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Doc#: 1020841049 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 07/27/2010 12:08 PM Pg: 1 of 4

Declaration of Trust

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing
(HOPE VI and/or Capital Grant Project)

Recorder's Stamp

Declaration of Trust

Whereas, the Chicago Housing Authority (herein called the CHA), a public body corporate and politic, duly created and organized pursuant to and in accordance with the provisions of the laws of the State of Illinois, and the United States of America, Secretary of Housing and Urban Development (herein called HUD), pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437, et seq) and the Department of Housing and Urban Development Act (5 U.S.C. 624) have entered into that certain contract with an effective date as of February 12, 2001, supplemented by an addendum that is part of the Grant Agreement, dated December 29, 2000, called the ABLA II-IL06URD0021298-HOPE VI Grant Agreement (herein called the HOPE VI Grant Agreement) providing for a grant to be made by HUD to assist the CHA in the redevelopment of the former ABLA Homes community;

Whereas, in implementing such HOPE VI Grant Agreement, the CHA, the Habitat Company, L.L.C., in its capacity as the Receiver for the CHA's development of non-elderly public housing (herein called the Receiver), and the City of Chicago, acting by and through its Department of Community Development (herein called the City) have entered into that certain Amended and Restated Intergovernmental Agreement dated September 10, 2004 (herein called the IGA), whereby the City will assist the CHA and the Receiver in acquiring sites for future development of residential housing, including housing that will constitute "public housing" under the United States Housing Act of 1937, and for the future development of retail, commercial and other purposes supportive of such residential housing development, all in furtherance of the purposes of such HOPE VI Grant Agreement or Capital Fund Grant;

Whereas, as of the date of the execution of this Declaration of Trust, the City has acquired title to the real property legally described in Exhibit A (herein called the Property) which is anticipated to comprise a portion of the site for the development of mixed-income housing (herein called the Project);

Whereas, the acquisition of the Property and the Project will have been financed with \$122,882.00 in grant assistance provided by HUD under a HOPE VI Grant Agreement or Capital Fund Grant.

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Now Therefore, to assure HUD of the performance by the CHA of the covenants contained in the HOPE VI Grant Agreement or Capital Fund ACC Amendment, the City, on its behalf and on behalf of the CHA and the Receiver, 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 Property and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The City, on its behalf and on behalf of the CHA and the Receiver, hereby declares and acknowledges that during the existence of the trust hereby created, HUD has been granted and is possessed of an interest in the Property, **To Wit:**

The right to require the City to remain seized of the title to the 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 the Property or any part thereof, appurtenances thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any interest in any of the same, except that the City may (1)(a) lease dwellings and other spaces and facilities currently located on the Property, or (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of the Project, or (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, or (d) enter into and perform contracts for the sale of dwelling units currently located on the Property to members of tenant families, as authorized by the United States Housing Act of 1937, 42 U.S.C. 1437, et seq., or (2) with the approval of HUD, release the Property and the Project from the trust hereby created pursuant to Section 8 of the IGA.

The endorsement by a duly authorized officer of HUD shall be effective to release the Property from the trust hereby created.

In Witness Whereof, the City, its officers thereunto duly authorized, has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this May 21, 2010.

CITY OF CHICAGO, a municipal corporation,
acting by and through its Department of
Community Development

By: 

Christine A. Raguso

Acting Commissioner

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Exhibit A

P.I.N. NOS.: 17-20-103-005-0000

COMMON ADDRESS: 1247 W. Roosevelt Road, Chicago, Illinois

LEGAL DESCRIPTION: LOT 19 (EXCEPT THE NORTH 42 FEET THEREOF CONDEMNED FOR WIDENING 12TH STREET) IN BLOCK 1 IN SAMPSON AND GREENE'S ADDITION TO CHICAGO IN SECTION 20, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Christine Raguso, personally known to me to be the Acting Commissioner of the Department of Community Development of the City of Chicago, an Illinois municipal corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and being first duly sworn by me acknowledged that as such Acting Commissioner, she signed and delivered the said instrument as her free and voluntary act and as the free and voluntary act and deed of the City, for the uses and purposes therein set forth.

GIVEN under my notarial seal this 27th day of May, 2010.

Antonette J Bielech

 NOTARY PUBLIC

