



Covenants, Conditions, and Restrictions (CCRs) for GILBERT HEIGHTS 1-11

Recorded by Pima County Recorder's Office in 1959

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 USE RESTRICTIONS

Recorded:

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, being the owner of all the property and premises situate in Pima County, Arizona, and described as follows, to-wit: Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 32 in Gilbert Addition, which is a subdivision of part of the West Half of the East Half of Section 7, Township 15 South, Range 14 East, G & S R B & M, Pima County, Arizona, and desiring to establish the nature of the use and enjoyment of the above described lots in said subdivision, does hereby declare that the following conditions, restrictions and stipulations shall apply to all of the above described property and every portion thereof.

1. None of the property above described shall be used for any of the purposes listed in Appendix "A" attached hereto and hereby referred to and incorporated by reference as fully as if set forth at length herein, nor shall Lot 17 of said Gilbert Addition be used for any of the purposes listed in Appendix "B" attached hereto and hereby referred to and incorporated by reference as fully as if set forth at length herein.

2. All improvements and construction on any of said property shall meet with the minimum requirements of the zoning regulations and ordinances of Pima County, Arizona, for the class in which said property or any particular portion thereof may be zoned.

3. These restrictions shall continue in full force and effect to and until October 1, 1998, at which time and date they shall cease and terminate and be of no further force, effect or validity whatsoever.


4. If any person should violate or attempt to violate any of the said covenants or restrictions herein set forth before October 1, 1998; it shall be lawful for any other person or persons owning any other property in the above described premises to prosecute any proceedings at law or in equity against the person or persons violating or

attempting to violate any such covenants or restrictions to either prevent him or them from so doing or to recover damages for any such violation.

5. Should any of the covenants or restrictions herein be held invalid or void such invalidity or voidance of any covenant or restriction shall not affect the rest of this instrument or any valid covenant or restriction herein contained.

6. 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 and for value as to any portion of the said property. But such provisions, conditions, restrictions and covenants shall be enforceable against any portion of said property acquired by any person or persons through foreclosure or 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.

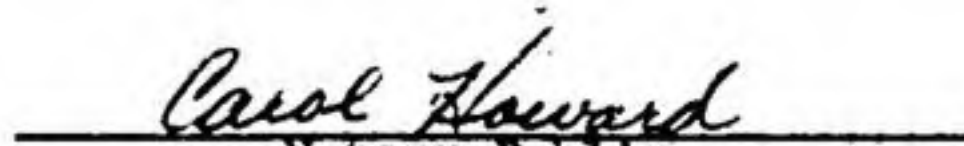
IN WITNESS WHEREOF the undersigned has caused these presents to be executed on this the 6th day of March, 1959.




Meyer Feldman

STATE OF ARIZONA }
COUNTY OF PIMA } ss.

This instrument was acknowledged before me this 6th day of March, 1959, by MEYER FELDMAN.



Notary Public


My commission expires:
10-26-62

APPENDIX "A"

1. Manufacture, compounding, processing, packaging or treatment of: Bakery goods, candy, cosmetics, dairy products, drugs and pharmaceutical products, perfumes, soap and food products.

2. Manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: Bone, broom corn, cellophane, canvas, cloth, cork, feather, felt, fibre, fur, glass, hair or bristles, horn, leather, paper, plastics or plastic products, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wood, yarns, and paint.

3. Manufacture of: Glass, pottery or other similar ceramic products, concrete or cement products, musical instruments, toys, novelties, rubber or metal stamps.

4. Manufacture and maintenance of: Electric and neon signs, billboards, commercial advertising structures and displays and light sheet metal products.

5. Blacksmith and welding shop or machine shop.

6. Distribution plant, ice plant, beverage bottling plant.

7. Assembly of electrical appliances; except as a normal function of a retail appliance business.

8. Experimental, photo or motion picture film or testing laboratories.

9. Veterinary or cat or dog hospital or kennels

10. Building material sales yard.

11. Retail lumber yard, or feed yard.

12. Truck yard or terminal

13. Motion picture studio

14. Public utility service yard

15. Airport, airstrip or landing field.

16. Gasoline or flammables bulk station, except that nothing herein shall be construed to prohibit the operating of a gasoline service station.

17. Abattoir (slaughter house)

18. Auto wrecking.

19. Blast furnace

20. Boiler shop or works

21. Coke oven

22. Commercial cattle feeding yard or sales or auction yard

23. Dirt, soil, clay, sand, rock, stone or gravel pit or yard

24. Fat rendering

25. Hog feeding yard.

26. Incineration, reduction or dumping of offal, garbage or refuse.

27. Junk yard.

28. Manufacture of: Acetylene gas, acid, ammonia, asphalt or products, asbestos, brick, tile or terra cotta, Baboitt metal, bleaching powder, carbon, lamp black or graphite, cement, celluloid, chlorine, gas, coal tar or products, creosote or products, explosives, fireworks, fertilizer, illuminating gas, gelatine, glucose, glue or size, guncotton or products, gypsum, insulating material (such as rock wool and similar products), lime or products, matches, phenol, pickles, plaster of Paris, poisons, potash, pulp, paper and strawboard, rubber, sulphur and products, sauerkraut, soap, tar or asphalt roofing, turpentine, vinegar.

29. Meat packing plant.

30. Oil reclaiming plant

31. Ore reducing plant

32. Petroleum products storage above ground.

33. Petroleum refinery

34. Racetrack

35. Rifle range, pistol range.

36. Rock crusher or quarry.

37. Rolling mill
38. Rubber reclaiming plant
39. Salt works
40. Sandblasting plant
41. Sewer farm or sewage disposal.
42. Smelting.
43. Stockyards.
44. Tannery
45. Wood or bone distillation
46. Wool pulling or scouring plant.

APPENDIX "B"

The following applies only to Lot 17 of Gilbert Addition:

Massage parlor, billiard or pool hall, penny arcade, shooting gallery, bar, cocktail lounge, establishment of any type in which alcoholic beverages are sold; fair, carnival or tent show, mortuary.

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of ... LAND TITLE & TRUST CO.
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Book 1407
Page 24-29
By Thelma Miller
Deputy