



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 11/16/2023

File ID: TMP-3617

Department: Legal

Subject:

Type of Action: Approval/Action

Resolution authorizing the City Clerk to invoke south State Bank Letter of Credit No. 90558685 for the Inspiration on Green Mountain Phase VI Subdivision.

Resolution No.

Finance Information:

Account Number: NA

City Cost Amount: NA

Total Cost: NA

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location: (list below)

Address: Inspiration on Green Mountain Phase VI Subdivision

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments:

RESOLUTION NO. 23-_____

WHEREAS, South State Bank issued a certain letter of credit (No. 90558685) a copy of which is attached hereto and incorporated herein by reference, including any amendments thereto, in favor of the City of Huntsville, Alabama pursuant to Article 5 of the Subdivision Regulations for the City of Huntsville, Alabama; and

WHEREAS, the letter of credit is due to be invoked and the proceeds used in accordance with said subdivision regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the City of Huntsville City Clerk be and is hereby authorized to present for payment to South State Bank Letter of Credit No. 90558685, prior to the expiration date thereof, with the language as specified in said Letter of Credit.

ADOPTED this the 16th day of November, 2023.

President of the City Council
of the City of Huntsville,
Alabama

APPROVED this the 16th day of November, 2023.

Mayor of the City of
Huntsville, Alabama



Amendment To Irrevocable Letter of Credit 90558685

Beneficiary

City of Huntsville
P.O. Box 308
Huntsville, AL 35804
(hereinafter "City")

Applicant

Woodland Homes of Huntsville Inc
7545 Hwy 72 W
Madison AL 35758
(hereinafter "Developer")

Bank

SouthState Bank, NA
415 Meridian Street
Huntsville, AL 35801

Landscape
Re: Amendment to Article 5 ~~Sidewalk~~, Letter of Credit for INSPIRATION ON GREEN MOUNTAIN PHASE VI

Gentlemen:

We hereby amend our Irrevocable Standby Letter of Credit dated **November 23, 2020**, in your favor for the account of **Woodland Homes of Huntsville, Inc.** Effective **November 23, 2022**, to decrease the amount to \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS AND 00/100) and extend the expiration to **November 23, 2023**, available by your one or more drafts at sight on us.

The original and the amendment of this letter of credit must be presented with any drawings.

Issued By: SouthState Bank NA
415 Meridian Street
Huntsville, AL 35801

Brian Shelton, Senior Vice President

Sworn to and subscribed before me on the
23 day of *November* 2022



Carl 1-23-23
Mr 1-13-23

to 4/25/23



Amendment To Irrevocable Letter of Credit 90558685

Beneficiary

City of Huntsville
P.O. Box 308
Huntsville, AL 35804
(hereinafter "City")

Applicant

Woodland Homes of Huntsville Inc
7545 Hwy 72 W
Madison AL 35758
(hereinafter "Developer")

Bank

SouthState Bank, NA
415 Meridian Street
Huntsville, AL 35801

Landscape
Re: Amendment to Article 5 *Sidewalk*, Letter of Credit for INSPIRATION ON GREEN MOUNTAIN PHASE VI

Gentlemen:

We hereby amend our Irrevocable Standby Letter of Credit dated **November 23, 2020**, in your favor for the account of **Woodland Homes of Huntsville, Inc.** Effective **November 23, 2022**, to decrease the amount to \$15,697.20 (FIFTEEN THOUSAND SIX-HUNDRED NINETY-SEVEN DOLLARS AND 20/100) and extend the expiration to **November 23, 2023**, available by your one or more drafts at sight on us.

The original and the amendment of this letter of credit must be presented with any drawings.

Issued By: SouthState Bank NA
415 Meridian Street
Huntsville, AL 35801

Brian Shelton, Senior Vice President

Sworn to and subscribed before me on the
23 day of *NOVEMBER*, 2022



MW 12-23-22 *g/b 1/19/23*
MM 1/13/23 *AS 1-23-23*



Irrevocable Standby Letter of Credit **90558685**

Beneficiary

City of Huntsville
Clerk-Treasurer Office
P.O. Box 308
Huntsville, AL 35804
(hereinafter "City")

Applicant

Woodland Homes of Huntsville
7545 Hwy 72 West
Madison AL 35758
(hereinafter "Developer")

Bank

CenterState Bank NA
415 Meridian Street
Huntsville, AL 35801

Letter of Credit Number: 90558685

Amount: \$4,250.00

Issue Date: November 23, 2020

Expiration Date: November 23, 2022

Re: Article 5 Landscape, Letter of Credit for INSPIRATION ON GREEN MOUNTAIN PHASE VI

Gentlemen:

We hereby issue our Irrevocable Standby Letter of Credit in your favor for the account **Woodland Homes of Huntsville Inc.**, effective **November 23, 2020**, for a sum not to exceed the aggregate of **FOUR THOUSAND TWO HUNDRED FIFTY DOLLARS AND 00/100 (\$4,250.00)** dollars available by your one or more drafts at sight on us.

All draft(s) drawn under and in compliance with the terms of this Credit prior to the expiration thereof will be dually honored if drawn and presented for payment to National Bank of Commerce in Huntsville, Alabama.

Each draft must be accompanied by a statement signed by an authorized representative of the City of Huntsville, Alabama stating that the draw is being made pursuant to Article 5 of the Subdivision Regulations of the City of Huntsville, Alabama.

The original of this letter of credit must be presented with any drawings.

We hereby engage with you that draft(s) drawn under and in compliance with the terms of the credit will be duly honored upon presentation and delivery of the documents specified.

This Letter of Credit shall be governed by the laws of the State of Alabama, including but not limited to, the Alabama Uniform Commercial Code, as the same may be from time to time amended.

Issued By: CenterState Bank NA
415 Meridian Street
Huntsville, AL 35801

Sworn to and subscribed before me
on the **23** day of **November**, 2020



Brian Shelton, Senior Vice President



M 12-1-20 *JS 12/2/20*