



2010 00039174

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# Declaration of Trust

(Development Grant Projects \*)

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

Whereas, (1, see instructions) WAYLAND HOUSING AUTHORITY  
(herein called the Public Housing Agency (PHA), a public body corporate and politic, duly created and organized pursuant to and in accordance with  
the provisions of the laws or ordinances of the (2) COMMONWEALTH OF MASSACHUSETTS 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) entered into a certain contract with effective date as  
of (mm/dd/yyyy) (3) 8/3/1979 (herein called the Annual Contributions Contract) and a certain Development Project Grant  
Amendment to the Annual Contributions Contract with the effective date as of (mm/dd/yyyy) (4) 3/5/2010, providing for a  
grant to be made by HUD to assist the PHA in financing a lower income housing project; and

Whereas, as of the date of the execution of this Declaration of Trust, the Development Project Grant Amendment and the Annual Contributions  
Contract cover the lower income housing project located in: (5) WAYLAND, MIDDLESEX, MASSACHUSETTS

which will provide approximately (6) 56 dwelling units; and which lower income housing project will be known as:  
Project No. (7) MAOGS10150109; and

Whereas, the Project and acquisition of the site or sites thereof will have been financed with grant assistance provided by HUD.

Now Therefore, to assure HUD of the performance by the PHA of the covenants contained in the Development Project Grant Amendment and  
Annual Contributions Contract, 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 following described real property situated in: (8)

A parcel of land situated in Wayland, Middlesex County, Massachusetts, shown on a plan by Schofield Brothers, Inc., dated July 15, 1971, entitled "Property Line Map, Housing for the Elderly,  
Wayland Housing Authority," recorded as Plan No. 1085 (A of 2) of ~~1085~~ in Book 12286, Page 248, bounded and described according to said plan as follows:  
To Wit: (Insert legal description for the project.) (9) 1412

SOUTHEASTERLY by Bent Avenue, three hundred eighty-two and 24/100 (382.24) feet; SOUTHWESTERLY by land of N. Lawrence Ekdahl, two hundred seventy-four and 67/100 (274.67) feet;  
NORTHWESTERLY by land of Alfred J. Perodeau, four hundred eighteen and 49/100 (418.49) feet; NORTHEASTERLY by land of Marlboro Realty Trust, Town of Wayland, land of Israel A. Lupien,  
land of N. Lawrence Ekdahl, and land of Daniel F. and Carolyn S. Creasey, two hundred ninety-four and 51/100 (294.51) feet. Containing 2.61 acres more or less according to said plan.  
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 an  
interest in the above described Project property, To Wit:

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, 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 PHA may (1), to the extent and in the manner provided in the Annual Contributions Contract, (a) lease dwellings and other spaces and  
facilities in the Project, 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 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 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 the  
Project to HUD pursuant to the Annual Contributions Contract.

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  
made by the PHA of the Project shall be effective to release such property from the trust hereby created.

Upon expiration of the period during which the PHA is obligated to operate the Project in accordance with the Annual Contributions Contract,  
the trust hereby created shall terminate and no longer be effective.

In Witness Whereof, the PHA 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 this date (mm/dd/yyyy) 3/11/10

(Seal)

(1, see instructions)

By Margaret Antos Chairperson

Attest [Signature] Secretary

Date (mm/dd/yyyy) 3/11/10

BENT AVE., WAYLAND, MA

Commonwealth of Massachusetts )  
County of Middlesex )

March 1, 2010

On this 1 day of March 2010, before me, the undersigned notary public, personally appeared the above-named Mary A. Artes, the Chairperson, proveyed to me through satisfactory evidence of identification, which was Ma. Drivers License be the person whose name is signed on the preceding Declaration of Trust and acknowledged to me that s/he signed it voluntarily for the stated purpose on behalf of

Wayland Housing Authority

Kathleen M. Higgins  
Notary Public

My Commission expires on: May 3, 2013

FOR TITLE SEE  
BOOK 12286  
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