



DECLARATION OF COVENANTS

_____ This Declaration of Covenants ("Declaration") is made this
__ day of _____, 20__, by _____ a District of Columbia
nonprofit corporation ("Declarant"), and the District of Columbia ("District"), a
municipal corporation acting by and through the D.C. Department of Housing and
Community Development ("DHCD").

WITNESSETH:

WHEREAS, DHCD is administering the Nonprofit Affordable Housing Developer Tax Relief program under DC Code section 47-1005.02 ("Tax Relief Program"); and

WHEREAS, Declarant is a Nonprofit Affordable Housing Developer as defined under DC Code section 47-1005.02(a)(1); and

WHEREAS, Declarant is acquiring on the day first above written the property more particularly described in Exhibit A ("Property"); and

WHEREAS, Declarant intends to develop and use all or a portion of the Property for affordable housing under applicable use restrictions during a federal low-income housing tax credit compliance period, including any extended use period, or similar federal or local program compliance period governing income and use restrictions ("Applicable Compliance Period").

NOW THEREFORE, for and in consideration of the tax relief provided by the District and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant covenants and agrees that:

1. The aforementioned recitals are incorporated by reference and made a part of this Declaration.
2. Housing to be provided on the Property shall be for households with 60% or less of the area median income as of initial occupancy for households in the District of Columbia, pursuant to the federal low-income housing tax credit program. The housing shall be owned by an organization that is not organized or operated for private gain, or that is owned by an entity controlled, directly or indirectly, by such an organization.
3. The covenants contained herein shall apply to the Declarant, its successors, heirs, executors, administrators, and assigns.

4. Declarant shall provide such information at such times and in such form as DHCD shall reasonably require in order to assure compliance with the requirements of this Declaration and the Tax Relief Program. At any time that the Declarant fails to meet the requirements of this Declaration and the Tax Relief Program, the tax relief may be terminated.
5. DCHD shall provide an appropriate release of this Declaration upon the recording of a LIHTC use restriction covenant and/ or extended use agreement.

IN WITNESS WHEREOF, Declarant has on the day and year first hereinbefore written had its corporate seal hereto attached and caused these presents to be signed with its corporate name by _____, the _____ of _____ and does hereby appoint _____ to be its attorney-in-fact, the same to acknowledge and deliver these presents as its act and deed by and on behalf of such corporation, in its capacity as the _____ of _____.

DECLARANT:

[_____] ,
 a District of Columbia non-profit
 corporation

_____(Seal)

Name: _____

Title: _____

(Corporate Seal)

ACKNOWLEDGEMENT

District of Columbia, ss:

I, _____, a Notary Public in and for the above jurisdiction, hereby certify that _____, attorney-in-fact for _____, in his capacity as the _____ of _____ in the foregoing Declaration of Covenants bearing date the ___ day of _____, 20__, personally appeared before me in said jurisdiction, and as said attorney-in-fact, acknowledged and delivered said Declaration of Covenants to be the act and deed of the Declarant.

Witness my hand and official seal this ___ day of _____, 20__.

Notary Public

[SEAL]

My Commission Expires:

IN WITNESS WHEREOF, the District of Columbia, acting by and through the Department of Housing and Community Development, does hereby appoint Mary R. (Polly) Donaldson, Director, as its true and lawful attorney-in-fact to execute, acknowledge and deliver this Declaration of Covenants as the act and deed of said District of Columbia.

DISTRICT OF COLUMBIA,
A municipal corporation, acting by
and through the DC Department of
Housing and Community
Development

Mary R. (Polly) Donaldson
Director (Seal)

ACKNOWLEDGEMENT

District of Columbia, ss:

I, _____, a Notary Public in and for the above jurisdiction, hereby certify that Mary R. (Polly) Donaldson, Director, of the Department of Housing and Community Development in the foregoing Declaration of Covenants bearing date the __ day of _____, 20__ personally appeared before me in said jurisdiction and, being personally well known to me as the person named as the Attorney-in-Fact for the said Department of Housing and Community Development, acknowledged said Declaration of Covenants to be the act and deed of the District of Columbia, and that he delivered the same as such.

Witness my hand and official seal this __ day of _____, 20__.

Notary Public

My Commission Expires
[Notarial Seal]

**EXHIBIT A
LEGAL DESCRIPTION**

[ATTACH EXHIBIT A]