



**CITY OF ARDEN HILLS
COUNTY OF RAMSEY
STATE OF MINNESOTA**

RESOLUTION NO. 2023-018

**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 explicitly exclude BIPOC and non-Christian individuals from living in Arden Hills. 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 county. The project mapped 24,131 covenants in Hennepin County, and over 2,000 covenants in Ramsey County; and

WHEREAS, it is historically understood that local leaders knew about the use of discriminatory covenants and sanctioned their use. While no specific examples could be located in City of Arden Hills records, such covenants were used before Arden Hills was incorporated as a city; and

WHEREAS, the City of Arden Hills may own parcels of land that contain a discriminatory covenant; 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, the use and approval of restrictive covenants to prohibit non-white and non-Christian persons from living in Arden Hills is key example of systemic racism in practice, as, white residents, at the time, expected Council members, legislators, developers, and real estate agents to empower or not interfere with efforts to maintain an all-white community, and the effects are still visible today; and

WHEREAS, discriminatory covenants promoted and established residential racial segregation, which historically and currently has impacted property ownership, accumulation of generational wealth, property transfers, mortgage eligibility, rental eligibility, property values, property tax base, internet access, access to quality education, and more. Discriminatory covenants fortified systemic racism and compounded economic divestment in specific communities within Hennepin County; 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 Arden Hills is less racially diverse than the populations of Ramsey County and the state of Minnesota; and

WHEREAS, in 2021, the Just Deeds project was launched to provide educational opportunities for Minnesota communities the racist history of discriminatory covenants and to provide free legal and titles services to help residents find discriminatory covenants and acknowledge this practice through discharge of the covenants; and

WHEREAS, the City of Arden Hills desires to participate in this project in collaboration with its residents.

NOW, THEREFORE, BE IT RESOLVED be it resolved by the City Council of the City of Arden Hills, Minnesota:

1. The City of Arden Hills, recognizes the lasting 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.
2. The City of Arden Hills renounces and condemns the past use of discriminatory covenants and prohibits discriminatory covenants from being used in Arden Hills in the future. The City of Arden Hills commits to exploring and acknowledging its history as it relates to the imposition of discriminatory covenants in Arden Hills and its role in sanctioning or approving such practices.

3. 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.
4. 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 review city code and ordinances with a lens towards racial equity; to identify contemporary discriminatory systems, policies, and practices; and to take action to dismantling racist systems, practices, and policies in the City of Arden Hills to create equity for all.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ARDEN HILLS THIS 10TH DAY OF APRIL, 2023.

David Grant, Mayor

ATTEST:

Julie Hanson, City Clerk

To view the final document, access adopted Resolutions via Arden Hills Public Laserfiche Weblink by visiting cityofardenhills.org and clicking on Archived Documents under Helpful Links on our main webpage.