

History with the City about 720 Maple

720 Maple is Pat and Agnes's house, where PJ (Jr.), Patricia, Eileen, and Jack grew up. And apparently Bill (William) Kelly too, at least when Dad (Jack) was in high school. Jack grew up thinking Bill was another brother. Jack got in a physical fight in High School over some one telling him that Bill was his cousin and not another brother. It appears this was after "the fire" burned down Pat's brother's house. Jim Deuster found a census record showing a William living at 720 Maple, not sure what census year that was.

The Oklahoma Territorial Government grant was to a Mr. Spencer, who with his brother, were the original developers of old (original) Yukon. Pat bought lots 1-4 and 5-6 from Mr. Spencer. I don't know when the house was built, but it did have 4 25-amp glass fuses for the electrical service. Mary Ann (my sister) thinks the house was rebuilt in the 1930's after a fire on the original property. I'm not sure she isn't confusing that fire with the one that destroyed Pat's brother's house.

City Threating dilapidated structure regarding the detached garage.

Mary Ann had the house's roof replaced, (removing the underlying shake, to bring it up to current code) she did not spend the money to reroof either the detached garage or rear office/chicken coop which sit on the south side of the lot.

Once the garage and chicken coop roofs gave way, the garage started to lean, and was in danger of falling. The chicken coop was in nearly the same condition. The City of Yukon was threatening all kind of code violations and threatened to remove the garage and place a lien on the property for the cost of the "debris cleaning". We had both buildings demolished and cleaned to the concrete slabs.

Over the years I had repeated meetings with two different city managers, two assistant city managers, head of development services and the code enforcement officers. In each and every meeting they were told about the lack of notice to multiple people (heirs) with ownership interest even being aware of the city's action. Each time they were reminded that Mary Ann and I did not speak for all the family members with an interest in the property.

In April of 2020, after another meeting with the current city manager, assistant city manager, head of development service and code enforcement officer, I finally asked the code enforcement/development officer to do a walk around of 720 Maple and point out each specific issue.

Several of the issues I agreed with him on, and those were corrected within a week. But quite a few of the issues he pointed out were not code violations, and at the end of the conversation, the telling statement from the code enforcement officer was "just make it look nicer".

The City staff placed a motion to declare 720 Maple a dilapidated structure on the City Council agenda. In our initial response to this Mary Ann and I initiated a Quiet Title Action, including the City as a defendant

The City of Yukon ordered the house at 720 Maple demolished (Grandfather Pat and Grandmother Agnes's house, where PJ, Patricia, Eileen, and Jack grew up). Mary Ann and I initiated a Quiet Title Action, including the City of Yukon as a defendant. This was with the idea of

- 1) showing the City that we were serious about taking action with the property, and
- 2) using a Temporary Restraining Order (TRO) to stop any City action against that property, until ownership could be established.
(*OSN.net, Canadian County, case number CV-2022-189*)

The City waited until the emergency hearing on the TRO to challenge my personal service of the lawsuit on to the city clerk. The Judge ruled in the City's favor, ruling that the service was not proper, so in spite of the city attorney being present (and by appearing, acknowledged notice of the suit), the judge could not hear any motion, until proper service was granted the city.

I ASSUMED and hoped that the practical notice of the suit would be enough to buy time from the City, as there was a pending suit involving the property. I was wrong.

After the personal service issue, we retained an Oklahoma City property lawyer (Gerald Kelley). He and a couple of local Canadian County lawyers, all agreed that a local county judge would be highly unlikely to grant a TRO, given the length of time this property has been a problem for the City of Yukon, and the City's new push for clearing out older run down, unlive in properties. So the idea of using the TRO to stop the city was abandoned. 720 was number 3 on a list of 13 the City has it's sights on.

Mr. Kelley, based upon a title commitment by First American Title Company, picked up the process of quieting the title to the property. To that end, there have been filed the original Petition (file by us), a First Amended Petition and a Second Amended Petition for Determination of Heirs, Quiet Title and Partition. The original and First Amended petitions are online, and I'm including a copy of the Second Amended petition.

On February 21, 2023, the City declared 720 Maple dilapidated, and ordered the demolition and remove of the house. This demolition and removal have been completed.

Today there are property taxes and demolition cost which are both liens against the property. There no longer any buildings standing on the lots at 720 Maple. 716 Maple (the property to the east) is a rental, and during this time period cut 8 to 10 mature trees along the east property line. But the rest of the lot has 50-60-year-old mature trees on it.

- + <https://yukonprogressnews.com/2023/03/03/long-vacant-yukon-home-will-be-demolished/>
Story about the demolition of the house.