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10-GG-1 (12/70)

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DECLARATION OF TRUST

WHEREAS, the HOUSING AUTHORITY OF THE CITY OF SEDRO WOOLLEY (herein called the "Local Authority"), a public body corporate and politic created and organized in accordance with the laws of the State of Washington, and the United States of America (herein called the "Government") pursuant to the United States Housing Act of 1937, Public Law 75-412, as amended (herein called the "Act"), and the Department of Housing and Urban Development Act, Public Law 89-174, as amended, entered into a contract dated as of January 5, 1971 /as amended/ (herein called the "Annual Contributions Contract") providing for loans and annual contributions to be made by the Government to assist the Local Authority in the financing of low-rent housing projects; and

WHEREAS, as of the date of the execution of this Declaration of Trust the Annual Contributions Contract covers a low-rent housing project which will provide approximately 60 dwelling units, to be known as Project No. WASH 30-2; and

WHEREAS, the Local Authority (1) proposes to issue and deliver its Bonds and Permanent Notes to aid in financing the Projects from time to time provided for under the terms of the Annual Contributions Contract to which Contract reference is hereby made for definitions of the Bonds, Permanent Notes, and Projects, and (2) may from time to time issue and deliver its obligations (herein called "Refunding Bonds") to refund said Bonds and Permanent Notes; and

WHEREAS, each project and acquisition of the site or sites thereof will have been financed with the proceeds of the Bonds and/or advances by the Government on account of the loan provided for in the Annual Contributions Contract and the Bonds and Permanent Notes will be secured (1) severally, by pledges of specific amounts of the annual contributions payable to the Local Authority by the Government pursuant to said Contract; and (2) by a pledge of certain revenues of the projects financed by an issue or issues of Bonds to the extent and in the manner described in the Annual Contributions Contract and the resolutions of the Local Authority authorizing such Bonds and Permanent Notes:

NOW, THEREFORE, to assure the Government and the holder or holders of the Bonds, Refunding Bonds, or Permanent Notes, and each of them, of the performance by the Local Authority of the covenants contained in the Annual Contributions Contract and the resolutions of the Local Authority authorizing the issuance of the Bonds, Refunding Bonds, or Permanent Notes, the Local Authority does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of the Government and said holders of the Bonds, Refunding Bonds, or Permanent Notes, for the purposes hereinafter stated, the following described real property situated in the City of Sedro Woolley,
County of Skagit,
State of Washington,
TO WIT:

Project No. WASH 30-2

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Project No. WASH 30-2

Declaration of Trust

REAL PROPERTY DESCRIPTION

The West half of Lot 14, "Plat No. 1, Sedro Home Acregge", according to the Plat recorded in Volume 3 of Plats, page 39, Records of Skagit County, Washington.

Also, the West 150 feet of the East 300 feet of the Southeast quarter of the Southeast quarter of Section 24, Township 35 North, Range 4 East, W.M., lying and being North of State Street in the City of Sedro-Woolley and which said strip of land also lies immediately South of the West half of Lot 14, "Plat No. 1, Sedro Home Acreage", and North of the North line of State Street.

NORTH 60 FEET OF THE EAST HALF OF LOT 14, "PLAT NO. 1, SEDRO HOME ACREAGE", ACCORDING TO THE PLAT RECORDED IN VOLUME 3 OF PLATS, PAGE 39, RECORDS OF SKAGIT COUNTY, WASHINGTON.

THE EAST HALF OF LOT 14, "PLAT NO. 1, SEDRO HOME ACREAGE", ACCORDING TO THE PLAT RECORDED IN VOLUME 3 OF PLATS, PAGE 39, RECORDS OF SKAGIT COUNTY, WASHINGTON, EXCEPT THE NORTH 60 FEET THEREOF.

ALSO, THAT PORTION OF THE EAST 150 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., LYING NORTH OF STATE STREET AS ESTABLISHED IN THE CITY OF SEDRO-WOOLLEY, AND WEST OF THE WEST LINE OF TOWNSHIP STREET.

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and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The Local Authority hereby declares and acknowledges that during the existence of the trust hereby created, the Government and the holders from time to time of the Bonds, Refunding Bonds, or Permanent Notes issued or to be issued pursuant to the provisions of the Annual Contributions Contract, have been granted and are possessed of an interest in the above-described Project property, TO WIT:

The right to require the Local Authority 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, leasing, mortgage, pledge or other encumbrance of said property or any part thereof, appurtenances thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the Annual Contributions Contract, or any interest in any of the same except that the Local Authority may (1) to the extent and in the manner provided in the Annual Contributions Contract (a) lease dwellings and other spaces and facilities in any project, or (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of any project, or (c) convey or dedicate land for use as streets, alleys, or other public rights-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 to members of tenant families, as authorized by the Act; or (2) with the approval of the Government, release any project which has not then been financed by an issue or issues of Bonds 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 the Government pursuant to the Annual Contributions Contract.

The endorsement by a duly authorized officer of the Government (1) upon any conveyance or transfer made by the Local Authority of any real or personal property which is determined to be excess to the needs of any project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public rights-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 made by the Local Authority of any project which has not then been financed by an issue or issues of Bonds shall be effective to release such property from the trust hereby created.

When all indebtedness of the Local Authority to the Government arising under the Annual Contributions Contract has been fully paid and when all the Bonds, Refunding Bonds, and Permanent Notes, together with interest thereon, have been fully paid, or monies sufficient for the payment thereof have been deposited in trust for such payment in accordance with the respective resolutions of the Local Authority authorizing the issuance of such Bonds, Refunding Bonds, and Permanent Notes, the trust hereby created shall terminate and shall no longer be effective.

Nothing herein contained shall be construed to bestow upon the holder or holders of any of the Bonds or Refunding Bonds, or of the coupons appertaining thereto, or any holder of the Permanent Notes (other than the Government) any right or right of action or proceedings by which the Local Authority might be deprived of title to or possession of any project.

IN WITNESS WHEREOF, the Local Authority by 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 on _____.

CITY OF SEDRO WOOLLEY HOUSING AUTHORITY CORPORATE (SEAL) WASHINGTON

ATTEST:

Secretary

HOUSING AUTHORITY OF THE CITY OF SEDRO WOOLLEY

By: _____
Chairman

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10-GG-4 (12/70)

STATE OF WASHINGTON)
)ss
COUNTY OF SKAGIT)

On this 21st day of December, 19 71, before me, John Callies, a Notary Public in and for the County and State above shown, personally appeared John Higgins and Harold Y. Hopkins known to me to be the _____ Chairman and Secretary, respectively, of the Housing Authority of the City of Sedro Woolley, the agency described in and which executed the within instrument, and they are known to me to be the persons who executed and attested the instrument on behalf of the agency therein named and they acknowledged to me that the agency had executed the said instrument.

WITNESSETH, my hand and official seal the day and year first above written.

JOHN CALLIES NOTARY PUBLIC (SEAL) EXPIRES MAY 20, 1974 STATE OF WASHINGTON

Notary Public in and for the said County and State

My Commission expires:

May 24, 1974

Received for record at Dec 27 1971 2:28 PM
at request of Pioneer Nat Title
Ann Ross, Auditor Skagit Co., Washington

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