

D100000000004

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

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WAIT

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MAIL

(Business Entity Name)

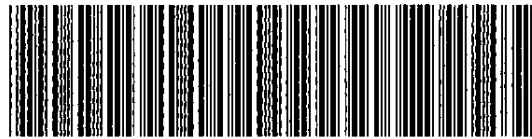
(Document Number)

Certified Copies _____ Certificates of Status _____

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2010 FEB 16 P 2:25

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

TRANSMITTAL LETTER

Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

SUBJECT: DOT FL080000006-Trust

Enclosed is an original and one (1) copy of the Declaration of Trust and a check for:

FEES:

Declaration of Trust \$350.00

OPTIONAL:

Certified Copy \$ 8.75

FROM: Palm Beach County Housing Authority
Name (Printed or typed)

3432 West 45th St

Address

West Palm Beach, FL 33407

City, State & Zip

(561) 684-2160

Daytime Telephone number

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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**AFFIDAVIT TO THE FLORIDA SECRETARY OF STATE
TO FILE OR QUALIFY**

FL 080000006 Trust

A Florida **TRUST**

In accordance with Section 609.02 of the Florida Statutes, pertaining to
Common Law Declarations of Trust, the undersigned, the Chairman of the
Board of Trustees of Palm Beach County Housing Authority, a

(Name of Trust)

Florida

Trust hereby affirms in order to file or qualify

(State)

FL080000006

, in the State of Florida.

(Name of Trust)

1. Two or more persons are named in the Trust.

2. The principal address is 3432 West 45th St, West Palm Beach, FL 33407

3. The registered agent and street address in the State of Florida is:
John F. Flanigan, Esquire, Moyle, Flanigan, Katz, White & Doorakian, P.A.

625 North Flagler Drive, 9th Floor, West Palm Beach, FL 33401

4. Acceptance by the registered agent: Having been named as registered
agent to accept service of process for the above named Declaration of Trust
at the place designated in this affidavit, I hereby accept the appointment as
registered agent and agree to act in this capacity.


(Signature of Registered Agent)

5. I certify that the attached is a true and correct copy of the Declaration of
Trust under which the association proposes to conduct its business in
Florida.


Name: Dwight Spence

Chairman of the Board of Trustees

NOTARY

Filing Fee: \$350.00
Certified Copy: \$ 8.75 (optional)

CR2E063(3/00)

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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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) PALM BEACH COUNTY 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) STATE OF FLORIDA, 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) 11/21/1972, (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) 3/18/2009, 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)

COUNTY OF PALM BEACH

which will provide approximately (6) 200 dwelling units; and which lower income housing project will be known as:

Project No. (7) FL080000006; 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)

PALM BEACH COUNTY

To Wit: (Insert legal description for the project.)(9)

SEE ATTACHMENT "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 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 corporate seal to be hereunto affixed and attested this date (mm/dd/yyyy) 11/25/2009.

(Seal)

(1, see instructions)

By

Attest

Date (mm/dd/yyyy) 11/25/2009

Chairperson

Secretary

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

PROJECT

FL080000006

| <u>PROJECT</u> | <u>LEGAL DESCRIPTION</u> | <u># UNITS</u> | <u># ACRES</u> | <u>COUNTY</u> |
|---------------------------|---|-----------------------|-----------------------|----------------------|
| <u>FL080000006</u> | | | | |
| DYSON CIRCLE | 1-44-42, NW ¼ OF NE ¼ OF SW ¼ (LESS N 55 FT R/W) & E ½ OF NE ¼ OF NW ¼ OF SW ¼ (LESS N 55 FT R/W & E. | 134 | 14.72 | PALM BEACH |
| | PARCEL CONTROL NUMBER 00-42-44-01-00-000-7590 | | | |
| SOUTH BAY | SOUTH BAY AMENDED TR 36 (LESS 408 FT) | 66 | 7.0 | PALM BEACH |
| | PARCEL CONTROL NUMBER 58-36-44-14-15-360-0020 | | | |