



The City of Oklahoma City
Development Services Department, Subdivision and Zoning
420 West Main Street, Suite 910, Oklahoma City, Oklahoma, 73102
Phone: (405) 297-2623 – Web: <https://www.okc.gov>

APPLICATION FOR REZONING

Aspen Creek

Project Name

North of SW 59th St & West 5 Morgan Rd

Address / Location of Property to be Rezoned

single family development

Purpose Statement / Proposed Development

R-1

Proposed Zoning District

Staff Use Only:

Case No.: PC -

File Date:

Ward No.:

Nbhd. Assoc.:

School District:

Extg Zoning:

Overlay:

vacant

Present Use of Property

9 acres

ReZoning Area (Acres or Square Feet)

REQUIREMENTS FOR SUBMITTAL:

- ☐ One (1) Typed Legal Description of Proposed Rezoning area in MS Word file (.doc or .docx) format.
- ☐ One (1) copy of Recorded Deed(s), with Exhibit(s), listing current Property Owner in .pdf format.
- ☐ One (1) copy of Letter of Authorization from Property Owner listing Designated Representative, if Applicant is not the Property Owner of record.
- ☐ One (1) copy of Property Owners Report listing all property owners who own property within a 300-foot buffer area of the property to be rezoned. The list **MUST** include the mailing address and the legal description of their property and **MUST** be current to within 30 days of the date of submittal of the application. A minimum of 10 separate individual property owners is required. If there are less than 10 individual owners within the 300-foot buffer, the radius must be extended by increments of 100 feet until the list contains no less than 10 owners. Provide One (1) PDF (.pdf) file version, AND one (1) MS Excel (.xls or .xlsx) file version.
- ☐ One (1) Signed and Notarized copy of "Affirmation" that the Property Owners Report listings are true and correct unless the list is prepared by a Certified Abstractor or County official.
- ☐ Maps, Site Plan and, or Survey Exhibits must be Letter size (8.5" x 11"), 600dpi minimum resolution, and in a .pdf file format. Photographic file formats of drawings, maps, or other documents will not be accepted.
- ☐ A filing fee of \$1500.00 must be remitted within One (1) business day of submittal confirmation.

Property Owner Information (if other than Applicant):

Name

Mailing Address

City, State, Zip Code

Phone

Email

Signature of Applicant

Grubbs Consulting, LLC

Applicant's Name (please print)

1800 S. Sara Rd.

Applicant's Mailing Address

Yukon, OK 73099

City, State, Zip Code

405-265-0641

Phone

mark.grubbs@gc-okc.com

Email

Submit your Application by Email to Subdivisionandzoning@OKC.gov
Compressed files (.zip, etc.) or links to FileShare services (Dropbox, etc.) can not be accepted for security purposes.



Date: May 4, 2022

To: Subdivision & Zoning Office
420 W. Main, 9th Floor
Oklahoma City

(405) 297-2623

From: Terri Massey
tmassey@gc-okc.com
405-265-0641 x 109

TRANSMITTAL LETTER

Via: E-Mail

Re: Rezoning Application for property north of SW 59th St & west of Morgan Road

Attachments:

- 1 copy of rezoning application
- 1 copy of Exhibit A – Legal Description of Subject Property
- 1 copy of letter of authorization
- 1 copy of proof of ownership
- 1 copy of ownership list with certification

Comments: Please accept the attached rezoning application along with the supporting documents for placement on the June 23, 2022, Planning Commission docket. The filing fee of \$1500 will be remitted once the invoice with case number is provided. The legal description in Word Format will be e-mailed to Thad Johnson along with the ownership list in Excel Format. Feel free to contact Mark Grubbs or me if you have any questions.

Thanks!

Exhibit A
Legal Description
NORTH 9 ACRES
ASPEN CREEK

Beginning at the Southwest Corner of the Northeast Quarter (NE/4) of Section 23, Township 11 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma;

Thence East a distance of 1,056 feet;

Thence North a distance of 374.6 feet;

Thence West a distance of 1,056 feet;

Thence South a distance of 374.6 feet to the point of beginning; containing 8.93 acres, more or less.

Kelly H. Knecht
2609 Meadow Lane
Ponca City, OK 74604

April 7, 2022

City of Oklahoma City
Planning & Zoning Department
420 W. Main Street, 9th Floor
Oklahoma City, OK 73102

**RE: Letter of Authorization for Rezoning and Platting Property located in a part of the
NE/4 of Section 23, T11N, R5W of the Indian Meridian, Canadian County**

To Whom It May Concern:

As owner of the property described above, I hereby authorize Grubbs Consulting, LLC to act as agent on my behalf in the preparation, filing and representation of the rezoning and platting applications before the Oklahoma City Planning Commission and City Council.

Respectfully Submitted,

Authentisign
 04/07/22

Kelly H. Knecht



Doc#:R 2021 20655
Bk&Pg:RB 5310 661-665
Filed:06-15-2021 DMW
03:16:11 PM MT
Canadian County, OK 5E

RECORDER'S MEMORANDUM

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc.

Return to:
PARMAN & EASTERDAY
Attorneys and Counselors at Law
13913 Quail Pointe Drive, Suite B
OKLAHOMA CITY, OK 73134
(405) 843-6100 (TELEPHONE)
405-917-7018 (FASCIMILE)

AMENDED MEMORANDUM OF TRUST

The undersigned Trustee hereby certifies the following:

1. This Amended Memorandum of Trust relates to the Husmann Living Trust, (the "Trust"), created by a trust agreement on March 20, 1997, (the "Trust Agreement"), executed by Jack R. Husmann and Faye L. Husmann, as the Trustors and Initial Co-Trustees.
2. The tax identification number of the Trust is 87-6292565.
3. Jack R. Husmann died April 21, 2001. Faye L. Husmann died on March 8, 2021, as evidenced by her Certificate of Death attached as Exhibit "A".
4. The currently authorized Trustee is Kelly H. Knecht, also known as Kelly L. Husmann, as evidenced by the Affidavit of Trustee attached as Exhibit "B". The address of the authorized Trustee is 2609 Meadow Lane, Ponca City, Oklahoma 74604.
5. Title to all property owned by the trust may be in the name of the Trust or of the Trustee in their capacity as such. Title to all real property shall be in the following form:

Kelly H. Knecht, Trustee, or her successors in trust, under the Husmann Living Trust, dated March 20, 1997, and any amendments thereto.
6. The following paragraph(s) appear in the Trust Agreement regarding Successor Trustees:

ARTICLE THREE. Section 4 (e.)**e. Death Trustees of FAYE L. HUSMANN**

Upon the death of FAYE L. HUSMANN, if she is then serving as an initial Trustee, she shall be replaced by the following Death Trustee(s):

JACK R. HUSMANN

If, for any reason, the Death Trustee(s) named above are unable or unwilling to serve, the following successor Death Trustee(s) shall serve until the successor Death Trustee(s) on the list have been exhausted. Unless otherwise specified, if Co-Death Trustees are serving, the next following named successor Death Trustee shall serve only after all the Co-Death Trustees cease to act as Trustees.

- (1) KELLY L. HUSMANN
- (2) JACKIE R. HUSMANN
- (3) RANDY L. HUSMANN

7. A summary of the powers of the Trustee(s) are as follows: (detailed powers are available upon request)

The Trustee is authorized by the Trust Agreement to make trust decisions, sell, exchange, alter, mortgage, pledge, invest, improve, or otherwise dispose of the assets of any Trust; engage in any business, banking, or investment activity permitted by law with or for the investment of Trust funds; hold and invest the Trust estate in non-income producing assets for the personal use or benefit of one or more of the beneficiaries; loan or borrow; hold stocks, bonds, notes, mortgages, or other property, real or personal; determine the manner in which expenses are to be borne and receipts are to be credited between principal and income; or retain or sell unproductive assets.

8. Jack R. Husmann and Faye L. Husmann conveyed to the trust all their right, title and interest in and to the following described real estate and/or mineral interests as listed on Exhibit "C" attached hereto and made a part hereto.
9. The undersigned hereby represents that the statements contained in this Amended Memorandum of Trust are true and correct. The Trust has not been revoked, modified or amended in any manner which would cause the representations of this Amended Memorandum of Trust to be incorrect.

WITNESS my hand this 8th of June, 2021.

Kelly H. Knecht
KELLY H. KNECHT, Trustee,

Husmann Living Trust, dated March 20, 1997.

STATE OF OKLAHOMA)

COUNTY OF OKLAHOMA) ss

Before me, the undersigned in and for said county and state, on June 8, 2021, personally appeared Kelly H. Knecht, known to me to be the identical person who executed the foregoing Amended Memorandum of Trust, and acknowledged to me that such person executed the same as such person's free and voluntary act and deed for the uses and purposes therein set forth.

[SEAL]



Jeffrey L. Green
Notary Public

STATE OF OKLAHOMA CERTIFICATE OF DEATH		EXHIBIT "A" STATE FILE NUMBER	
1. DECEASED'S LEGAL NAME (First, Middle, Last, Suffix) FAYE LOUISE HUSMANN		1a. LAST NAME PRIOR TO FIRST MARRIAGE HENNING	
2. SEX FEMALE		3. DATE OF BIRTH (Mo/Day/Yr) JULY 4, 1932	
4. EVER IN U.S. ARMED FORCES? NO	5a. AGE - Last birthday (years) 88	5b. UNDER 1 YEAR Months: Days:	5c. UNDER 1 DAY Hours: Minutes:
7. BIRTHPLACE (City and State or Foreign Country) OKLAHOMA CITY, OKLAHOMA	8a. RESIDENCE - State OKLAHOMA	8b. RESIDENCE - Country CANADIAN	8c. RESIDENCE - City or Town MUSTANG
9a. RESIDENCE - Zip Code 73064	9b. RESIDENCE - Inside City Limits? YES	9c. RESIDENCE - Street and Number 5800 SW 44TH STREET	9d. RESIDENCE - Apt. Number
9. MARITAL STATUS AT TIME OF DEATH <input type="checkbox"/> Married <input type="checkbox"/> Never Married <input checked="" type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Annulled, but separated <input type="checkbox"/> Unknown			
10. SURVIVING SPOUSE'S NAME (If wife, give name prior to first marriage)			
11a. FATHER'S NAME (First, Middle, Last) OTIS HENNING		11b. FATHER'S LAST NAME PRIOR TO FIRST MARRIAGE HENNING	
12a. MOTHER'S NAME (First, Middle, Last) MATEE HENNING		12b. MOTHER'S LAST NAME PRIOR TO FIRST MARRIAGE TRUELOVE	
13. DECEASED'S RACE NO, NOT SPANISH/HISPANIC/LATINO		14. DECEASED'S RACE WHITE	
15. DECEASED'S USUAL OCCUPATION (Indicate type of work done during most of working life. DO NOT USE RETIRED.) BOOKKEEPER		17. KIND OF BUSINESS / INDUSTRY SANITATION	
18a. INFORMANT'S NAME KELLY KNECHT		18b. RELATIONSHIP TO DECEASED DAUGHTER	
19. METHOD OF DISPOSITION <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Donation <input type="checkbox"/> Entombment <input type="checkbox"/> Removal from state <input type="checkbox"/> Other (specify)		20. PLACE OF DISPOSITION (Name of cemetery, crematory, other place) PLEASANT VALLEY CEMETERY	
21. LOCATION - City, Town and State WHEATLAND, OKLAHOMA		22. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY MCNEIL'S MUSTANG FUNERAL SERVICE, 525 W. HIGHWAY 152, MUSTANG, OKLAHOMA 73064	
23. FUNERAL HOME DIRECTOR OR FAMILY MEMBER ACTING AS SUCH BRADLEY D. JONES		24. ESTABLISHMENT LICENSE # 146865	
25. PLACE OF DEATH (Check only one - see instructions) <input checked="" type="checkbox"/> DEATH OCCURRED IN A HOSPITAL <input type="checkbox"/> DEATH OCCURRED OTHER THAN IN A HOSPITAL <input type="checkbox"/> Hospice Facility <input type="checkbox"/> Nursing home/Long term care facility <input type="checkbox"/> Decedent's home <input type="checkbox"/> Other (specify)			
26. FACILITY NAME (If not in hospital, give street & number) INTEGRIS BAPTIST MEDICAL INCORPORATED		27. CITY OR TOWN, STATE AND ZIP CODE OF LOCATION OF DEATH OKLAHOMA CITY, OKLAHOMA 73112	
28. COUNTY OF DEATH OKLAHOMA		29. DATE OF DEATH (Mo/Day/Yr) MARCH 8, 2021	
30. TIME OF DEATH 17:31		31. WAS MEDICAL EXAMINER CONTACTED? NO	
32. WAS AN AUTOPSY PERFORMED? NO		33. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH?	
34. PART I: Enter the <u>IMMEDIATE CAUSE</u> (Final disease or condition resulting in death) COVID PNEUMONIA			
35. PART II: Enter the <u>UNDERLYING CAUSE</u> (Sequence of events that initiated the events resulting in death) LAST STAGE 4 CHRONIC KIDNEY DISEASE TYPE 2 DIABETES			
36. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Pending Investigator <input type="checkbox"/> Could not be determined			
37. IF FEMALE: <input type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year			
38. DID TOBACCO USE CONTRIBUTE TO DEATH? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Possibly <input type="checkbox"/> Unknown		39. DATE OF INJURY (Mo/Day/Yr)	
40. TIME OF INJURY		41. PLACE OF INJURY (e.g., Decedent's home, construction site, wooded area)	
42. DESCRIBE HOW INJURY OCCURRED		43. INJURY AT WORK?	
44. LOCATION OF INJURY - State City or Town Zip Code		45. IF TRANSPORTATION INJURY, SPECIFY: <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other (specify)	
46. CERTIFIER (See only one): <input checked="" type="checkbox"/> ATTENDING PHYSICIAN (Physician in charge of the patient's care) <input type="checkbox"/> Physician or attendance at time of death To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner(s) stated. <input type="checkbox"/> MEDICAL EXAMINER (In case of examination after investigation in my office, death occurred at the time, date, and place, and due to the cause(s) and manner(s) stated.		47. NAME, ADDRESS AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH (Item 34) MARK WILLIAM ROLFE, MD 3300 NW EXPY OKLAHOMA CITY, OKLAHOMA 73112	
48. LICENSE NUMBER 32887 OK		49. DATE DEATH CERTIFIED (Mo/Day/Yr) MARCH 13, 2021	
50. REGISTRAR'S SIGNATURE Kelly M Baker		51. DATE RECEIVED BY STATE REGISTRAR (Mo/Day/Yr) MARCH 19, 2021	

Monday, March 22, 2021 10:37:10 AM

EXHIBIT "B"

Prepared by and After Recording Return to:

PARMAN & EASTERDAY
13913 Quail Pointe Drive, Suite B
Oklahoma City, OK 73134

SPACE ABOVE FOR RECORDER'S USE

AFFIDAVIT OF TRUSTEE

1. On March 20, 1997, Jack R. Husmann and Faye L. Husmann, Trustors, created the Husmann Living Trust.
2. The Husmann Living Trust named Jack R. Husmann and Faye L. Husmann as Initial Co-Trustees.
3. Jack R. Husman died April 21, 2010, and Faye L. Husmann died on March 8, 2021.
4. The currently authorized Trustee is Kelly H. Knecht, also known as Kelly L. Husmann.
5. This Affidavit of Trustee is made for the purpose of showing the current status of Trustees of the Husmann Living Trust and that Affiant has the right to act and is acting as Trustee for and on behalf of the Husmann Living Trust.

IN WITNESS WHEREOF, I have executed this Affidavit of Trustee on June 8, 2021.


KELLY H. KNECHT, Trustee,
Husmann Living Trust, dated March 20, 1997.

STATE OF OKLAHOMA)

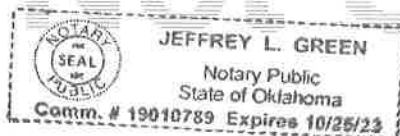
) ss

COUNTY OF OKLAHOMA)

Before me, the undersigned in and for said county and state, on June 8, 2021, personally appeared Kelly H. Knecht, known to me to be the identical person who executed the within and foregoing instrument, and acknowledged to me that such person executed the same as such person's free and voluntary act and deed for the uses and purposes therein set forth.

[SEAL]


Notary Public



Not Official

EXHIBIT "C"

(Canadian County, Oklahoma)

Beginning at the N.E. corner of Section 23, Township 11 North, Range 5 West, thence West along the North side of said Section for a distance of 562.79 feet to a point, thence South a distance of 387.00 feet to a point, thence East a distance of 562.79 feet to a point, thence North a distance of 387.00 feet to the point or place of beginning, containing five acres.

Beginning at the southwest corner of the Northeast Quarter (NE/4) of Section Twenty-three (23), Township Eleven (11) North, Range Five (5) West, Canadian County, Oklahoma, thence east a distance of 1056 feet; thence north a distance of 374.6 feet; thence west a distance of 1,056 feet; thence south a distance of 374.6 feet. Less and except all minerals which are hereby reserved unto the Grantors, as their interest now appears of record, and

A tract of land in the said Northeast Quarter (NE/4), beginning at a point 387 feet south of the northeast corner of said Northeast Quarter (NE/4); thence south a distance of 493 feet; thence west a distance of 1584 feet; thence north a distance of 493 feet; thence east a distance of 1584 feet, to the point of beginning. Less and except all minerals previously reserved of record.

[The above properties are listed subject to any previous conveyances, if any, filed of record.]

MINERALS

An one-fifth ($1/5^{\text{th}}$) interest in and to the Northeast Quarter (NE/4) of Section Twenty-three (23), Township Eleven (11) North, Range Five (5) W.1.M., Canadian County, Oklahoma.

Not Official

Not Official

CERTIFICATE OF BONDED ABTRACTOR
(600 FEET RADIUS REPORT)

STATE OF OKLAHOMA

)

) §:

COUNTY OF CANADIAN

)

The undersigned bonded abstractor in and for Canadian County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Canadian County, Oklahoma, as updated by the records of the County Clerk of Canadian County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 600 feet in all directions of the following described land:

Beginning at the Southwest Corner of the Northeast Quarter (NE/4) of Section 23, Township 11 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma;

Thence East a distance of 1,056 feet;

Thence North a distance of 374.6 feet;

Thence West a distance of 1,056 feet;

Thence South a distance of 374.6 feet to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (1), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: April 11, 2022

First American Title Insurance Company

By:

Sarah Overholser

Sarah Overholser

Abstractor License No. 0839

OAB Certificate of Authority # 0058

File No. 2734037-WA99

Owner	Mailing Address	Legal Description
KELLY H KNECHT AKA KELLY L HUSMANN	2609 MEADOW LN,PONCA CITY,OK,74604	PT NE/4 23-11N-5W (A#28 on Map) - Subject Property
CHAD D MANTOOTH & HEATHER R MANTOOTH	5209 S MORGAN RD,OKLAHOMA CITY,OK,73179-0000	PT NE/4 23-11N-5W (A#21 on Map)
BERNICE A MANTOOTH & CHAD D MANTOOTH	5201 S MORGAN RD,OKLAHOMA CITY,OK,73179-	PT NE/4 23-11N-5W (A#31 on Map)
JOSE LOPEZ & CLAUDIA LORENA LOERA	5001 S MORGAN RD,OKLAHOMA CITY,OK,73179	PT NE/4 23-11N-5W (A#49 on Map)
OKLAHOMA TURNPIKE AUTHORITY	3500 MARTIN LUTHUR KING AVE., OKLAHOMA CITY, OK 73136	PT NE/4 23-11N-5W (A#20 on Map)
DOLLY JANE ARNOLD PRIEST	10000 SW 44TH,MUSTANG,OK,73064-0000	PT NE/4 23-11N-5W (A#4 on Map)
CHARLES M O'DELL & DOROTHY M O'DELL	9840 SW 44TH ST,MUSTANG,OK,73064-	PT NE/4 23-11N-5W (A#5 on Map)
SCISSOR TAIL DISTRICT LP	PO BOX 250,MUSTANG,OK,73064	PT NE/4 23-11N-5W (A#1 on Map)
BIXBY CANYON DEVELOPMENT LLC	C/O FIRST ENTERPRISE BANK,3801 NW 122ND ST,OKLAHOMA CITY,OK,73120	PT SW/4 23-11N-5W (A#3 ON Map)
GARY OWENS DEVELOPMENT INC	P O BOX 283,MUSTANG,OK,73064-0283	PT SE/4 23-11N-5W (A#30 on Map)
MICHAEL VINCENT MAYER & SHARLA MAYER	5401 S MORGAN RD,OKLAHOMA CITY,OK,73179-0000	PT SE/4 23-11N-5W (A#2 on Map)
BOYCE BOSTIC & MARLENE BOSTIC	5217 S MORGAN ROAD,OKLAHOMA CITY,OK,73179-1616	PT SE/4 23-11N-5W (A#1 on Map)

