



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 2/22/2024

File ID: TMP-3877

Department: Legal

Subject:

Type of Action: Approval/Action

Resolution authorizing the City Clerk to invoke FirstBank Letter of Credit No. 1750073437 for Watts Glenn 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: Watts Glenn Subdivision

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

Additional Comments:

RESOLUTION NO. 24-_____

WHEREAS, FirstBank issued a certain letter of credit (No. 1750073437) 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 FirstBank Letter of Credit No. 1750073437, prior to the expiration date thereof, with the language as specified in said Letter of Credit.

ADOPTED this the 22nd day of February, 2024.

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

APPROVED this the 22nd day of February, 2024.

Mayor of the City of
Huntsville, Alabama

2-22



Irrevocable Letter of Credit No. 1750073437

Beneficiary:

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

Account Party:

Rask, LLC
2827 Eastern Shore Drive
Owens Cross Roads, AL 35763

Bank:

FirstBank
720 Gallatin Street SW, Suite 150
Huntsville, AL 35801

Subject: Article 5/Sidewalk Letter of Credit for Watts Glenn Subdivision

Amount: \$85,000

Issue Date: March 14, 2022

Expiration Date: March 14, 2023

Gentlemen:

We hereby open our Irrevocable Standby Letter of Credit in your favor, effective March 14, 2022, for a sum of \$85,000. Available by your one or more drafts at 720 Gallatin Street SW, Suite 150, Huntsville, AL 35801 on us.

All draft(s) drawn under an in compliance with the terms of this Credit prior to the expiration thereof will be duly honored if drawn and presented for payment to FirstBank.

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 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.

The 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.

John Hubbard, Vice President

THE STATE OF ALABAMA

MADISON COUNTY

I, a Notary Public, hereby certify that John Hubbard whose name is signed to the foregoing instrument or conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this 14th day of March 2022.

Notary Public, My Commission Expires: 01/31/2024

Print Name

Allison Stark



www.FirstBankOnline.com

MM 4/4/22 MN 4-5-22 CM 4-5-22 KB 4/5/22