

STATE OF MICHIGAN

IN RE: BROOKFIELD SUBDIVISION RESTRICTIONS
BEING THE PLAT OF BROOKFIELD, A SUBDIVISION
OF PART OF W ½ OF SW ¼ OF SEC. 17, T. 4 N.,
R.I.W., FORMERLY MERIDIAN TOWNSHIP, NOW
THE CITY OF EAST LANSING, COUNTY OF INGHAM
STATE OF MICHIGAN

CONSENT TO CONTINUE RESTRICTIONS OF RECORD

AFFIDAVIT

STATE OF MICHIGAN, COUNTY OF INGHAM SS

Now comes _____, being duly sworn, deposes and says:

1. That he/she/they is/are the owner(s) of record of a certain lot(s), namely number(s) _____ located within the above-named Brookfield Subdivision;
2. That the property so owned is commonly described as: _____, East Lansing, County of Ingham, State of Michigan;
3. That he/she/they is/are fully aware of, and cognizable of the restrictions, conditions, covenants, charges, and agreements of Record upon said lots located within the above-described Brookfield Subdivision as set forth in a Warranty Deed dated May 27, 1924 from J. V. Brook and wife, Grace D., grantors to Arthur J. Nash, and recorded June 12, 1924, in Liber 275, page 126; and thereafter extended as of December 15, 1949 in Liber 47 M. R. page 257, December 20, 1974 in Liber 1146, pages 811-818, and July 20, 1999 in Liber 2790, pages 997-1076;
4. That he/she/they, being the owner(s) of above lot(s) within said Brookfield Subdivision is(are) fully aware of, and wholeheartedly endorse the fact that the restriction against selling or leasing to persons other than the Caucasian race is unenforceable since such restrictions have been held to be a violation of the equal protection clause of the Michigan and United States Constitutions. Shelley v. Kraemer and McGhee v. Sipes: 334 U.S. 1; 68 S. Ct. 836; 92 Led 1161 (1948), Phillips v. Naff, 332 Mich. 389; 52 NW 2d. 158 (1952).
5. That he/she/they, being the owner(s) of above lot(s) within said Brookfield Subdivision is(are) fully in agreement and voluntarily consent that the balance of these restrictions, conditions, covenants, charges, and agreements that run with the land described therein, and as provided for in the severability clause, shall again be extended fully for a 25-year period, from, by, and after the year 2020, as provided for in said Subdivision Restrictions of Record referred to above.

Signed _____

Printed legal name of owner(s) _____

Witness Signature _____

Witness Printed Name _____

Subscribed and sworn to before me on this _____ day of _____, 20____.

Notary Public, Ingham _____

My commission expires on _____.

Drafted by John J. Hays, 1645 Roseland Avenue, East Lansing MI 48823.

STATE OF MICHIGAN

IN RE: BROOKFIELD SUBDIVISION RESTRICTIONS
BEING THE PLAT OF BROOKFIELD, A SUBDIVISION
OF PART OF W ½ OF SW ¼ OF SEC. 17, T. 4 N.,
R.I.W., FORMERLY MERIDIAN TOWNSHIP, NOW
THE CITY OF EAST LANSING, COUNTY OF INGHAM
STAE OF MICHIGAN

CONSENT TO REMOVE ONE RESTRICTION OF RECORD

AFFIDAVIT

STATE OF MICHIGAN, COUNTY OF INGHAM ss

Now comes _____, being duly sworn, deposes and says:

1. That he/she/they is/are the owner(s) of record of a certain lot(s), namely number(s) _____ located within the above-named Brookfield Subdivision;
2. That the property so owned is commonly described as: _____, East Lansing, County of Ingham, State of Michigan;
3. That he/she/they is/are fully aware of, and cognizable of the restrictions, conditions, covenants, charges, and agreements of Record upon said lots located within the above-described Brookfield Subdivision as set forth in a Warranty Deed dated May 27, 1924 from J. V. Brook and wife, Grace D., grantors to Arthur J. Nash, and recorded June 12, 1924, in Liber 275, page 126; and thereafter extended as of December 15, 1949 in Liber 47 M. R. page 257, December 20, 1974 in Liber 1146, pages 811-818, and July 20, 1999 in Liber 2790, pages 997-1076;
4. That he/she/they, being the owner(s) of above lot(s) within said Brookfield Subdivision is(are) fully aware of, and wholeheartedly endorse the fact that the restriction against selling or leasing to persons other than the Caucasian race is unenforceable since such restrictions have been held to be a violation of the equal protection clause of the Michigan and United States Constitutions. Shelley v. Kraemer and McGhee v. Sipes: 334 U.S. 1; 68 S. Ct. 836; 92 Led 1161 (1948), Phillips v. Naff, 332 Mich. 389; 52 NW 2d. 158 (1952).
5. That he/she/they, being the owner(s) of above lot(s) within said Brookfield Subdivision is(are) fully in agreement and voluntarily consent that the sentence referred to in Paragraph 4 ("No lot or lots or buildings shall ever be sold or leased to any other person or persons than those of the Caucasian race."), and no other, be stricken and removed from all future copies of, or references to, the Brookfield Subdivision Restrictions.

Signed _____

Printed legal name of owner(s) _____

Witness Signature _____

Witness Printed Name _____

Subscribed and sworn to before me on this _____ day of _____, 20____.

Notary Public, Ingham _____

My commission expires on _____.

Drafted by John J. Hays, 1645 Roseland Avenue, East Lansing MI 48823.

STATE OF MICHIGAN

IN RE: BROOKFIELD SUBDIVISION RESTRICTIONS
BEING THE PLAT OF BROOKFIELD, A SUBDIVISION
OF PART OF W ½ OF SW ¼ OF SEC. 17, T. 4 N.,
R.I.W., FORMERLY MERIDIAN TOWNSHIP, NOW
THE CITY OF EAST LANSING, COUNTY OF INGHAM
STAE OF MICHIGAN

CONSENT TO PROVIDE FOR AMENDMENT TO THE
RESTRICTION OF 2/3s APPROVAL OF THE OWNERS
OF RECORD

AFFIDAVIT

STATE OF MICHIGAN, COUNTY OF INGHAM ss

Now comes _____, being duly sworn, deposes and says:

1. That he/she/they is/are the owner(s) of record of a certain lot(s), namely number(s) _____ located within the above-named Brookfield Subdivision;
2. That the property so owned is commonly described as: _____, East Lansing, County of Ingham, State of Michigan;
3. That he/she/they is/are fully aware of, and cognizable of the restrictions, conditions, covenants, charges, and agreements of Record upon said lots located within the above-described Brookfield Subdivision as set forth in a Warranty Deed dated May 27, 1924 from J. V. Brook and wife, Grace D., grantors to Arthur J. Nash, and recorded June 12, 1924, in Liber 275, page 126; and thereafter extended as of December 15, 1949 in Liber 47 M. R. page 257, December 20, 1974 in Liber 1146, pages 811-818, and July 20, 1999 in Liber 2790, pages 997-1076;
4. That he/she/they, being the owner(s) of above lot(s) within said Brookfield Subdivision is(are) fully in agreement and voluntarily consent that: these restrictions, conditions, covenants, charges, and agreements may be amended by the assent, evidenced by appropriate agreement entitled to record, filed in writing to the office in Ingham County, Michigan, where conveyances of real estate may then be required by law to be filed, of the owners of two-thirds of the lots included in said addition, exclusive of streets, courts, parks, private or otherwise, and open spaces intended for the general use of the public or the owners of the property shown on said map.

Signed _____

Printed legal name of owner(s) _____

Witness Signature _____

Witness Printed Name _____

Subscribed and sworn to before me on this _____ day of _____, 20_____.

Notary Public, Ingham _____

My commission expires on _____.

STATE OF MICHIGAN

IN RE: BROOKFIELD SUBDIVISION RESTRICTIONS
BEING THE PLAT OF BROOKFIELD, A SUBDIVISION
OF PART OF W ½ OF SW ¼ OF SEC. 17, T. 4 N.,
R.I.W., FORMERLY MERIDIAN TOWNSHIP, NOW
THE CITY OF EAST LANSING, COUNTY OF INGHAM
STAE OF MICHIGAN

CONSENT TO PROVIDE FOR AMENDMENT TO THE RESTRICTIONS
BY APPROVAL OF 2/3s OF OWNERS OF RECORD AND
TO REMOVE RACIAL RESTRICTION

AFFIDAVIT

STATE OF MICHIGAN, COUNTY OF INGHAM ss

Now comes _____, being duly sworn, deposes and says:

1. That he/she/they is/are the owner(s) of record of a certain lot(s), namely number(s) _____ located within the above-named Brookfield Subdivision;
2. That the property so owned is commonly described as: _____, East Lansing, County of Ingham, State of Michigan;
3. That he/she/they is/are fully aware of, and cognizable of the restrictions, conditions, covenants, charges, and agreements of Record upon said lots located within the above-described Brookfield Subdivision as set forth in a Warranty Deed dated May 27, 1924 from J. V. Brook and wife, Grace D., grantors to Arthur J. Nash, and recorded June 12, 1924, in Liber 275, page 126; and thereafter extended as of December 15, 1949 in Liber 47 M. R. page 257, December 20, 1974 in Liber 1146, pages 811-818, and July 20, 1999 in Liber 2790, pages 997-1076;
4. That he/she/they, being the owner(s) of above lot(s) within said Brookfield Subdivision is(are) fully in agreement and voluntarily consent that: these restrictions, conditions, covenants, charges, and agreements may be amended by the assent, evidenced by appropriate agreement entitled to record, filed in writing to the office in Ingham County, Michigan, where conveyances of real estate may then be required by law to be filed, of the owners of two-thirds of the lots included in said addition, exclusive of streets, courts, parks, private or otherwise, and open spaces intended for the general use of the public or the owners of the property shown on said map.
5. That he/she/they, being the owner(s) of above lot(s) within said Brookfield Subdivision is(are) fully in agreement and voluntarily consent that the sentence referred to in Paragraph 4 (“No lot or lots or buildings shall ever be sold or leased to any other person or persons than those of the Caucasian race.”), and no other, be stricken and removed from all future copies of, or references to, the Brookfield Subdivision Restrictions.

Signed _____

Printed legal name of owner(s) _____

Witness Signature _____

Witness Printed Name _____

Subscribed and sworn to before me on this _____ day of _____, 20____.

Notary Public, Ingham _____

My commission expires on _____.

Drafted by John J. Hays, 1645 Roseland Avenue, East Lansing MI 48823.