



Covenants, Conditions, and Restrictions (CCRs) for NORTHGATE

Recorded by Pima County Recorder's Office in 1952

DISCLAIMER

These CCRs were obtained from the Pima County Recorder's Office (PCRO) for research purposes. Documents have been organized, cleaned, transformed, and may have been subject to adjustments and modifications to make them more understandable and accurate. These documents are for informational purposes only and should not be construed as an official copy or legal description. Official and original documents should be obtained from PCRO. The Mapping Racist Covenants (MRC) project has made every effort to provide accurate and reliable information and does not guarantee the completeness, accuracy, timeliness, or reliability of these documents and the data visualized on the map. These documents are not updated after archival. The project does not accept any liability for any loss or damage that may arise from the use of these documents.

CONTENT WARNING

These CCRs, obtained from publicly available sources, contain language that may address exclusion, race, racism, housing discrimination, and segregation. These documents may contain language that is offensive, including racist and ableist slurs, and may be difficult or triggering for some individuals. Please be aware that the MRC project attempts to define these terms and provide context, but the definitions are not comprehensive and may not fully capture the experiences of marginalized groups. We acknowledge that the content in these documents reflects a complex history and ongoing systems of oppression, and we encourage users to engage with the information critically and with sensitivity to the experiences of historically marginalized people. By continuing to view these documents, you acknowledge and accept the potential for discomfort or distress that may arise from engaging with this content.

ABOUT THE PROJECT

The MRC project tells the story of racist covenants in Tucson. Launched in September 2022, the MRC project explores the geography of racial covenants across Tucson neighborhoods and subdivisions, focusing on those enacted between 1912-1968. Racial covenants were ultimately ruled illegal with the passage of the Fair Housing Act of 1968. Our analysis shows that at least 150 subdivisions across the Tucson metropolitan area have racist CCRs that exclude people of color, as well as other marginalized individuals from living in certain neighborhoods.

DECLARATION OF ESTABLISHMENT OF CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That ARIZONA LAND TITLE AND TRUST COMPANY, an Arizona corporation, being the owners of all that certain property situated in the County of Pima, State of Arizona, and described as follows:

NORTHGATE, a Subdivision of Pima County, Arizona, according to the Map or Plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 10 of Maps and Plats, at Page 3 thereof.

Do hereby certify and declare that they have established and do hereby establish a general plan for the improvement and development of said Subdivision, and do hereby establish the provisions, conditions, restrictions and covenants upon and subject to which all lots and portion of lots of said property shall be improved or sold and conveyed by them as such owners, each and all of which is, and are, for the benefit of each owner of land in said property for any interest therein, and shall inure and pass with each and every parcel of said property, and shall apply to, and bind, the respective successors in interest of the present owners thereof, and are, and each thereof is, imposed upon said property as a servitude in favor of each and every parcel of land therein as a dominant tenement or tenements, as follows, to-wit:

1. The said property and the whole thereof, except as provided herein shall be used for private residence purposes only.
2. No structure whatever other than one single family private residence with the customary outbuildings, shall be erected, placed, or maintained on any residential lot in said property.
3. No business of any nature shall be conducted on any part of said property, and no building or structure intended for or adapted to business purposes shall be erected, placed, permitted or maintained on said property or any part thereof, EXCEPT Lot 1, Block 3, as set forth below. Nothing herein contained shall be held to prevent the carrying on of the professional business of a physician or surgeon in one or more rooms of the private residence building which is constructed for and occupied as a private residence.
4. Lot 1, Block 3 is hereby designated "Business Property" and may be used for the conduct and operation of retail mercantile stores as well as the operation of oil and gasoline service stations. All buildings built or erected on lots used for business purposes must be set back at least thirty feet from front property line.
5. No billboards or advertising signs of any character shall be erected, placed, permitted, or maintained on said property, or any part thereof, other than reasonable sign relative to the sale or rent of said property, or portions thereof.
6. No residence, garage, or outbuilding placed or erected on said property shall be occupied in any manner while in the course of construction or at any time prior to its being fully completed as hereinafter required. No temporary house or tent or trailer shall be erected, placed or maintained on any lot.
7. Any building erected or placed upon said property, and every part thereof, except the front steps and roof projection at the eaves thereof, shall be located not closer than 25 feet to any front street line, and shall be located not closer than 6 feet to either side line thereof. Open carportes may be located not closer than 3 feet to either side line.

Arizona Land Title & Trust Company
Order No. 5001-T

8. Any residential dwelling constructed shall contain not less than 850 square feet of floor space, exclusive of porches and shall not exceed one story in height,

9. Residential dwellings may be constructed of brick, tile, cement or other types of masonry or may be frame, but any wooden or frame construction shall have a stuccoed exterior.

10. No cesspools shall be constructed, used, or maintained in connection with any residence upon any of the property.

11. No cattle, horses, sheep, hogs or other live stock may be kept or maintained upon any lot. Nothing in this restriction shall be construed, however, as preventing the keeping of ordinary domestic pet animals.

The aforesaid conditions and restrictions and each and all thereof shall continue and remain in full force and effect at all times as against any owner or any of said property, however his title thereto may be acquired, until January 1, 1987, on which date the said conditions and restrictions and each and all thereof, shall terminate and end, and thereafter be of no legal or equitable effect on the said property or any owner thereof.

If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein it shall be lawful for any other person or persons, owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation. Provided, that any violation of the foregoing provisions, conditions, restrictions or covenants shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith for value as to any portion of said property. But such provisions, conditions, restrictions and covenants shall be enforceable against any portion of said property acquired by any person through foreclosure or by deed in lieu of foreclosure for any violation of the provisions, conditions, restrictions and covenants herein contained occurring after the acquisition of said property through foreclosure or deed in lieu of foreclosure.

IN WITNESS WHEREOF, the ARIZONA LAND TITLE AND TRUST COMPANY, has caused this instrument to be executed by its officers thereunto duly authorized and its corporate seal to be affixed this 17th day of October, 1952.

ATTEST: *P. L. Judd*
Secretary

ARIZONA LAND TITLE AND TRUST COMPANY
S. B. Armbruster
Vice President

STATE OF ARIZONA)
COUNTY OF PIMA) ss:

This instrument was acknowledged before me this 17th day of October, 1952, by S. B. ARMBRUSTER, as Vice President, and P. L. JUDD, as Secretary of said ARIZONA LAND TITLE AND TRUST COMPANY, an Arizona corporation, as an Act of such corporation.

My Commission Expires: 6/2/56

John B. Wilkins
Notary Public

STATE OF ARIZONA)
COUNTY OF PIMA)

I hereby certify that the within instrument was filed for record in Pima County, State of Arizona

No. 46414
Book 523 DOCKEY 1984
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Witness my hand and Official Seal.

ANNA SULLINGER
County Recorder

Date: 1952 OCT 17 PM 3:48
Request of:

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By *Norma J. Maxwell*
Deputy

Fee: 2.70

ARIZONA LAND TITLE AND TRUST CO.