

DATE: 10/30/19

RE: Striking the racist language and renewing our Deed Restrictions
Affidavit signing open house on Saturday, Nov 9 from 3-5p

Dear Brookfield Property Owner and Neighbor!

We are fellow property owners and members of your neighborhood association Board of Directors. As you may be aware, when our subdivision was created in 1924, the owner of the land attached restrictions to how lots could be used for housing. These restrictions, or covenants, are binding for 25-year periods and were previously renewed in 1949, 1974, and 1999.

While the next renewal is not due until 2024, there is no reason to wait since there is another issue that is a matter of concern to many of us. It is the restriction that states: "NO LOT OR LOTS OR BUILDINGS SHALL EVER BE SOLD OR LEASED TO ANY OTHER PERSON OR PERSONS THAN THOSE OF THE CAUCASIAN RACE." This provision is clearly unconstitutional and many of us signed and recorded affidavits with the Register of Deeds in 1999 disavowing the restriction.

We, the undersigned, want this restriction completely removed from our covenants because we welcome all people, regardless of race or other protected categories.

We are proposing to:

1. Amend the covenants to remove the racial restriction;
2. Renew the covenants, as amended; and,
3. Add a provision to allow the covenants can be changed in the future with just 2/3 (instead of 100%) consent of the property owners.

We have been exploring how to accomplish our goals. Renewing the covenants requires the consent of 2/3s of the property owners, while altering them requires 100%. Seeking a Declaratory Judgment in court is expensive and would still require that 100% of the owners have notice of the action to delete the racial restriction. It would also not provide renewal of the covenants nor the addition of an explicit provision to manage future amendments. Persuading the state legislature to grant association boards the power to remove discriminatory restrictions has been painfully slow. Hope still exists, as this would be the most expeditious and less expensive route.

While we wait for our public servants to act, we feel the only way to actively proceed is to mobilize the neighborhood and get 100% consent to removal of the racial restriction. In the process, if there is 100% agreement, a provision will be added that future amendments, if any,

will require only 2/3s consent. And finally, that the covenants, amended or not, be renewed for 25 more years.

What do YOU need to do now?

1. Read this letter and accompanying documents carefully.
2. Ask questions and give feedback by emailing John Hays at pat-johnhays@att.net or calling Jennifer Castner at 510-393-5525
3. **Bring yourselves, legal ID and get your affidavits notarized at our next SIGNING PARTY NOVEMBER 9TH. It will be at Jennifer Castner's home at 205 Oakland Drive from 3-5pm.**
4. Our goal is to have all 4 affidavits signed from each household!
5. Download blank affidavits at <http://brookfieldneighborhood.net/>. There is also a chart there of 2-digit lot numbers.
6. Sign those documents in the presence of a Notary Public (we or your bank can provide!)
7. Give the signed, notarized document to the Covenants Committee or the Board to be filed at the Ingham County Register of Deeds. Alan Munn @ 164 Oakland is collecting affidavits.

We will be reaching out by mail, registered mail, Facebook, email, and even by phone or door-to-door! We will have Notaries Public available at a series of neighborhood gatherings to make that part of the process easy and free of cost! NEXT GATHER - NOVEMBER 9 AT 205 OAKLAND.

Once we have collected as many affidavits as possible by above means, the committee will evaluate next steps.

Sincerely,

Your Neighbors:

Ben Flietstra
Jennifer Somerville
Nella Davis –Ray
Diane Kearns
Philip Eisenlohr
John Hays
Alan Munn
Jennifer Castner
Jeffrey Johnson