

MEMORANDUM

TO: Parks Advisory Commission

FROM: Josh Landefeld, Parks and Recreation Services Deputy Manager

DATE: April 18, 2023

SUBJECT: Resolution to Recommend the Discharging of Prohibited Restrictions for Allmendinger Park

Attached for your review is a resolution to Recommend the Discharging of Prohibited Restrictions for Allmendinger Park.

In the beginning of 2023, Councilmember Harrison approached Parks staff regarding the history of Allmendinger Park and the associated naming of the park. Staff reviewed the archives and found that the deeds for the lots donated by the Allmendinger family state that the lots be used for public park purposes and that they bear the name of Allmendinger Park. However, staff also found that deeds to additional lots within the park contained race restrictions either on the deeds themselves or by reference to other deeds that contain race restrictions.

As these restrictions are inconsistent with the Parks' goal to provide exceptional experiences for all and ensure that everyone should feel safe, welcome, and respected in the City Parks, staff worked with the City Attorneys to determine what actions could be taken to get these removed.

A new Michigan law went into effect on December 13, 2022 called the Discharge of Prohibited Restrictive Covenants Act which gives Michigan property owners and Michigan community associations a new and easy way to affirmatively remove discriminatory restrictions from deeds and other recorded documents. Parks staff have worked with City Legal to prepare a discharge form for all the Allmendinger properties with the restrictions.

Staff recommend the recording of the Discharge of Prohibited Restrictions form with the Washtenaw County Register of Deeds to officially remove these restrictions in the public records from the deeds associated with Allmendinger Park.

Resolution to Recommend the Discharging of Prohibited Restrictions for Allmendinger Park

Whereas, Parks staff was approached to look into the history and naming of Allmendinger Park;

Whereas, Staff review found that the deeds for the lots donated by the Allmendinger family state that the lots be used for public park purposes and that they bear the name of Allmendinger Park;

Whereas, Staff also found that deeds to additional lots within the park contained race restrictions either on the deeds themselves or by reference to other deeds that contain race restrictions.

Whereas, The lots with restrictions are within Oak Crest Subdivision: Lots 147, 148, 149, 150, 151, 152, 153 and 154.

Whereas, The other deeds for Lots 14 and 15 in J.H. Brown's Addition and Lots 269, 270 and 271 in Allmendinger Heights Addition did not contain race restrictions.

Whereas, A new Michigan law went into effect in December 13, 2022 called the Discharge of Prohibited Restrictive Covenants Act which gives Michigan property owners and Michigan community associations a new and easy way to affirmatively remove discriminatory restrictions from deeds and other recorded documents.

Whereas, The Parks and Recreation Services strives to provide exceptional experiences for all Park visitors and residents, regardless of race, age, gender, sexual orientation, income level, ethnicity, or ability;

Whereas, The Park Advisory Commission believes everyone should feel safe, welcome and respected in the City Parks and that removing these prohibitive restrictions from the deeds associated with Allmendinger Park is consistent with this goal;

RESOLVED, That the Park Advisory Commission recommend that the Mayor and Council approve this removal of these prohibited restrictions and initiate the process to submit necessary paperwork for the removal.