



City of Roeland Park

4600 W. 51st Street
Roeland Park, KS 66205
(913) 722-2600

January 31, 2023

Re: Support for HB 2174

Dear: Emil Bergquist, Doug Blex, Linda Featherston, Mike Amyx, Carrie Barth, Lewis Bloom, Kenneth Collins, Robyn R. Essex, Fred Gardner, Lynn Melton, Dennis Miller, Samantha Poetter Parshall, Jeff Underhill

I am writing to request your support for a necessary change to Kansas law eliminating racially restrictive and offensive language currently contained in plat descriptions and HOA covenants.

You may not be aware that these documents contain such language. I am including a couple of examples to demonstrate the sense of urgency that accompanies this request:

- “Said lots shall be used for residence purposes only and shall never be conveyed, devised, leased, or rented to or used, owned, or occupied by any person of negro blood except partial occupancy by bona fide domestic servants.”
- “None of said lots or portions of lots shall ever be sold, conveyed, transferred, devised, leased or rented to or used, owned or occupied by any person of Negro blood or by any person who is more than one-fourth of the Semitic race, blood, origin or extraction, including within limitation in said designation, Armenians, Jews, Hebrews, Turks, Persians, Syrians, and Arabians, excluding, however, from the application of this paragraph partial occupancy by bona fide domestic servants employed thereon.”

These documents plainly refer to a historical blight that emanates from the origins of our communities. These restrictions are part of our past, but they have no place in our future. They need to be addressed immediately. We cannot erase these restrictions from historic documents but we can take action to

remove them from the operative legal records. Though property restrictions based on race are not legally enforceable, it is past time for our communities to show that such language is not who we are or what we believe.

Currently, in order to fix the egregious racial restricting plats, we must re-plat, which requires a new survey, signatures of all property owners within the plat, and a significant expenditure of funds. Similarly, to change current HOA covenants we must register each HOA with the State (if not already done), revise the covenants, submit the same, and then close the HOA - again requiring significant funds.

A more efficient and timely method is set out in HB 2174. If adopted, a City with any such plat (or covenants) could simply file corrected (redacted) documents to be the legal operative records. No individual property deed would be impacted or changed.

The need for this change is obvious. We should not tolerate even the remnants of racism. A similar change occurred with the end of slavery. The Constitution authorized slavery – and that language will always be there. The Civil War settled the dispute that slavery would be abolished, but we still enacted the 13th Amendment in 1865 to amend the Constitution.

We need to take similar action now. Allowing this offensive language to remain unchallenged reflects poorly on our communities and does not represent who we are as Kansans.

I strongly encourage you with the utmost urgency to support HB 2174.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Keith Moody', written in a cursive style.

Keith Moody
Roeland Park City Administrator