



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 11/2/2023

File ID: TMP-3546

Department: Legal

Subject:

Type of Action: Approval/Action

Resolution authorizing the City Clerk to invoke Southern States Bank Letter of Credit No. 510014848 for Little Mountain Phase II 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: Little Mountain Subdivision.

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

Additional Comments:

RESOLUTION NO. 23-_____

WHEREAS, Southern States Bank issued a certain letter of credit (No. 510014848) 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 Southern States Bank Letter of Credit No. 510014848, prior to the expiration date thereof, with the language as specified in said Letter of Credit.

ADOPTED this the 2nd day of November, 2023.

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

APPROVED this the 2nd day of November, 2023.

Mayor of the City of
Huntsville, Alabama



IRREVOCABLE LETTER OF CREDIT # 510014848

Beneficiary:	Account Party:	Bank:
City of Huntsville P O Box 308 Huntsville, Alabama 35804	Little Mountain Development Co. LLC 5151 research Drive NW Huntsville, Alabama 35805	Southern States Bank 415 -H Church St NW Suite 100 Huntsville, Alabama 35801

Subject: Article 5 Sidewalk/Letter of Credit For
Phase II Little Mountain subdivision, Huntsville, AL

Amount: \$ 49,753.00
Issue Date: 11/19/2022
Expiration Date: 11/19/2023

Gentlemen:

We hereby open our Irrevocable Standby Letter of Credit in your favor, effective 11/19/2022, for a sum not to exceed the aggregate of \$ 49,753.00 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 duly be honored if drawn and presented for payment to Southern States Bank.

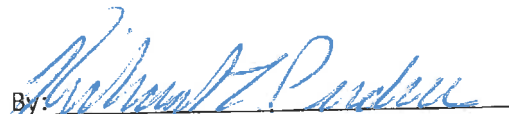
Each draft must be accompanied by a statement signed by a representative of the City of Huntsville, Alabama, stating that the draw is being made pursuant to Article 5 of the Subdivision regulations.

The original of this Letter of Credit must be presented with any drawing.

We hereby engage you with that drafts drawn under and in compliance with the terms of the credit will be duly honored upon presentation and delivery of the documents as 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.

Southern States Bank

By: 
Richard T. Perdue, Senior Vice President

Date: 11/19/2022

M 11-21-23 AS 2/21/23

M 2-24-23