

# UNOFFICIAL COPY



This instrument was prepared by:

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One South Wacker Drive, Suite 2050  
Chicago, Illinois 60606

Doc#: 0615341048 Fee: \$54.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 06/02/2006 11:02 AM Pg: 1 of 16

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. 16)

**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

*Box 405*

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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.

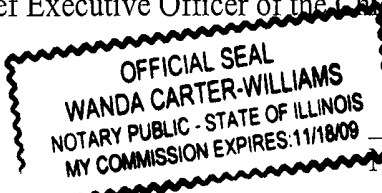
In Witness Whereof, the PHA has caused these presents to be signed in its name by a duly authorized officer, this 1st day of June, 2006.

Chicago Housing Authority

By: [Signature]  
Terry Peterson, Chief Executive Officer

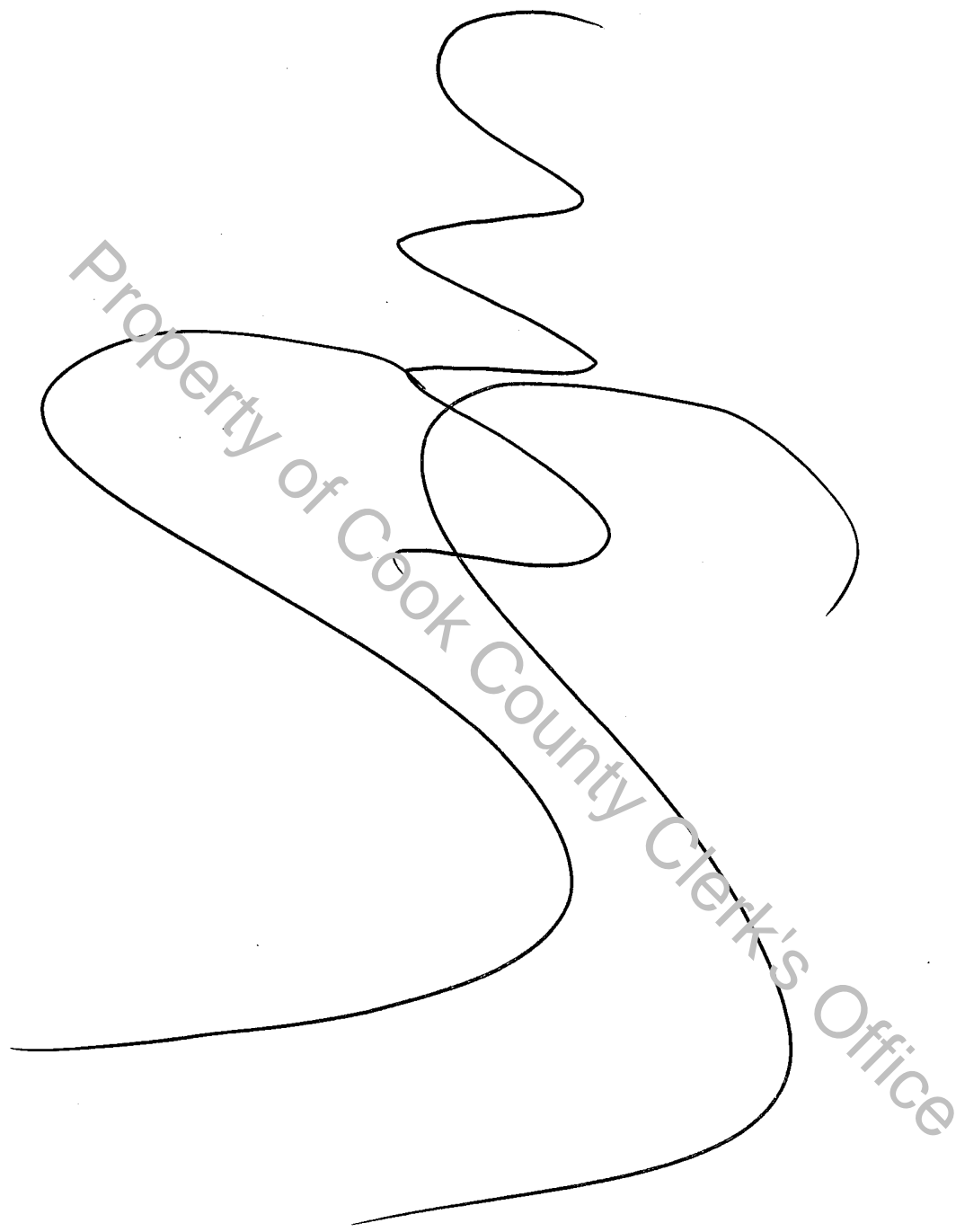
STATE OF ILLINOIS     )  
                                          ) ss.  
COUNTY OF COOK     )

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

A large, complex handwritten scribble in black ink, consisting of multiple overlapping loops and lines, covering a significant portion of the page. It appears to be a signature or a mark that has been written over the document's content.

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

**Legal Description**  
**1819 North Sawyer**  
**Chicago, Illinois**

LOT 30 IN BLOCK 12 IN WINKLEMAN'S RESUBDIVISION OF BLOCKS 1 AND 12 OF E. SIMON'S ORIGINAL SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 13-35-411-016

Address: 1819 North Sawyer  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**1410 N. Talman**  
**Chicago, Illinois**

LOT 6 IN CATHARINE H. PRINS SUBDIVISION OF LOTS 20 TO 24,  
ALL IN BLOCK 7 IN 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.: 16-01-210-035

Address: 1410 N. Talman  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**1414 N. Talman**  
**Chicago, Illinois**

LOT 19 AND LOT 18 (EXCEPT THE NORTH 12-1/2 FEET THEREOF) IN  
BLOCK 7 IN H. M. THOMPSON'S SUBDIVISION OF THE NORTHWEST  
QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39  
NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN  
COOK COUNTY, ILLINOIS.

P.I.N.: 16-01-210-034

Address: 1414 N. Talman  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**1526 N. Talman**  
**Chicago, Illinois**

LOT 14 IN BLOCK 2 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.: 16-01-202-036

Address: 1526 N. Talman  
Chicago, Illinois

Project No. IL06P002142



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**Legal Description**  
**1812 N. Talman**  
**Chicago, Illinois**

LOT 32 IN W. W. MARTIN'S SUBDIVISION OF LOTS 6, 7, 9 AND 10 OF BLOCK 4 IN BORDEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 13-36-411-042

Address: 1812 N. Talman  
Chicago, Illinois

Project No. IL060002142

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**Legal Description**  
**1816 N. Talman**  
**Chicago, Illinois**

LOT 30 IN W. W. MARTINS SUBDIVISION OF LOTS 6, 7, 9 AND 10 IN BLOCK 4 IN BORDENS SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 13-36-411-040

Address: 1816 N. Talman  
Chicago, Illinois

Project No. ILO6P002142

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**Legal Description**  
**3563 West Medill**  
**Chicago, Illinois**

LOT 83 IN VANCE'S SUBDIVISION OF THE NORTH 1/2 OF THE WEST 1/3 OF THE NORTHEAST  
1/4 OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 13-35-203-029

Address: 3563 West Medill  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**1634 N. Hamlin**  
**Chicago, Illinois**

LOT 6 IN DEARDOFF'S SUBDIVISION OF LOTS 1 AND 4 IN BLOCK 4 IN HAGAN AND BROWN'S ADDITION TO CHICAGO, A SUBDIVISION IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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P.I.N.: 13-35-325-027

Address: 1634 N. Hamlin  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**1909 N. Francisco**  
**Chicago, Illinois**

THE NORTH 1/2 OF LOT 14 IN BLOCK 2 IN HANSBOROUGH AND HESS  
SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION  
36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 13-36-306-018

Address: 1909 N. Francisco  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**1941 W. Crystal**  
**Chicago, Illinois**

LOTS 8, 9 AND 10 IN BLOCK 2 IN JOSEPH PEACOCK'S SUBDIVISION OF THE SOUTH 6 ACRES OF THE WEST 10 ACRES OF THE SOUTH 25 ACRES OF THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

P.I.N.: 17-06-226-007

Address: 1941 W. Crystal  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**1532 N. Bosworth**  
**Chicago, Illinois**

LOT 39 IN HURFORD'S SUBDIVISION OF THE WEST 1/2 OF BLOCK 5 IN THE CANAL TRUSTEE'S SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 17-05-100-032

Address: 1532 N. Bosworth  
Chicago, Illinois

Project No. IL06P002142

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**Legal Description**  
**3125 West Belden**  
**Chicago, Illinois**

LOT 52 IN FRICKE AND DOSE'S SUBDIVISION OF THE WEST 10 ACRES  
OF THE SOUTH 20 ACRES OF THE NORTH 43.20 ACRES OF THE  
NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13,  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,  
ILLINOIS.

P.I.N.: 13-36-106-011

Address: 3125 West Belden  
Chicago, Illinois

Project No. IL06P002142