Road  
PO Box 7198  
Lawton, Oklahoma 73506

Mortgages: Arvest Bank  
Ref: 3134 NW Cache Road  
PO Box 6100  
Lawton Oklahoma 73506



Arvest Bank  
Ref: 3134 NW Cache Road  
4330 NW Cache Road  
Lawton Oklahoma 73505

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on November 27, 2024;

by posting a copy of said notice on the property on November 27, 2024;

and by publishing a copy of said notice in the Lawton Constitution on November 27, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and secondary structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) and secondary structure(s) located on the following-described real property:

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to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) and secondary structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

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SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard

and that the property would be benefited by the removal of such conditions, determines the structure(s) and secondary structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) and secondary structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s) and secondary structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) and secondary structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) and secondary structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) and secondary structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) and secondary structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s) and secondary structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal

of the dilapidated structure(s) and secondary structures(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and secondary structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

**ADOPTED and APPROVED** by the Mayor and Council of the City of Lawton, Oklahoma, this 28<sup>th</sup> day of January, 2025.

ATTEST:

\_\_\_\_\_  
Stanley Booker, Mayor

\_\_\_\_\_  
Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 28<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
John R Andrew, City Attorney