

FIRST AMENDMENT TO BUILDING AND USE RESTRICTIONS FOR WILDWOOD PARK ADDITION NO 1:

THIS AGREEMENT to repeal a racially restrictive covenant in Wildwood Park Addition No. 1 located in the City of Ann Arbor, Michigan is entered into on _____, by the homeowners and property owners whose names, addresses, and signatures are set forth below.

WHEREAS, a Building and Use Restriction has been recorded for all lots included in the Wildwood Park Addition No. 1 neighborhood: and

WHEREAS, the parcels of land to which the Restrictions apply are more specifically described in Exhibit A; and

WHEREAS, the Restrictions include racially restrictive language that state, "No portion of the land herein described shall be occupied by persons other than the Caucasian race, except as servants or guests"; and

WHEREAS, racially restrictive covenants were common tools used by white communities in Ann Arbor, Washtenaw County, and throughout the country to enforce segregation in the early 20th century; and

WHEREAS, in 1948, the Supreme Court ruled that courts could no longer enforce racially restrictive covenants; and

WHEREAS, Congress passed the Fair Housing Act in 1968, which made racially restrictive covenants illegal, and

WHEREAS, despite the fact that racially restrictive covenants are illegal and unenforceable, the racially restrictive covenants for Wildwood Park Addition No. 1 continues to exist in the registered Restrictions on the property, operating as a painful reminder of the racist history association with this neighborhood; and

WHEREAS, the racially restrictive covenant in the Building Use and Restrictions for Wildwood Park Addition No. 1 does not reflect the values of the current residents, who aspire to make the neighborhood an inclusive and welcoming community; and

WHEREAS, the Restrictions provide the following method by which current owners may repeal or amend the covenants by a vote:

"Purchasers agree as an express condition of this contract to use said premises not otherwise than in accordance with the following restrictions which shall run with the land and shall bind the Sellers and Purchasers, their heirs, representatives, and assigns, until such restrictions shall be changed by the then owners of two-thirds (2/3) of the assessed valuation of the land and building, (according to the latest assessment for the purpose of taxation of the whole area covered by the said plat of Wildwood Park Addition No. 1, by agreement in writing duly signed, witnessed, and acknowledged, and recorded in the office of the Register of Deeds in and for said county, consenting to the removal or modification in whole or in part of such restrictions where upon the restrictions shall be modified in whole or in part as therein provided:"

Liber 255, Page 11, Washtenaw County Records, on June 28, 1926; and

WHEREAS, the following parties, being a two-thirds (2/3) of the present owners of properties on the lots contained within Wildwood Park Addition No. 1, desire to repeal, rescind, reject, disavow, and repudiate the racially restrictive covenants in the Building and Use Restrictions in its entirety; and

WHEREAS, federal, state, and/or local law prohibits housing discrimination on the basis of race, color, religion, national origin, disability, age, sex, height, weight, familial status, marital status, sexual orientation, gender identity, gender expression, military status, or source of income.

NOW THEREFORE, it is mutually agreed as follows:

1. The racially restrictive covenant contained in Wildwood Park Addition No. 1's Building Use and Restrictions is hereby repealed, rescinded, rejected, disavowed, and repudiated in its entirety.
2. The racially restrictive covenant is hereby replaced with the following provision:

The Wildwood Park Addition No. 1 neighborhood seeks to be an inclusive community that welcomes and celebrates diversity. The sale or occupancy of any lot or dwelling shall not be restricted based on race, color, religion, national origin, disability, age, sex, height, weight, familial status, marital status, sexual orientation, gender identity, gender expression, military status, or source of income.

The following parties, being more than two-thirds (2/3) of the present owners of the lots contained within Wildwood Park Addition No. 1, have executed this agreement as of the date set forth above.