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Doc#: 0615341041 Fee: \$68.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/02/2006 10:44 AM Pg: 1 of 23

This instrument was prepared by:

Jay Gilbert, Esq.
Kutak Rock LLP
One South Wacker Drive, Suite 2050
Chicago, Illinois 60606

After recording, this instrument should
be returned to:

Eva Garrett, Esq.
Office of the General Counsel
Chicago Housing Authority
200 West Adams, Suite 2100
Chicago, Illinois 60606

DECLARATION OF TRUST

(Scattered Site Properties No. 9)

Whereas, the Chicago Housing Authority (herein referred to as the "Public Housing Agency" or the "PHA"), a public body corporate and politic duly created and organized pursuant to and in accordance with the laws of the State of Illinois, and the United States of America, Secretary of Housing and Urban Development (herein referred to as "HUD"), pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437, et seq.) (herein referred to as the "Act") and the Department of Housing and Urban Development Act (5 U.S.C. 624), entered into certain contracts and annual Capital Fund Amendments to the Annual Contributions Contract (herein collectively referred to as the "Annual Contributions Contracts"), which provide for grants and annual contributions to be made by HUD to assist the PHA in developing, maintaining, and operating its public housing units in accordance with all applicable public housing requirements; and has entered into or will enter into certain Capital Fund Financing Program Amendments to the Annual Contributions Contracts (herein each referred to as a "Capital Fund Financing Program Amendment"), whereby HUD will provide assistance to the PHA for the purpose of assisting the PHA in modernizing existing housing developments in order to ensure that such developments continue to be available to serve low-income families; and

Whereas, as of the date of this Declaration of Trust, the Capital Fund Financing Program Amendment and the Annual Contributions Contracts cover certain individual lower income housing projects (herein individually referred to as a "Project" and collectively referred to as the "Projects") located on the real property described on the attached Schedule A; and

Whereas, the PHA has issued or proposes to issue and deliver bonds, and may hereafter issue and deliver its obligations to refund such bonds (herein collectively referred to as the "Bonds") to aid in financing the modernization of the Projects; and

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Whereas, the cost of the capital and management activities at each Project will have been financed, in part, with the proceeds of the Bonds and/or with grant assistance provided by HUD; and the Bonds will be secured by pledges of specific amounts of the capital funds payable to the PHA pursuant to said Annual Contributions Contracts to the extent and in the manner described in the Annual Contributions Contract and resolutions of the PHA authorizing such Bonds;

• **Now, therefore**, to assure HUD and the holder or holders of the Bonds, and each of them, of the performance by the PHA of the covenants contained in the Capital Fund Financing Program Amendment, the Annual Contributions Contracts, and the resolutions of the PHA authorizing the issuance of the Bonds, the PHA does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes hereinafter stated, the real property described in the attached Schedule A, and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The PHA hereby declares and acknowledges that, during the existence of the trust hereby created, HUD has been granted and is possessed of the following interest in each Project property:

The right to require the PHA to remain seized of the title to said property and to refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said property or any part thereof, appurtenances thereto, or any rent, revenues, income, personalty or receipts therefrom or in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the Capital Fund Financing Program Amendment and the Annual Contributions Contracts, or any interest in any of the same except that the PHA may: (1) to the extent and in the manner provided in the Annual Contributions Contracts: (a) lease dwellings and other spaces and facilities in any Project; and (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of any Projects; and (c) convey or dedicate land for use as streets, alleys, or other public right-of-way, and grant easements for the establishment, operation, and maintenance of public utilities; and (d) enter into and perform contracts for the sale of dwelling units to members of tenant families authorized by the Act; and (2) with the approval of HUD, release any Project from the trust hereby created; provided, that nothing herein contained shall be construed as prohibiting the conveyance of title to or the delivery of possession of any Project to HUD pursuant to the Annual Contributions Contracts.

The endorsement by a duly authorized officer of HUD: (1) upon any conveyance or transfer made by the PHA of any real or personal property which is determined to be excess to the needs of the Project; or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public right-of-way, or for the establishment, operation and maintenance of public utilities; or (3) upon any instrument transferring or conveying a dwelling unit, or an interest therein, to a member of a tenant family; or (4) upon any instrument of release of the Project executed by the PHA shall be effective to release such property from the trust hereby created.

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The individual Projects subject to this Declaration of Trust shall be operated by the PHA as low-income housing in accordance with the Annual Contributions Contracts, the Act and all HUD regulations for the longer of: (1) twenty years after the disbursement of Capital Fund Program assistance for modernization activities and for a period of forty years after the last distribution of Capital Fund Program assistance for development activities; or (2) for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any of the Projects under the Annual Contributions Contracts and which is not eligible for forgiveness; and provided further that, for a period of ten years following the last payment of assistance from the Operating Fund to the PHA, no disposition of any Project covered by this Declaration of Trust shall occur unless approved by HUD. Upon the expiration of the periods during which the PHA is obligated to operate each of the Projects in accordance with the Annual Contributions Contracts, the trust hereby created shall terminate and no longer be effective as to each such Project.

Nothing herein shall be construed to bestow upon the holder or holders of any of the Bonds any right or right of action or proceeding whereby the PHA might be deprived of title to or possession of any Project.

This Declaration of Trust supersedes any existing Declaration of Trust encumbering any Project that was executed for the benefit of the Public Housing Administration, the United States of America or HUD.

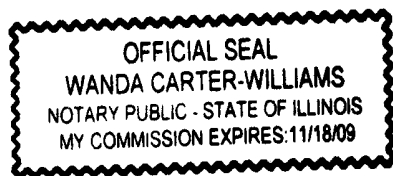
In Witness Whereof, the PHA has caused these presents to be signed in its name by a duly authorized officer, this 1st day of June, 2006.

Chicago Housing Authority

By: [Signature]
Terry Peterson, Chief Executive Officer

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

This instrument was acknowledged before me on 5-31, 2006, by Terry Peterson, as Chief Executive Officer of the Chicago Housing Authority.



[Signature]
Notary Public

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SCHEDULE A



Property of Cook County Clerk's Office

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Legal Description
922 North Honore
Chicago, Illinois

LOT 67 IN BOAKE'S RESUBDIVISION OF BLOCK 5 IN COCHRAN'S AND OTHERS
SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6,
TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
COOK COUNTY, ILLINOIS.

P.I.N. 17-06-423-034-0000

Address: 922 North Honore
Chicago, Illinois

Project No. ILO6P002126

Property of Cook County Clerk's Office

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Legal Description
1446 North Fairfield
Chicago, Illinois

LOT 6 IN BLOCK 5 IN H. M. THOMPSON'S SUBDIVISION OF THE NORTH WEST 1/4
OF THE NORTH EAST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 13 EAST
OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

P.I.N. 16-01-208-021

Address: 1446 North Fairfield
Chicago, Illinois

Project No. IL 06P002126

Property of Cook County Clerk's Office

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Legal Description
1500-02 N. Campbell
Chicago, Illinois

LOTS 30 AND 31 IN BLOCK 3 IN WINSLOW, JACOBSON AND TALLMAN'S
SUBDIVISION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1,
TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN COOK COUNTY, ILLINOIS.

P.I.N. 16-01-205-046 & 16-01-205-047

Address: 1500-02 N. Campbell
Chicago, Illinois

Project No. IL06P002126

Property of Cook County Clerk's Office

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Legal Description
1428 North Campbell
Chicago, Illinois

LOT 13 IN BLOCK 6 OF WINSLOW, JACOBSON, AND TALLMAN'S SUBDIVISION OF THE NORTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office

P.I.N. 16-01-213-035

Address: 1428 North Campbell
Chicago, Illinois

Project No. IL06P002126

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Legal Description
4850-60 North Ashland Avenue
Chicago, Illinois

LOT 9 (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 7 CONVEYED TO THE CITY OF CHICAGO BY DOCUMENT 10356781 FOR WIDENING ASHLAND AVENUE) IN BLOCK 2 IN INGLEDEW'S ADDITION TO RAVENSWOOD, IN SECTION 7, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

P.I.N. 14-07-423-035 & 14-07-423-034

Address: 4850-60 North Ashland Avenue
Chicago, Illinois

Project No. IL06P002126

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Legal Description
1214-16 No. Artesian
Chicago, Illinois

LOTS 17 AND 18 IN BLOCK 7 IN WINSLOW AND JACOBSON'S SUBDIVISION OF THE SOUTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

P.I.N. 16-01-228-034 & 16-01-228-035

Address: 1214-16 No. Artesian
Chicago, Illinois

Project No. ILO6P002126

Property of Cook County Clerk's Office

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Legal Description
4643 N. Winthrop
Chicago, Illinois

THAT PART OF LOT 3 LYING SOUTH OF A LINE 22 FEET 6 INCHES NORTH OF AND PART OF WEST SOUTHERLY LINE OF SAID LOT, A SUBDIVISION OF LOTS 143 AND 144 IN WILLIAM DEERING SURRENDEN SUBDIVISION OF THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 14-17-210-006-0000

Address: 4643 N. Winthrop
Chicago, Illinois

Project No. ILOWP002127

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Legal Description
4639-41 N. Winthrop Ave.
Chicago, Illinois

LOT 142 IN WILLIAM DEERING'S SURRENDED SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 14-17-210-007

Address: 4639-41 N. Winthrop Ave.
Chicago, Illinois

Project No. ILO6P002127

Property of Cook County Clerk's Office

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Legal Description
4822 N. Magnolia
Chicago, Illinois

LOT 9 (EXCEPT THEREFROM THE WEST 16 FEET FOR ALLEY) IN
BLOCK 4 IN RUFUS HALL'S ADDITION TO ARGYLE, IN THE SOUTH
1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 40 NORTH,
RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.

P.I.N. 14-08-317-033-0000

Address: 4822 N. Magnolia
Chicago, Illinois

Project No. ILO6P002127

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Legal Description
4510 N. Magnolia
Chicago, Illinois

LOT 106 IN SHERIDAN DRIVE SUBDIVISION OF THE NORTHWEST 1/4
OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE
THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 14-17-117-016

Address: 4510 N. Magnolia
Chicago, Illinois

Project No. ILOWPO02127

Property of Cook County Clerk's Office

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Legal Description
4529 North Hazel Street
Chicago, Illinois

THE WEST 115.0 FEET OF LOT 6 IN H. J. WALLINGFORD'S SUBDIVISION OF 15
RODS SOUTH OF AND ADJOINING THE NORTH 95 RODS OF EAST 1/2 OF NORTH EAST
1/4 OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 14-17-221-016-0000

Address: 4529 North Hazel Street
Chicago, Illinois

Project No. IL06P002127

Property of Cook County Clerk's Office

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Legal Description
4454-58 N. Magnolia
Chicago, Illinois

LOT 25 AND THE NORTH 10 FEET OF LOT 26 IN THE SUBDIVISION OF THE WEST 370.25 FEET OF THE EAST 569.25 FEET OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 17 TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 14-17-124-010-0000

Address: 4454-58 N. Magnolia
Chicago, Illinois

Project No. ILO6P002127

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Legal Description
1523-27 North Talman
Chicago, Illinois

LOTS 33 AND 34 IN BLOCK 1 IN H.M. THOMPSON'S SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 16-01-203-014-0000

Address: 1523-27 North Talman
Chicago, Illinois

Project No. IL06P002128

Property of Cook County Clerk's Office

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Legal Description
1631 W. Julian
Chicago, Illinois

LOT 17 (EXCEPT STREET) IN BLOCK 8 IN MCREYNOLD'S SUBDIVISION
OF PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 6,
TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 17-06-214-015

Address: 1631 W. Julian
Chicago, Illinois

Project No. IL06P002128

Property of Cook County Clerk's Office

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Legal Description
1730-32 N. Kedzie
Chicago, Illinois

LOTS 8 AND 9 IN THE SUBDIVISION OF THAT PART OF LOT 1 LYING SOUTH OF RAILROAD RIGHT OF WAY AND OF ALL OF LOTS 2 AND 3 AND 5 TO 8, IN BLOCK 13 IN SIMON'S SUBDIVISION OF THE SOUTH EAST 1/4 OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

P.I.N. 13-35-417-029 & 13-35-417-030

Address: 1730-32 N. Kedzie
Chicago, Illinois

Project No. ILO6P002128

Property of Cook County Clerk's Office

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Legal Description
1830 N. Sawyer Ave.
Chicago, Illinois

LOT 12 IN BLOCK 11 IN WINKELMAN'S SUBDIVISION OF PART OF
BLOCK 2 AND BLOCK 11 OF E. SIMONS' ORIGINAL SUBDIVISION OF
THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH,
RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.

P.I.N. 13-35-410-024

Address: 1830 N. Sawyer Ave.
Chicago, Illinois

Project No. IL06P002128

Property of Cook County Clerk's Office

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Legal Description
3317 West Crystal Street
Chicago, Illinois

LOT 42 IN S. E. GROSS' SIXTH HUMBOLDT PARK ADDITION TO CHICAGO, A SUBDIVISION OF LOTS 25 TO 48 OF BLOCK 6 AND LOTS 1 TO 48 OF BLOCK 7 IN WEAGE, EBERHARDT AND BARTLETT'S SUBDIVISION IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 16-02-227-016-0000

Address: 3317 West Crystal Street
Chicago, Illinois

Project No. IL06P002128

UNOFFICIAL COPY

Legal Description
3328 W. Crystal
Chicago, Illinois

LOT 60 IN S.E. GROSS' SIXTH HUMBOLDT PARK ADDITION TO CHICAGO, BEING A SUBDIVISION OF LOTS 25 TO 48 INCLUSIVE IN BLOCK 6 AND ALL OF BLOCK 7 IN WEAGE, EBERHART AND BARTLETT'S SUBDIVISION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 16-02-225-033

Address: 3328 W. Crystal
Chicago, Illinois

Project No. IL06P002 B8

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Legal Description
1656-58 North Bell Avenue
Chicago, Illinois

LOTS 2, 3 AND THE NORTH 1/2 OF LOT 4 IN BLOCK 2 IN MONROE'S
SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4
OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH,
RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.

P.I.N. 14-31-328-030 & 14-31-328-029

Address: 1656-58 North Bell Avenue
Chicago, Illinois

Project No. IL06P002128