

Shawnee and OBU 2006 Financial and Property Transfers

NotebookLM Briefing Document

Briefing Document: Key Issues and Developments in Shawnee

Date: October 26, 2023

Subject: Review of Key Themes and Developments in Shawnee based on provided sources.

Introduction: This briefing document synthesizes information from several sources related to fiscal strategies, urban development, infrastructure challenges, and historical property transfers in the City of Shawnee, Oklahoma. It highlights the interconnectedness of these issues and their impact on the city's future.

[NotebookLM Podcast Link](#)

Key Themes and Findings:

1. Regional Park Development and Fiscal Strategy:

Vision and Planning: The concept of a Regional Park and Sports Complex in Shawnee has a long history, with initial proposals dating back to at least September 2001. This early vision aimed to create a "multipurpose facility that could serve as both a recreational hub and a sports complex." (1. Regional Park & Sports Complex_ A Vision Unfulfilled (1995–2006 to 2025).pdf)

Integrated Fiscal Strategy: A core element of Shawnee's municipal fiscal strategy is the integration of a penny sales tax with specific capital improvements, such as the Regional Park. This approach is described as a "cohesive approach that represents best practices in municipal budgeting and urban development." (Integrated Fiscal Strategy in Shawnee_ Penny Sales Tax and Regional Park Funding.pdf)

Dedicated Revenue: The penny sales tax is portrayed as a "permanent funding source" for long-term investments. The practice of earmarking this dedicated revenue for specific projects like the Regional Park is emphasized as a way to "prevent misallocation of funds and meets statutory requirements, ensuring that revenue is spent only on predetermined services." (Integrated Fiscal Strategy in Shawnee_ Penny Sales Tax and Regional Park Funding.pdf)

Funding Approach: The funding for the Regional Park project has involved a "phased investment approach," allowing expenditures to be contingent upon

meeting specific benchmarks to manage fiscal risk. Funding sources include a combination of City capital funds and potential external grants. (Evolution of the Shawnee Regional Park Project.pdf)

Grant Funding: Acquisition of approximately 200 acres for a Regional Park has been supported by a Department Land and Water Fund Grant, with a "detailed cost-sharing arrangement demonstrating fiscal prudence." (Integrated Fiscal Strategy in Shawnee Penny Sales Tax and Regional Park Funding.pdf)

Property Ownership: Agreements regarding the use of "The Regional Park Property" indicate that the City of Shawnee is the owner of this public property. (4047_Consent Regional Park Property Contract.pdf)

2. Shawnee Regional Airport and Historical Property Transfers:

Instrument of Transfer (1947): A significant amount of property, including various tracts of land and buildings, was transferred from the United States of America (acting through the War Assets Administrator) to the City of Shawnee in November 1947. This transfer was made "in consideration of the assumption by the CITY OF SHAWNEE... of all the obligations and its taking subject to certain reservations, restrictions and conditions, all as set out hereinafter."

(INSTRUMENT OF TRANSFER.txt, Instrument of Transfer-Shawnee-OK-1943.pdf)

Airport Use Restriction: A key restriction outlined in the Instrument of Transfer is that the transferred property, collectively referred to as the "airport," "shall be used for public airport purposes, and only for such purposes" with limited exceptions for non-manufacturing/non-industrial uses that do not interfere with airport operations. (INSTRUMENT OF TRANSFER.txt, Instrument of Transfer-Shawnee-OK-1943.pdf)

Government Rights and Restrictions: The Instrument of Transfer includes several reservations and restrictions that "shall run with the land," including preventing hazards to aircraft operations, ensuring non-aviation facilities do not interfere with

airport operations, allowing the U.S. government shared use of the airport, and restricting exclusive rights for landing areas. (INSTRUMENT OF TRANSFER.txt, Instrument of Transfer- Shawnee-OK-1943.pdf)

Reversion Clause: A critical condition is that upon a breach of the reservations or restrictions, "the title, right of possession and all other rights transferred... shall at the option of the party of the first part [the U.S. Government] revert to the party of the first part." (INSTRUMENT OF TRANSFER.txt, Instrument of Transfer- Shawnee-OK-1943.pdf)

Requirement for FAA Approval for Transfers: The Instrument of Transfer states that the airport "may be successively transferred only with approval of the Civil Aeronautics Administration or the successor Government agency." (INSTRUMENT OF TRANSFER.txt, Instrument of Transfer- Shawnee-OK-1943.pdf)

Mayor Stephens' Statements on Land Sales: Mayor Eric Stephens acknowledges that some land originally part of the airport transfer has been sold (e.g., the Central Plastics corner, Shawnee Little Theater, Early Childhood Center School land). He states that such sales require FAA approval and that they received it because the land would never be used for aeronautical purposes. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt)

Uncertainty and Lack of Records: Mayor Stephens expresses uncertainty about whether all land sales were properly recorded. Pottawatomie County Assessor records (2025 tax year) still show the City of Shawnee owning an 80-acre parcel including the "Pitt Stop" property, with no recorded sale history in official county records. (Analysis of Mayor Eric Stephens' Statements Regarding the Instrument of Transfer and Pitt Stop Property.txt)

Involvement of the Secretary of the Navy: Due to the original Naval Air Station contract from 1947, the Secretary of the Navy's office would need to be involved in any sale of the land. Mayor Stephens suggests seeking assistance from

federal representatives like Representative Stephanie Bice or Senator Lankford to facilitate legal clearance. (Analysis of Mayor Eric Stephens' Statements Regarding the Instrument of Transfer and Pitt Stop Property.txt, Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt)

Proposed Land Sales/Leases: Mayor Stephens expresses a personal desire to potentially sell some airport land east of Airport Road (where the YMCA and elementary school are located) to the entities currently using it, as he believes this land will "never be used for aeronautical" purposes. This would allow the city to "concentrate on our own land." He notes they are currently receiving land leases but "it's not a great amount." (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt) He anticipates such offerings would likely be to the specific individuals or entities already on the land, rather than a public auction. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt)

Airport Expansion: Despite the issues with historical land transfers, there is a "huge expansion coming to the airport," with the approval of the first three design phases. The goal is significant economic development in the southeast quadrant of the airport property, including new hangars and commercial development. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt)

3. Infrastructure Challenges:

Water and Septic Issues: Concurrent with past financial maneuvers, Shawnee has faced "significant water supply and septic tank problems." These challenges are noted as potentially affecting the "long-term viability and usability of transferred land, thereby influencing the overall public asset strategy." (2006 Financial and Property Transfer Strategies in Shawnee _ OBU.pdf)

Aging Infrastructure: Mayor Stephens acknowledges that Shawnee's infrastructure, particularly water and sewer mains, is not the best, with some mains over 100 years old. He highlights the need for "preventive maintenance" which has been neglected over generations. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt)

Impact on Economic Development: The Mayor stresses that to attract factories or manufacturing units, the city "will have to be able to supply those utilities." Issues like water pressure limitations (specifically mentioning OBU's campus) need to be addressed to enable expansion. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt)

Infrastructure Improvement Strategy: Mayor Stephens is a proponent of replacing utilities before or while redoing streets to avoid repeated digging and repairs. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt)

4. Intergovernmental Relationships and Future Development:

Collaboration with County and Tribes: Mayor Stephens emphasizes the importance of improving relationships with the county and tribes, recognizing them as neighbors with "really good relations." (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt)

Road and Transportation Projects: Collaboration with the county is planned for a road project at Kennedy Street to create a gravel yard for the county and city, aiming to direct truck traffic off city roads. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt) Discussions are also ongoing with ODOT to potentially widen Harrison Street (part of I-40 access) to six lanes to improve traffic flow and business access. (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt)

Economic Development Prospects: Shawnee is actively pursuing economic development, with a lot of "stuff in the pipeline." The city is a finalist for a "huge box store," a Fortune 100 company, although specific details are confidential due

to Non-Disclosure Agreements (NDAs). (Shawnee Oklahoma Mayor Eric Stephens Speaker.txt, Instrument of Transfer Shawnee Mayor.txt)

Conclusion:

The provided sources paint a picture of a city grappling with the complexities of managing historical property transfers, particularly concerning the airport land, while simultaneously pursuing ambitious urban development and infrastructure improvement projects. The integrated fiscal strategy leveraging the penny sales tax for capital improvements like the Regional Park demonstrates a forward-thinking approach to funding. However, historical covenants on federally transferred land and existing infrastructure challenges present significant hurdles that require careful legal navigation, intergovernmental collaboration, and transparent planning to achieve Shawnee's stated goals for economic growth and community development. The Mayor's acknowledgment of these challenges and the ongoing efforts to address them indicate a focus on tackling these issues.

Detailed Timeline of Events:

April 23, 1943: The City of Shawnee leases approximately 365 acres of land to the United States of America under Lease No. NOy (R) - 33847. This land is later described as being in Pottawatomie County, Oklahoma, within Section Twelve (12), Township Ten (10) North, Range Three (3) East, and includes portions of University Grounds Addition, College Place Addition, and other described areas. This leased land is subsequently referred to as part of the "airport."

1947 (Date not specified, potentially before November 20th): The United States of America, through the War Assets Administration, begins the process of transferring property to the City of Shawnee following the Surplus Property Act of 1944 and Executive Order 9689.

November 20, 1947: The "Instrument of Transfer" is executed by C. L. Stanley, Regional Director of the War Assets Administration, on behalf of the United States of America, and by Geo. E. McKinnis, Jr., Mayor of the City of Shawnee, on behalf of the city. This instrument formally conveys specific tracts of land and certain buildings, equipment, and systems (including aprons, drainage, lighting, fuel systems, telephone, sanitary sewage, boundary fencing, and portions of water, electric, and natural gas systems) to the City of Shawnee. It also surrenders the U.S. leasehold interest in the 365 acres leased in 1943. The transfer is subject to significant reservations, restrictions, and conditions, notably that the property be used for public airport purposes, that the U.S. Government retains the right to use the airport, and that future transfers require approval from the Civil Aeronautics Administration or its successor agency.

November 26, 1947: The Instrument of Transfer is filed for record in Deed Record 179 at 4:00 P.M. by Lelah Glenn, County Clerk, in Pottawatomie County, Oklahoma.

1960s (Exact date unspecified): The area that would later become the Regional Park Property included ball fields, extending back towards the YMCA. This is mentioned in the context of discussing the land as a city-owned park and asset.

1995–2006: This timeframe is identified as part of "A Vision Unfulfilled" regarding the Regional Park & Sports Complex project.

July 2001: A study on alternative recreational facilities, focusing on a skatepark, is presented as part of broader discussions about youth recreation in Shawnee.

September 2001: A proposal for a regional park and sports complex is introduced by Community Development Director Mike Southard. The plan includes engaging Hornbeek Larsson Architects for site selection, master planning, and design work.

September 17, 2001: The motion to proceed with the regional park and sports complex proposal, including engaging Hornbeek Larsson Architects, passes with strong support from the Commission.

November 1, 2004: A Lease Agreement for property at the Shawnee Regional Airport is entered into between the Shawnee Airport Authority (Lessor) and Shawnee Lube, LLC (Lessee).

January 3, 2006: The Shawnee Regional Airport Lease Agreement with Shawnee Lube, LLC is amended.

2006 (Specific date unspecified): The City of Shawnee passes a resolution regarding financial and property transfer strategies, which was approved unanimously (6-0). Concurrent with these financial discussions, Shawnee is

facing significant infrastructure challenges related to water supply and septic tanks.

January 31, 2011: The Shawnee Regional Airport Lease Agreement with Shawnee Lube, LLC is amended again.

April 2, 2012: An Addendum to the Shawnee Regional Airport Lease Agreement with Shawnee Lube, LLC is executed. This addendum extends the lease with five additional successive renewal periods of five years each, allowing the lease to potentially continue through November 1, 2054.

May 1, 2017: An Amendment to the Shawnee Regional Airport Lease Agreement with Shawnee Lube, LLC is entered into. This amendment details changes to the leased land area (approximately 30,895.22 sq ft or 0.71 acres) and the annual rental fee (\$7,414, subject to annual CPI adjustments).

Sometime in 2018 (Month and day blank in document): An Agreement is entered into between the City of Shawnee (Lessor) and Dace Dockery (Lessee) regarding the use of the public property known as The Regional Park Property. The agreement is attested by Phyllis Loftis, City Clerk, and signed by Justin Erickson, City Manager, for the City of Shawnee, and by Dace Dockery as the Lessee. The signing is notarized by a Notary Public in Pottawatomie County, Oklahoma.

August 202 (Specific year of daughter's graduation unclear, but prior to Mayor Stephens' statements): Mayor Eric Stephens' daughter graduates from Georgetown University with her master's degree.

Late 202 (Specific date unclear, leading up to Mayor Stephens' statements): Mayor Eric Stephens begins discussions about appointing an interim city manager.

Recent Past (Leading up to Mayor Stephens' statements): Shawnee has sold land that was originally part of the airport property transferred in 1947, including land to a gas station on 177 (presumably the "big 66 station"), the Shawnee Little Theater, and the Early Childhood Center School. These sales required FAA approval.

Most Recent Monday Night (Prior to Mayor Stephens' statements): The City of Shawnee approved the first three design phases for a large expansion project at the Shawnee Regional Airport, including significant economic development in the southeast quadrant of the property. The armory is also planning to build a third new facility on the west side of the airport.

During the primary election (Prior to Mayor Stephens' statements): Mayor Eric Stephens met with tribal leaders and found they realized they were all neighbors and shared common goals.

Current (As of Mayor Stephens' statements): Shawnee is facing significant infrastructure issues, particularly with water and sewer mains, some of which are over 100 years old. There is a waiting list for hangars and commercial development at the airport. The city is in the final two locations (between Shawnee and Lawton) for a potential huge box store from a Fortune 100 company, with confidential discussions underway. The city is also trying to mend its relationship with Pottawatomie County and is working with them on a project to build a road at Kennedy Street for the OK railroad, creating a gravel yard that would reroute truck traffic. There are discussions scheduled with representatives

from the YMCA. Pottawatomie County Assessor records (for the 2025 tax year) still list the City of Shawnee as owning the 80-acre parcel that includes Pitt Stop, despite potential unrecorded sales. Mayor Stephens expresses uncertainty about whether all land sales have been properly recorded and acknowledges the Secretary of the Navy's office would need to be involved in any sales due to the 1947 contract.

Cast of Characters:

Mike Southard: Shawnee Community Development Director in September 2001. He introduced the proposal for a regional park and sports complex at a Commission meeting.

Hornbeek Larsson Architects: An architectural firm proposed to be engaged for site selection, master planning, and design work for the regional park and sports complex in September 2001.

City Commission (Shawnee): The governing body that voted with strong support to approve the proposal for the regional park and sports complex on September 17, 2001. Also unanimously passed a resolution regarding financial and property transfer strategies in 2006.

Shawnee Airport Authority (Lessor): Party to the Lease Agreement with Shawnee Lube, LLC, dated November 1, 2004, and subsequent amendments.

City of Shawnee: A municipal corporation and governing body in Pottawatomie County, Oklahoma. Lessee of land from the U.S. Government (1943), recipient of property via the Instrument of Transfer (1947), Lessor to Shawnee Lube, LLC (through the Shawnee Airport Authority), and Lessor of the Regional Park Property to Dace Dockery. Actively involved in municipal fiscal strategy, infrastructure projects, airport expansion, and economic development initiatives.

Shawnee Lube, LLC (Lessee): Party to the Lease Agreement with the Shawnee Airport Authority/City of Shawnee, dated November 1, 2004, and subsequent amendments and addendums extending the lease through potentially 2054.

Brian McDougal: City Manager/Airport Manager for the City of Shawnee who signed the Addendum to the Shawnee Regional Airport Lease Agreement with Shawnee Lube, LLC on April 2, 2012.

Phyllis Loftis, CMC: City Clerk for the City of Shawnee, who attested the Addendum to the Shawnee Regional Airport Lease Agreement in 2012 and the Agreement regarding the Regional Park Property in 2018.

Howard A. Weiner, Member: Signed the Addendum to the Shawnee Regional Airport Lease Agreement on behalf of Shawnee Lube, LLC in 2012.

Dace Dockery (Lessee): Party to the Agreement with the City of Shawnee regarding the use of The Regional Park Property in 2018.

Justin Erickson: City Manager for the City of Shawnee who signed the Agreement regarding The Regional Park Property on behalf of the City of Shawnee in 2018.

Mayor Eric Stephens: Current Mayor of Shawnee. Born and raised in Shawnee, attended local schools, worked at OBU and in the plumbing industry. He discusses various city projects, including airport expansion, infrastructure improvements, economic development, and relationships with the county and tribes. He expresses views on the interim city manager selection and the historical transfer of airport land. He mentions his daughter and son.

Dr. Thomas: Mentioned by Mayor Stephens in the context of needing to improve infrastructure, particularly water and sewer, for the OBU campus.

Interim City Manager (Proposed): The previous assistant city manager, a third-generation firefighter, is nominated by Mayor Stephens to be the interim city manager. He is described as local, born and raised in Shawnee.

Mark (Planning and Engineer Department Head): Mentioned by Mayor Stephens as a potential future leader within the city administration. Described as younger (in his 40s), brilliant-minded, down-to-earth, and having a master's in finance/business. He was hired out of the fire department due to his talents.

Pottawatomie County Assessor: Maintains official records regarding property ownership in Pottawatomie County, Oklahoma. Their records in 2025 still show the City of Shawnee owning the 80-acre parcel including Pitt Stop.

Secretary of the Navy's Office: Holds importance regarding any sales of land originally transferred via the 1947 Instrument of Transfer, due to the terms of the original contract. Mayor Stephens believes their involvement is necessary for legal clearance.

Representative Stephanie Bice: Mentioned by Mayor Stephens as a potential facilitator for legal clearance regarding land sales and the 1947 contract with the Secretary of the Navy's office.

Senator Lankford: Mentioned by Mayor Stephens as a potential facilitator for legal clearance regarding land sales and the 1947 contract with the Secretary of the Navy's office.

Federal Aviation Administration (FAA): The governing agency whose approval is required for certain land transfers related to the airport property originally conveyed in 1947. The city must abide by their rules regarding airport land usage.

U.S. Department of Transportation: Mentioned as a potential entity to contact to confirm whether any land transfers related to the airport were approved by the FAA.

War Assets Administrator: The entity acting on behalf of the United States of America in the 1947 Instrument of Transfer, under the authority of the Surplus Property Act of 1944 and Executive Order 9689.

C. L. Stanley: Regional Director of the War Assets Administration who signed the 1947 Instrument of Transfer on behalf of the United States of America.

Geo. E. McKinnis, Jr.: Mayor of the City of Shawnee who signed the 1947 Instrument of Transfer on behalf of the city.

J. C. Coleman: City Clerk of the City of Shawnee who attested the 1947 Instrument of Transfer.

Lelah Glenn: Pottawatomie County Clerk who filed the 1947 Instrument of Transfer for record.

Maud Marak, Deputy (MK): Deputy to the Pottawatomie County Clerk who handled the filing of the 1947 Instrument of Transfer.

Johnny Basil and Fred: Older friends of Mayor Stephens who informed him about the history of the second Shawnee airport (George North).

Greg Russ (District 2 Commissioner): Pottawatomie County Commissioner with whom Mayor Stephens intends to work more closely.

Abby Thompson (District 3 Commissioner): Pottawatomie County Commissioner and daughter of one of Mayor Stephens' best friends, with whom he knows well and intends to work closely.

Tribal Leaders: Neighbors of Shawnee with whom Mayor Stephens believes the city needs to work and has good relations.

ODOT (Oklahoma Department of Transportation): State agency involved in road projects, including the Gateway widening project and potential widening of Harrison Street. Mayor Stephens is in talks with them regarding infrastructure improvements.

OK Railroad: A railroad company trying to build a road at Kennedy Street in Shawnee to access a gravel yard, which the city and county are trying to facilitate.

WAA (War Assets Administration): The U.S. government agency responsible for disposing of surplus property after World War II, including the land transferred to Shawnee in 1947. WAA Regulation 16 is referenced in the Instrument of Transfer.

Civil Aeronautics Administration (or successor Government agency): The agency whose opinion and approval are required for the use of transferred property for non-airport purposes and for any successive transfers of the airport.

This timeline and cast of characters are based solely on the provided source materials.