

## RESOLUTION NO. 20 – 54

### RESOLUTION CONDEMNING THE USE OF DISCRIMINATORY COVENANTS, DISCHARGING DISCRIMINATORY COVENANTS ON CITY-OWNED PROPERTY, AND APPROVING PARTICIPATION IN THE JUST DEEDS COALITION

**WHEREAS**, discriminatory covenants were tools used by real estate developers to prevent BIPOC and non-Christian individuals from buying or occupying property in certain areas, and they were common throughout the United States from the early 1900s to the 1960s; and

**WHEREAS**, the purpose of discriminatory covenants was to racially and religiously homogenize communities by excluding BIPOC and non-Christian individuals from Golden Valley. These tools segregated the metro area and built a hidden system of apartheid; and

**WHEREAS**, in 2016, the University of Minnesota founded Mapping Prejudice to expose the racist practices that shaped the landscape of the metro area. Mapping Prejudice researched restrictive covenants in Hennepin County and created the first-ever comprehensive map of racial covenants in an American city. The project mapped 24,131 covenants in Hennepin County, including 1,604 covenants in Golden Valley; and

**WHEREAS**, an example of a common covenant in Golden Valley declared that “No part of said premises shall ever be used or occupied by or sold, conveyed, leased, rented or given to Negroes, or Mongolians or Hebrews or any person or persons of the negro race, or Mongolian race or Hebrew race or blood; and

**WHEREAS**, the discriminatory covenants in Golden Valley are concentrated along its borders with Minneapolis and Robbinsdale, and in other desirable areas in the City, such as near downtown, around parks and open spaces, and near the private golf course; and

**WHEREAS**, the City of Golden Valley owns sixty-one parcels of land that contain a discriminatory covenant, including parcels located in the Golden Ridge Nature Area, Lakeview Park, Seeman Park, North Tyrol Park, and South Tyrol Park; and

**WHEREAS**, City leaders knew about the use of discriminatory covenants and sanctioned their use. For example, meeting minutes show that in 1938 the Planning Commission and City Council required the developer of the West Tyrol Hills subdivision to impose discriminatory covenants on all lots in the development as a condition of granting the required land use approvals; and

**WHEREAS**, restrictive covenants are no longer enforceable. Legal efforts to eliminate Discriminatory Covenants include *Shelley v. Kraemer*, 334 U.S. 1 (1948), in which the United States Supreme Court prohibited courts from enforcing Discriminatory Covenants and the Minnesota legislature in 1953 enacted statutes that prohibited new covenants, but existing covenants were still legal in Minnesota until 1962; and

**WHEREAS**, as a result of these judicial and legislative actions, today, Minnesota law and federal law prohibit discrimination in the sale or lease of housing based on race, color, creed, religion, national

origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, or familial status and those state and federal prohibitions extend to the refusal to sell or to circulate, post or cause to be printed, circulated, or posted, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, or familial status; and

**WHEREAS**, in 2019, the Minnesota Legislature passed a law authorizing property owners to individually discharge or renounce discriminatory covenants by recording a discharge form in the county property records; and

**WHEREAS**, discriminatory covenants promoted and established residential racial segregation, which historically and currently has impacted property ownership, accumulation of wealth, property transfers, mortgage eligibility, rental eligibility, property values, property tax base, internet access, and more. Discriminatory covenants fortified systemic racism and compounded economic divestment in specific communities within Hennepin County; and

**WHEREAS**, discriminatory covenants benefitted White communities. For example, homes that were racially covenanted are still predominantly owned by White people and are worth approximately 15% more today than non-covenanted properties; and

**WHEREAS**, discriminatory covenants created demographic patterns that remain in place today. Due in part to this historical practice, the population of the City of Golden Valley is less racially diverse than the populations of all of its neighboring communities and has a lower percentage of minority owned businesses than many neighboring communities; and

**WHEREAS**, in 2019, the City Council directed the Human Rights Commission to begin work on the Just Deeds Project, which connects residents to pro bono attorneys who can help remove discriminatory covenants from property titles in Golden Valley; and

**WHEREAS**, the State of Minnesota, including the City of Golden Valley, recognizes the harm that Discriminatory Covenants—and the racial, religious, and other discriminatory practices that they represent—cause to society in general and to the individuals who are adversely affected by racial, religious, and other discrimination through the presence of discriminatory covenants in the public land records.

**BE IT RESOLVED** by the City Council of the City of Golden Valley that:

1. The City of Golden Valley disavows and condemns the past use of discriminatory covenants and prohibits discriminatory covenants from being used in the future.
2. The City Attorney is directed to investigate and to identify any real property owned or leased by the City that contains discriminatory covenants and to prepare and record an affidavit or request an examiner's directive discharging such discriminatory covenants pursuant to Minnesota Statute § 507.18, subd. 5.
3. City staff is directed to participate in the work of the Just Deeds Coalition to educate the community about this and other historically discriminatory practices; to identify contemporary

discriminatory systems, policies, and practices; and to take action to dismantling racist systems, practices, and policies in the City of Golden Valley to create equity for all.

Adopted by the City Council of Golden Valley, Minnesota this 7th day of October 2020.

DocuSigned by:

*Shepard M. Harris*

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Shepard M. Harris, Mayor

ATTEST:

DocuSigned by:

*Theresa Schyma*

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Theresa J. Schyma, City Clerk



### Mission Statement

Just Deeds is a coalition of community stakeholders committed to acknowledging and addressing systemic racism in housing in Minnesota. Coalition members provide free legal and title services to help property owners find discriminatory covenants and remove them from their property titles and will provide the foundation of education and acknowledgement necessary to pursue reconciliation and anti-racist solutions. We represent organizations and entities who share responsibility for creating and correcting systemic racism in housing. We acknowledge the racist systems created and perpetuated within communities, and we will work toward dismantling these systems. Members of the Just Deeds coalition are committed to working toward meaningful and lasting change in Minnesota. Coalition members will achieve this goal by:

1. Educating Minnesotans about the racist practices perpetrated by developers, real estate agents, lawyers, and local, state and federal governments to establish segregated housing and keep wealth and opportunity away from communities of color.
2. Educating Minnesotans so that they understand who has directly and indirectly benefitted from historically racist practices and how those practices have shaped access to property, homeownership and wealth over time.
3. Taking action to dismantle the racist systems that perpetuate inequality and devoting resources to create equity for communities of color.

All members of the Just Deeds Coalition recognize the following truths and principles:

- Systemic racism in housing occurs today. Black, Indigenous, and other communities of color continue to face discrimination and lack of access to affordable housing and home ownership.
- Continued denial of opportunities to build general wealth through home ownership perpetuates inequity within our communities.
- We will not erase or deny history. We will acknowledge it and learn from it.
- We are dedicated to honesty about institutional roles (public and private) in building and perpetuating systemic racism.
- We commit to begin and participate in hard conversations within our communities and institutions about our shared history of discrimination and systemic racism.
- We pledge to examine the current policies and practices of our institutions to prevent future racist actions.
- When we identify racism in our institutions and processes, we will actively work to remove it.



MINUTES OF MEETING  
GOLDEN VALLEY PLANNING COMMISSION  
Village of Golden Valley  
Hennepin County, Minnesota

Minutes of meeting of Planning Commission of the Village of Golden Valley, Hennepin County, Minnesota held February 10, 1938 in the Village Hall. Members present were:

Dr. Sylvester Koontz  
John E. Johnson  
Ben Stewart  
H. H. Held  
Gertrude Lamm

Clarence Tolg  
Robert B. Buzzelle  
John Gafney  
Otto Wickstrom  
Jean H. Elver

J. Donald Fruen

Minutes of last meeting read and accepted.

H. W. McNamara, James E. Springer, officers of West Tyrol Hills, Inc., Paul Enghausser and Mr. Nowak of Egan Field & Nowak, civil engineers, were present in connection with action on proposed plat of West Tyrol Hills submitted to Planning Commission, and letter to Village Council dated February 10, 1938 as follows:

"The Honorable Village Council  
Village of Golden Valley

Gentlemen:

The undersigned as officers of West Tyrol Hills Incorporated, a corporation having filed a plat with your body for its consideration and approval and authorized on behalf of their corporation to advise:

1. That this corporation, upon approval of its plat, will immediately spend the sum of One Thousand dollars (\$1,000.00) on road construction in this subdivision. The balance of the roads necessary will be completed as necessity demands, but in no event later than five years from date. A satisfactory bond will be posted with you to insure completion of the roads within the prescribed time. All roads to consist of a 60 foot easment with 25 ft. graded surface, 5 ft. shoulders and graveled top.
2. An easment will be given you to permit the extension of the Minneapolis water mains to West Tyrol Hills thru Lots eight (8) and nine (9) of Block eight (8). It being understood that the property will be placed back in its original condition after excavation.
3. The following restrictions will be placed upon the property which will govern building, etc.:
  - a. No dwelling to be built at a cost of less than \$7,500.00.
  - b. Garages must be under the same roof or attached to the house.
  - c. All lots restricted to one family dwellings.
  - d. No excavation dirt shall be moved from the subdivision without permission of the corporation.
  - e. All building owners must contribute equal shares on fire bond posted with the Minneapolis Fire Department.

- f. All buildings erected on these premises shall be completed within six months after starting and tar paper or building paper shall not constitute outside finish.
- g. That the premises conveyed shall not at any time be sold, mortgaged or leased to any person or persons of Chinese, Japanese, Moorish, Mongolian or African blood or descent.
- h. All buildings to be true to their particular style of architecture.
- i. All buildings to be constructed in accordance with the Mpls. Building Code.
- j. Combination of cess-pool and septic tank will be used.

Yours truly, (signed)

H. W. McNamara, Pres.  
5625-42 Av. N, Robbinsdale, Minn.  
Hy. 2610 or Ge. 6761

James E. Springer, Sec-Treas.  
221 Sherican Av. S, Mpls, Minn.  
Kenwood 7058."

William S. Johnson, V.Pres.  
2556 Upton Av. S, Mpls, Minn.  
Br. 2231

Motion duly made and seconded that the Commission recommend to the Village Council that the plat submitted of the development known as West Tyrol Hills, also known as the SE 1/4 of the NE 1/4, Section 30, Township 29, Range 24, Village of Golden Valley, Hennepin County, Minnesota, be approved subject to the following restrictions to qualifications 1, 2 and 3.

1. Recommend that the owners of this plat post a bond in the sum of Four Thousand Dollars (\$4,000), guarantying the completion of the streets in this addition within five years from date, and that a premium be prepaid for the five year period, such streets to be constructed in a manner satisfactory to the Hennepin County Road Engineering Department as to general construction, drainage, etc.

Paragraph #1 of their letter to the Village Council be amended to read that all streets to consist of a 60 ft. easment with 35 ft. graded and graveled surface, and 5 ft. shoulders.

2. Recommend the acceptance of the plat of West Tyrol Hills subject to the granting of an easment for water mains, gas mains, sewer, and other public improvements along the north 15 ft. of Lot #8 in Block #8, and along the south 15 ft. of Lot #9 in Block #8.

3. Restrictions as provided for in paragraph #3 to be embodied in the general deed.

In view of the fact that a number of building projects are contemplated on this plat the Commission request prompt action on these recommendations.

Motion made by Mr. Tolg and seconded by Mrs. Lamm that the Village Council grant the petition for the vacating of Anna Avenue, with the provision that the petitioners assume the cost of legal proceedings.

Officers were elected - Paul A. Seeman unanimously elected president, Clarence Tolg was elected Vice Pres. and Jean H. Elver Secretary-Treasurer.

Motion made and seconded that meeting adjourn.

Attest:

Paul A. Seeman  
President

Jean H. Elver  
Sec'y-Treas.

## ATTACHMENT 3

Meeting called to order by the Chariman (Paul A. Seeman).

Members present: Frandsen, Seeman, Engelbretson, Reiss and Johnson.

Minutes of the previous meeting read, There being no corrections or objections, minutes declared accepted as read.

Motion by Johnson seconded by Reiss to accept recommendation of the Planning Commission for the vacating of Anna Avenue in the Massolt Gardens plat.

Frandsen, Reiss, Seeman, Engelbretson and Johnson (yes).

Motion by Engelbretson seconded by Johnson to accept the recommendation of the Planning Commission for the acceptance of the plat for West Tyrol Hills.

Seeman, Reiss, Frandsen, Engelbretson and Johnson (yes).

Motion by Johnson seconded by Reiss that the proper officers of the village be authorized to sign the plat for the register of deeds office and that the village seal be affixed.

Seeman, Reiss, Frandsen, Engelbretson and Johnson (yes).

Motion by Engelbretson seconded by Johnson that the application by the Minneapolis Northfield and Southern Railroad for building permit be referred to the Planning commission for consideration and report to the council.

Frandsen, Seeman, Reiss, Engelbretson and Johnson (yes).

Motion by Engelbretson seconded by Johnson that Chairman Seeman be authorized to hire two trucks for the WPA road project.

Seeman, Reiss, Engelbretson and Johnson (yes).

Frandsen (no).

Motion by Engelbretson seconded by Johnson to adjourn was so ordered.

Expenditures-----

210.21

Receipts-----

90.00

  
Clerk.

Minutes of Mar. I meeting continued on page 20 to include conditions of acceptance of the plat of West Tyrol Hills addition.



Conditions of acceptance of West Tyrol Hills Plat. Also known as the s.e. 1/4 of the n. e. 1/4 section 30, Township 29, Range 24, Village of Golden Valley, Minnesota.

That the owners of this plat post a bond in the sum of four thousand dollars (\$4000.00) guarantying the completion of the streets in this addition within five years from date, and that a premium be prepaid for the five year period, such streets to be constructed in a manner satisfactory to the Hennepin County Road Engineering Department as to general construction, drainage, etc. All roads to consist of a sixty foot easment with 35 foot graded and graveled surface and five foot shoulders.

An easment will be given The Village of Golden Valley Minnesota to permit the extension of the Minneapolis watermain to West Tyrol Hills thru Lots Eight (8) and Nine (9) of Block Eight (8). It being understood that the property will be placed back in its original condition after excavation. It is also understood that easments will also be given for gas mains, sewer and other public improvements. The above easments are to be granted along the North 15 foot of Lot Eight (8) in Block Eight (8) and along the South 15 foot of Lot Nine (9) in Block Eight (8).

The following restrictions will be placed upon the property which will govern building etc,

- a. No dwelling to be constructed at a cost of less than \$7,500.00.
- b. Garages must be under the same roof or attached to the house.
- c. All lots restricted to one family dwellings.
- d. No excavation dirt will be moved from the subdivision without the consent of the owners.
- e. All building owners must contribute equal shares on fire bond posted with the Minneapolis Fire Dept.
- f. All buildings erected on these premises shall be completed within six months after starting and tar paper or building paper shall not constitute outside finish.
- g. That the premises conveyed shall not at any time be sold, mortgaged, mortgaged or leased to any person or persons of Chinese, Japanese, Moorish, Mongolian or African blood or descent.
- h. All buildings to be true to their particular style of architecture.
- i. All buildings to be constructed in accordance with the Minneapolis Building code.
- j. Combination of cess-pool and septic tank will be used.

It is understood that the above restrictions are to be embodied in the general deed and filed in the Register of Deeds Office for Hennepin County.



## Racial Covenant

- City Owned Property
- Other Ownership

