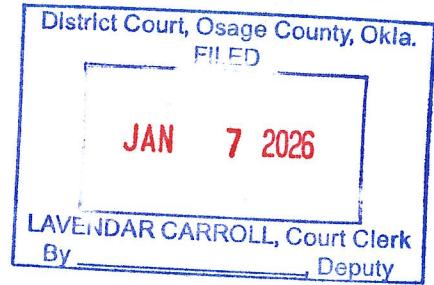


IN THE DISTRICT COURT OF OSAGE COUNTY
STATE OF OKLAHOMA

Protect Sand Springs Alliance, Inc., an)
Oklahoma Domestic Not For Profit)
Corporation; and)
Rick and Melissa Plummer, husband, and)
wife; and)
Clark and Candace Slaten, husband and wife,)
)
Plaintiffs)
v.)
City of Sand Springs, a Municipal)
Corporation; and)
Ringle Family, L.L.C., an Oklahoma Limited)
Liability Company,)
)
Defendants)



Case No.
Judge:

CV-24-2
ESTES

PETITION

COMES NOW the Plaintiffs, Protect Sand Springs Alliance, Inc., an Oklahoma Domestic Not For Profit Corporation, Rick and Melissa Plummer, husband and wife, and Clark and Candace Slaten, husband and wife, and for their cause of action against the above named Defendants allege and state:

JURISDICTION AND VENUE

1. Ringle Development L.L.C. is an Oklahoma Limited Liability Company organized under the laws of Oklahoma. On May 5, 2025, Ringle Development L.L.C. and Alan and Susan Ringle, husband and wife, petitioned the City of Sand Springs for annexation of certain parcels more specifically identified herein. *See Exhibit 1* ("Petition for Annexation").

2. Ringle Family L.L.C, is an Oklahoma Limited Liability Company organized under the laws of Oklahoma and is the owner of certain parcels in Osage County subject to the Petition for Annexation.

3. The City of Sand Springs is a municipality located in portions of Tulsa County and Osage County and incorporated under the laws of the State of Oklahoma.

4. On June 23, 2025, the City of Sand Springs annexed portions of property located in Sections 2 and 3 of Township 20 North, Range 11 East and Sections 33, 34, and 35 of Township 21 North, Range 11 East, Osage County, Oklahoma. *See Exhibit 2* (“Ordinance 1434”).

5. Plaintiff Protect Sand Springs Alliance, Inc., is an Oklahoma Domestic Not For Profit Corporation. The members of Protect Sand Springs Alliance, Inc. are all landowners in Osage county, Oklahoma. All such members have a personal stake and/or economic interest related to the Subject Property as surrounding landowners.

6. Land Legacy, Inc., is an Oklahoma Domestic Not For Profit Corporation.

7. Plaintiffs Rick and Melissa Plummer are husband and wife, residents of Osage County, Oklahoma, and own a tract of land adjoining and abutting the property subject to Ordinance 1434, via Warranty Deed, being recorded at Book 1754, Page 106, records of the Osage County Clerk, Osage County, Oklahoma, and more specifically described in **Exhibit 3** attached hereto (“Plummer Warranty Deed”). *See also Exhibit 4* (“Aerial of Plummer Property”).

8. Plaintiffs Clark Slaten and Candace Slaten are husband and wife, residents of Osage County, Oklahoma, and own a tract of land adjoining and abutting the property subject to Ordinance 1434, via Quitclaim Deed, being recorded at Book 1568, Page 688, records of the Osage

County Clerk, Osage County, Oklahoma, and more specifically described in **Exhibit 5** attached hereto (“Slaten Warranty Deed”). *See also Exhibit 6* (“Aerial of Slaten Property”).

9. Plaintiffs have a personal stake and/or economic interest related to the Subject Property as surrounding landowners. Among other damages Plaintiffs will incur, the intended future use of the Subject Property as a data center location will negatively impact property values of the surrounding landowners, municipal services and costs, and the ability to fully utilize surrounding properties.

10. This Court has jurisdiction over the subject matter hereof and the parties hereto and venue is proper.

FACTS

11. Plaintiffs adopt and reallege the allegations contained in paragraphs 1-10 and state as follows:

12. The property annexed by the City of Sand Springs which is the subject of this matter includes Sections 2 and 3, Township 20 North, Range 11 East and Sections 33, 34, and 35 of Township 21 North, Range 11 East, Osage County, Oklahoma, and is more specifically described in Ordinance 1434 (“Subject Property”).

13. On or about March 14, 1966, the City of Sand Springs enacted Ordinance 204. A copy of Ordinance 204, which includes a plat of the fence line annexation enacted by the City of Sand Springs is attached hereto as **Exhibit 7** (“Ordinance 204”). Ordinance 204 is filed of record at Book 216, Page 301, records of the Osage County Clerk, Osage County, Oklahoma. “This annexation method has been described by various names, i.e., shoestring, corridor, strip, long lasso, horseshoe, noose, barbell, hourglass, flag pole, ball-and-chain or ribbon-and-balloon. It generally refers to an annexation where a municipality uses a narrow corridor to connect its territorial

boundary to an outlying noncontiguous area.” *See In re De-Annexation of Certain Real Property from City of Seminole*, 2004 OK 60, ¶ 17, fn 34, 102 P.3d 120, page 128.

14. On or about March 12, 1979, the City of Sand Springs enacted Ordinance 452. A copy of Ordinance 452, along with a plat of the fence line annexation enacted by the City of Sand Springs is attached hereto as **Exhibit 8** (“Ordinance 452”). Ordinance 452 is filed of record at Book 558, Page 194, records of the Osage County Clerk, Osage County, Oklahoma.

15. The plat attached to Ordinance 452 identified the previous fence line annexation of Ordinance 204 as the “Present Sand Springs Line.” Territory annexed by Ordinance 452 is identified therein as the “New Sand Springs Annexed Line by Ordinance 452” (hereinafter “New Sand Springs Annexed Line”). Thus, by its terms, Ordinance 452 extended the City of Sand Springs’ **fence line**, not the city limits, beyond the parameters of Ordinance 204, thereby creating an expanded “Unincorporated Area” for the City of Sand Springs (Not contained within the recognized Sand Springs Corporate Limits). *See Exhibit 8 and Exhibit 9* (“Comprehensive Plan Excerpts”)

16. Ordinance 452 similarly stipulated that all conflicting ordinances were repealed. Thus, Ordinance 452 extended the City of Sand Springs’ fence line **and** simultaneously revoked contradicting ordinances. Therefore, the former fence line parameters of Ordinance 204, identified as Present Sand Springs Line, were repealed and the new fence line parameters of Ordinance 452, identified as New Sand Springs Annexed Line, were established. *See Exhibit 8.*

17. The City of Sand Springs current fence line, being the abovementioned extension of the New Sand Springs Annexed Line of Ordinance 452, is identified in excerpts from the City of Sand Springs’ Comprehensive Plan as both the Planning Area and Unincorporated Area. *See Exhibit 9* (“Comprehensive Plan Excerpts”). The Present Sand Springs Line parameters of

Ordinance 204 and referenced in Ordinance 452 are **not** identified as being in the Planning Area and Unincorporated Area.

18. On or about December 19, 2013, Alan J. Ringle, Susan A. Ringle, Mark A. Ringle, and Aaron J. Ringle granted a conservation easement to Land Legacy, Inc. which encompassed portions of the Subject Property. *See Exhibit 10* (“Conservation Easement”). Said Conservation Easement is recorded at Book 1541, Page 671, records of the Osage County Clerk, Osage County, Oklahoma.

19. The terms of the Conservation Easement specifically restrict the kind and type of development underlying the purpose of annexation.

20. On or about May 5, 2025, Alan Ringle and Susan Ringle, as owners and as managers of Ringle Development, LLC, submitted the Petition for Annexation of the Subject Property to the City of Sand Springs. *See Exhibit 1*.

21. In the letter included with the Petition for Annexation, Alan and Susan Ringle, state “a portion of the [Subject Property] was annexed into Sand Springs under [Ordinance 204] in 1966, with city limits running through the property. . .” *See Exhibit 1*.

22. Pursuant to the Comprehensive Plan, the Subject Property is located outside the Corporate Limits of the City of Sand Springs and within the Unincorporated Area and the Planning Area. *See Exhibit 9*.

23. On or about June 23, 2025, the City of Sand Springs, enacted Ordinance 1434 wherein the City adopted the Petition for Annexation and purportedly incorporated the Subject Property into the City of Sand Springs. *See Exhibit 2*. Ordinance 1434 is filed of record at Book 1963, Page 727, records of the Osage County Clerk, Osage County, Oklahoma.

24. Ordinance 1434 improperly utilized the “Present Sand Springs Line” which was established by Ordinance 204 and subsequently repealed by Ordinance 452, as a basis for having a contiguous or adjacent parcel. *See Exhibit 1, Exhibit 2. See also Exhibit 11 (“Community Member Information Meeting Transcript”).*

25. Due to the repeal of Ordinance 204, in violation of the clear and unambiguous requirements of 11 O.S. § 21-101 and 11 O.S. § 21-105, no portion of the Subject Property annexed under Ordinance 1434 is contiguous or adjacent to any land annexed by the City of Sand Springs. *See Exhibit 12 (“Aerial of Subject Property Showing Distance from City”).*

26. Without waiving the foregoing, Plaintiffs assert that any fenceline annexation by the City of Sand Springs related to the Subject Property violates state law as it serves no municipal purpose. “The annexation of land by a connecting strip serving no municipal purpose other than to establish statutory contiguity or adjacentness, or to capture territory within the area to be annexed, constitutes an impermissible exercise of state-delegated authority by a municipality and shall be prohibited.” 11 O.S. § 21-103 (A). *See Exhibit 14 (“Aerial of Subject Property Showing Fence Lines”).*

27. On October 2, 2025, Ringle Family, LLC filed its Rezoning Application for the Subject Property. In the Rezoning Application, the “Owner” of the property seeks permission to change the Zoning from AG to IL/PUD-39 (Light Industrial). *See Exhibit 13 (“Rezoning Application”).*

CLAIMS FOR RELIEF

Declaratory Relief

i. **Ordinance 452 extended the City of Sand Springs’ fence line beyond the parameters of Ordinance 204 and repealed the Present Sand Springs Line of Ordinance 204.**

28. Plaintiffs adopt and reallege the allegations contained in paragraphs 1-27 and state as follows:

29. The plat submitted with Ordinance 452 identified the fence line annexation of Ordinance 204 as the Present Sand Springs Line and further provided for additional fence line extensions as outlined in Ordinance 452 and identified as the New Sand Springs Annexed Line. Similarly, Ordinance 452 repealed all conflicting ordinances. Thus, the fence line extension identified as the New Sand Springs Annexed Line abrogated the Present Sand Springs Line of Ordinance 204. *See Exhibit 8.*

30. 11 O.S. § 21-101 and 11 O.S. § 21-105 stipulate that territory must be “adjacent or contiguous” to a municipality’s corporate limits before annexation.

31. The only possible connection the Subject Property may have to legally annexed portions of the City of Sand Springs is by virtue of the repealed Present Sand Springs Line of Ordinance 204. As a function of the repeal of Ordinance 204, the Present Sand Springs Line ceased to exist and there is no portion of annexed property which is contiguous to or adjacent to the Subject Property. Annexation of property in the absence of such contiguousness or adjacentness is a violation of Oklahoma law.

32. The annexed property is the subject of an illegal and improper annexation in plain violation of 11 O.S. § 21-101, *et seq.*

33. Plaintiffs are entitled, pursuant to 12 O.S. § 1651, *et seq.*, to a declaratory judgment that Ordinance 452 extended the City of Sand Springs fence line beyond the parameters of Ordinance 204 and repealed the Present Sand Springs Line of Ordinance 204.

ii. Fence Line Annexation undertaken by the City of Sand Springs is an impermissible use of municipal authority and in violation of Oklahoma law.

34. Plaintiffs adopt and reallege the allegations contained in Paragraphs 1-33 and state as follows:

35. Without waving the foregoing, even if Defendants can use the Present Sand Springs Line of Ordinance 204 (which Plaintiffs assert is invalid), the use of the Present Sand Springs Line of Ordinance 204 is a fence line annexation, an impermissible use of municipal authority, and in violation of Oklahoma law.

36. The City of Sand Springs has relied on the fence line annexation of the Present Sand Springs Line to establish contiguity or adjacentness to the Subject Property. *See Exhibit 1, Exhibit 2, Exhibit 11, and Exhibit 12.* Fence line annexation which serves no municipal purpose other than establishing contiguity or adjacentness, or done to capture territory within an area to be annexed, is an impermissible use of a municipality's annexation authority. *See In re De-Annexation of Certain Real Property from City of Seminole*, 2004 OK 60, 102 P.3d 120.

37. The fenceline annexation employed by the City of Sand Springs follows no roadway or highway, nor does the strip annexation appear to provide utilities. As such, there is no tangible municipal value or beneficial use beyond its advantage to the City of Sand Springs to provide a connective territorial link to otherwise noncontiguous and remote tracts. The only purpose of the fence line annexation is to establish contiguity and adjacentness between the City of Sand Springs and the Subject Property. Such use of fence line annexation is unreasonable and in violation of 11 O.S. § 21-101 *et seq.*

38. Plaintiffs are entitled, pursuant to 12 O.S. § 1651, *et seq.*, to a declaratory judgment that fence line annexation undertaken by the City of Sand Springs serves no municipal purpose and is an impermissible use of municipal authority and in violation of Oklahoma law.

iii. Declaratory Relief.

39. Plaintiffs adopt and reallege the allegations contained in Paragraphs 1-38 and state as follows:

40. Plaintiffs are entitled under 12 O.S. § 1656 to a determination of all issues of fact in this action in the same manner as issues of fact are tried and determined in other civil actions.

Injunctive Relief

41. Plaintiffs adopt and reallege the allegations contained in Paragraphs 1-40 and state as follows:

42. Plaintiffs are entitled to and request the Court enter a Temporary Restraining Order and Temporary Injunction, pursuant to 12 O.S. § 1381 *et. seq.*, to enjoin Defendants from:

- a. rezoning the Subject Property during the pendency of this litigation; and
- b. engaging in construction and/or land use activities that are outside of the scope of the current uses of the Subject Property; and
- c. prevent further enforcement of Ordinance 1434.

43. Plaintiffs are reasonably likely of final success on the merits of their claims.

44. There is a reasonable probability that Plaintiffs will suffer irreparable harm should Plaintiffs' request for injunction be denied.

45. The relative effect on the Defendants is inconsequential compared to chaos caused by the improper annexation of the Subject Property.

46. Public policy is in favor of protecting the rights the Citizens of Oklahoma from conduct of the nature described in Plaintiffs' Petition.

WHEREFORE, Plaintiffs request a declaratory judgment, a review of the City of Sand Springs' actions, injunctive relief, recovery of attorney's fees and costs, and such other relief as this Court deems necessary and just.

DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

By:



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VERIFICATION

STATE OF OKLAHOMA)
)
COUNTY OF TULSA) SS.

Kyle Schmidt, as President of Protect Sand Springs Alliance, Inc., of lawful age, being first duly sworn upon oath, deposes and states that he has read the above and foregoing Petition, that he is familiar with the contents thereof, and that the facts therein set forth are true and correct to the best of his knowledge and belief.



Kyle Schmidt, President
Protect Sand Springs Alliance, Inc.

Subscribed and sworn to before me this 5th day of January, 2026.


R J Kelley
Notary Public