



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 7/10/2025

**File ID:** TMP-5693

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Resolution authorizing the City Clerk to invoke Servis 1<sup>st</sup> Bank Letter of Credit No. 33928 for Mountain Cove 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:** Mountain Cove Subdivision

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

**Additional Comments:**

**RESOLUTION NO. 25-\_\_\_\_\_**

**WHEREAS**, Servis 1st Bank issued a certain letter of credit (No. 33928) 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 Servis 1st Bank Letter of Credit No. 33928, prior to the expiration date thereof, with the language as specified in said Letter of Credit.

**ADOPTED** this the 10th day of July, 2025.

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

**APPROVED** this the 10th day of July, 2025.

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Mayor of the City of  
Huntsville, Alabama

SERVISFIRST BANK  
Post Office Box 18127  
Huntsville, Alabama 35804  
T 256.722.7800 F 256.722.7810  
servisfirstbank.com

Copy

Mountain Cove  
Sidewalks

AUGUST 2, 2024



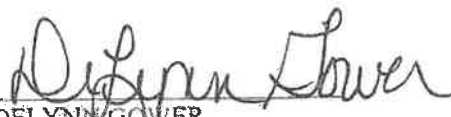
BENEFICIARY:  
CITY OF HUNTSVILLE  
P.O. BOX 308  
HUNTSVILLE, AL 35801

LETTER OF CREDIT NUMBER: 33928  
APPLICANT: BIG COVE PROPERTIES NORTH 2, L.L.C.  
EFFECTIVE DATE OF AMENDMENT: AUGUST 2, 2024  
LETTER OF CREDIT EXPIRATION DATE: JULY 22, 2025  
AMENDMENT NUMBER: 7

WE HEREBY AMEND OUR STANDBY LETTER OF CREDIT NUMBER 33928 DATED  
SEPTEMBER 8, 2017 AS FOLLOWS:

LETTER OF CREDIT EXPIRATION DATE IS HEREBY EXTENDED TO JULY 22, 2025.

ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF CREDIT REMAIN UNCHANGED.

  
DELYNN GOWER  
SENIOR VICE PRESIDENT  
SERVISFIRST BANK

MM 8/12/24 SE 8/13/24  
M 8-6-24 on 8-2-24

Mountain Cove  
Sidewalk

SERVISFIRST BANK  
Post Office Box 1508  
Birmingham, Alabama 35201-1508  
T 205.949.0302 F 205.949.0303  
Servisfirstbank.com



July 13, 2023

**BENEFICIARY:**

CITY OF HUNTSVILLE  
P.O. BOX 308  
HUNTSVILLE, AL 35801

LETTER OF CREDIT NUMBER: 33928  
APPLICANT: BIG COVE PROPERTIES NORTH 2, L.L.C.  
EFFECTIVE DATE OF AMENDMENT: JULY 13, 2023  
LETTER OF CREDIT EXPIRATION DATE: JULY 22, 2024

WE HEREBY AMEND OUR STANDBY LETTER OF CREDIT NUMBER 33928 DATED SEPTEMBER 8, 2017 AS FOLLOWS:  
LETTER OF CREDIT EXPIRATION DATE IS HEREBY EXTENDED TO JULY 22, 2024

ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF CREDIT REMAIN UNCHANGED.

ISSUER:  
SERVISFIRST BANK  
2500 WOODCREST PLACE  
BIRMINGHAM, AL 35209

A handwritten signature in dark ink, appearing to read "Delynn Gower", written over a horizontal line.

DELYNN GOWER  
SENIOR VICE PRESIDENT  
SERVISFIRST BANK

SE 8/2/23  
MM 7/28/23

MW 7-20-23  
8-1-23

SERVISFIRST BANK  
Post Office Box 18127  
Huntsville, Alabama 35804  
T 256.722.7800 F 256.722.7810  
servisfirstbank.com



**AMENDMENT TO IRREVOCABLE LETTER OF CREDIT NO. 33928**

|                      |                                  |                                |
|----------------------|----------------------------------|--------------------------------|
| Beneficiary:         | Account Party:                   | Bank:                          |
| City of Huntsville   | Big Cove Properties North 2, LLC | ServisFirst Bank               |
| P.O. Box 308         | 231 East Side Square             | 401 Meridian Street, Suite 101 |
| Huntsville, AL 35804 | Huntsville, AL 35801             | Huntsville, AL 35801           |

Subject: Article 5 Sidewalk, Letter of Credit for Mountain Cove

Amount: \$32,460.00  
Issue Date: July 22, 2022  
Expiration Date: July 22, 2023

Gentlemen:

We hereby amend our Irrevocable Standby Letter of Credit in your favor, effective July 22, 2022, for a sum not to exceed the aggregate of \$32,460.00 (Thirty-Two Thousand Four Hundred and Sixty Dollars and 00/100) 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 duly honored if drawn and presented for payment to ServisFirst Bank, 401 Meridian Street, Suite 101, Huntsville, Alabama 35801.

CM 8-4-22  
MM 7/28/22  
M 7-27-22

XB 8/8/22

SERVIS FIRST BANK  
Post Office Box 18127  
Huntsville, Alabama 35804  
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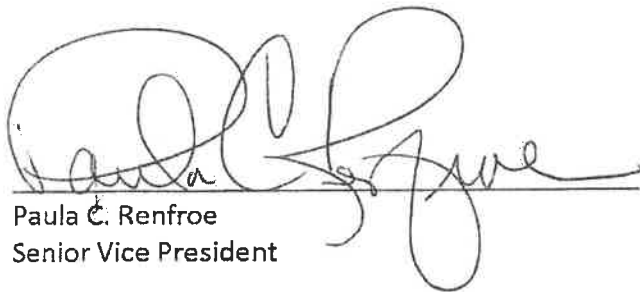


Each draft must be accompanied by a statement signed by a representative of the City of Huntsville, Alabama, stating that the draw is being made pursuant to Article 5 of the Subdivision Regulations.

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

We hereby engage with you 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 by not limited to, the Alabama Uniform Commercial Code, as the same may be from time to time amended.



Paula C. Renfroe  
Senior Vice President

SERVISFIRST BANK  
Post Office Box 18127  
Huntsville, Alabama 35804  
T 256.722.7800 F 256.722.7810  
servisfirstbank.com



**AMENDMENT TO IRREVOCABLE LETTER OF CREDIT NO. 33928**

|  |  |   |
|--|--|---|
| <u>Beneficiary:</u>  | <u>Account Party:</u>  | <u>Bank:</u>  |
| City of Huntsville<br>P.O. Box 308<br>Huntsville, AL 35804 | Big Cove Properties North 2, LLC<br>231 East Side Square<br>Huntsville, AL 35801 | ServisFirst Bank<br>401 Meridian St., Suite 100<br>Huntsville, AL 35801 |
| <u>Subject:</u>  | Article 5 Sidewalk/ Letter of Credit for<br>Mountain Cove                        |   |
| <u>Amount:</u>   | \$32,460.00  |   |
| <u>Issue Date:</u>   | July 22, 2021  |   |
| <u>Expiration Date:</u>                                    | July 22, 2022  |   |

Gentlemen:

We hereby amend our Irrevocable Standby Letter of Credit in your favor, effective July 22, 2021, for a sum not to exceed the aggregate of Thirty-Two Thousand Four Hundred and Sixty Dollars and 00/100 (\$32,460.00). 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 be duly honored if drawn and presented for payment to 401 Meridian Street, Suite 100, Huntsville, Alabama 35801.

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.

MM 8/10/21

MW 8-2-21

AB 8/10/21

mt 8-10-21

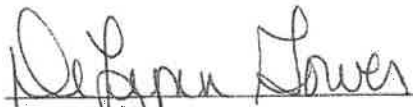
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The original of this Letter of Credit must be presented with any drawing.

We hereby engage with you 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.

  
DeLynn Gower  
Vice President