



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 9/14/2023

File ID: TMP-3358

Department: Legal

Subject:

Type of Action: Approval/Action

Resolution authorizing the City Clerk to invoke First Jackson Bank Letter of Credit No. 22107 for Guffey Properties 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: Guffey Properties Subdivision

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

Additional Comments:

RESOLUTION NO. 23-_____

WHEREAS, First Jackson Bank issued a certain letter of credit (No. 22107) 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 First Jackson Bank Letter of Credit No. 22107, prior to the expiration date thereof, with the language as specified in said Letter of Credit.

ADOPTED this the 14th day of September, 2023.

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

APPROVED this the 14th day of September, 2023.

Mayor of the City of
Huntsville, Alabama

FIRST JACKSON BANK

P.O. Box 215 • Owens Crossroads, AL 35763
308 Sutton Road • Owens Crossroads, AL 35763

IRREVOCABLE LETTER OF CREDIT #22107

BENEFICIARY: City of Huntsville
P.O. Box 308
Huntsville, AL 35804

ACCOUNT: GUFFEY PROPERTIES, LLC
200 Dandy Circle
Huntsville, AL 35811

SUBJECT: Article 5 Improvements / Pre-Acceptance Letter of Credit for Lot 2 of Guffey Properties Subdivision, a resubdivision of Lot 1 of a resubdivision of Tract C of the resubdivision of Lot 2 of Byerrin Subdivision, as recorded in instrument 20080729000489900

AMOUNT: \$30,000.00
ISSUE DATE: September 19, 2022
EXPIRATION DATE: September 19, 2023

GENTLEMEN:

We hereby open our Irrevocable Standby Letter of Credit #22107 in your favor, effective September 19, 2022, for a sum not to exceed the aggregate of Thirty Thousand and no/100 Dollars (\$30,000.00), available by your one or more drafts at SIGHT on us. All drafts drawn under and in compliance with the terms of this Credit prior to the Expiration Date thereof will be duly honored if drawn and presented for payment to: First Jackson Bank, P.O. Box 215, Owens Cross Roads, AL 35763. 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 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.

Sincerely,


Gene E. Wooden, Jr.
Vice President

MM 9/21/22 MJ 9-22-22 KB 9/24/22
and 9-22-22