

[DOCUMENT NUMBER –
assigned by bank]

[BANK LEGAL ENTITY
NAME]

[BANK MAILING ADDRESS]

[BANK'S LICENSING
/REGISTRATION NUMBER]

IRREVOCABLE STANDBY LETTER OF CREDIT

[DATE]

BENEFICIARY:

CITY OF CEDAR PARK, TEXAS
450 CYPRESS CREEK ROAD, BLDG. 1
CEDAR PARK, TX 78613

FOR THE ACCOUNT OF:

[PROPERTY OWNER/APPLICANT LEGAL ENTITY NAME]
[MAILING ADDRESS]

PROJECT NAME: SD-17-00043, 430 N. Bell Blvd.

LEGAL DESCRIPTION: [LEGAL DESCRIPTION OF SUBJECT PROPERTY]

[BANK LEGAL ENTITY NAME] ("ISSUER") HEREBY ISSUES THIS
IRREVOCABLE, UNCONDITIONAL STANDBY LETTER OF CREDIT NUMBER
_____ ("LETTER OF CREDIT") IN FAVOR OF CITY OF CEDAR PARK, TEXAS
("BENEFICIARY") FOR THE ACCOUNT OF [APPLICANT LEGAL ENTITY
NAME] ("APPLICANT"), IN THE AMOUNT OF [110% OF SUBDIVISION
IMPROVEMENT COST ESTIMATE IN WORDS] U.S. DOLLARS (\$[110% OF
SUBDIVISION IMPROVEMENT COST ESTIMATE IN NUMERALS]) BY SIGHT
DRAFT DRAWN ON [BANK LEGAL ENTITY NAME].

FUNDS HEREUNDER ARE PAYABLE UPON BENEFICIARY'S PRESENTATION
OF SIGHT DRAFT (EXHIBIT A) SIGNED BY THE PUBLIC WORKS DIRECTOR OR
HIS DESIGNEE AND THE ORIGINAL OF THIS LETTER OF CREDIT, INCLUDING
ANY SUBSEQUENT AMENDMENTS.

APPLICANT SHALL HAVE NO OWNERSHIP RIGHTS IN THIS LETTER OF CREDIT, AND AT ALL TIMES THIS LETTER OF CREDIT SHALL BE FREE FROM ALL PLEDGES, SECURITY INTERESTS, LIENS, AND ENCUMBRANCES.

PAYMENT HEREUNDER SHALL BE MADE BY WIRE TRANSFER OF FEDERAL RESERVE BANK FUNDS TO BENEFICIARY'S ACCOUNT IN A BANK ON THE FEDERAL RESERVE WIRE SYSTEM SPECIFIED IN BENEFICIARY'S DEMAND FOR PAYMENT OR BY DEPOSIT WITHIN ONE (1) BUSINESS DAY OF THE DATE OF PRESENTATION.

THIS LETTER OF CREDIT SHALL INITIALLY BE EFFECTIVE UNTIL _____ PROVIDED, HOWEVER, THAT THIS LETTER OF CREDIT SHALL BE DEEMED AUTOMATICALLY EXTENDED BY ISSUER WITHOUT AMENDMENT FOR SUCCESSIVE ONE (1) YEAR PERIODS THEREAFTER, BEGINNING WITH THE INITIAL EXPIRY DATE HEREOF, UNLESS AT LEAST SIXTY (60) DAYS PRIOR TO THE RELEVANT EXPIRATION DATE ISSUER NOTIFIES BENEFICIARY BY OVERNIGHT MAIL OR BY COURIER THAT ISSUER HAS ELECTED NOT TO EXTEND THE TERM OF THIS LETTER OF CREDIT FOR AN ADDITIONAL ONE YEAR PERIOD. UPON RECEIPT BY BENEFICIARY OF SUCH NOTICE OF NO ADDITIONAL EXTENSIONS, BENEFICIARY MAY DRAW UPON THIS LETTER OF CREDIT FOR ALL AMOUNTS THEN AVAILABLE HEREUNDER AS PER EXHIBIT B. THE ADDRESS FOR SUCH NOTICE SHOULD BE 450 CYPRESS CREEK RD., BLDG 1, CEDAR PARK, TX 78613 TO THE ATTENTION OF THE CITY ATTORNEY, CITY MANAGER AND PUBLIC WORKS DIRECTOR.

PARTIAL DRAWINGS AND MULTIPLE DRAWINGS ARE PERMITTED.

THE BENEFICIARY IS NOT REQUIRED TO STATE ANY REASON ON ANY DOCUMENT FOR DRAWING ON THIS STANDBY LETTER OF CREDIT.

THIS LETTER OF CREDIT IS ISSUED BY [BANK LEGAL ENTITY NAME] IN THE STATE OF TEXAS AND ALL DEMANDS, NOTICES, AND DOCUMENTS MAY BE SUBMITTED TO ISSUER IN WRITING TO THE FOLLOWING ADDRESS:

[BANK MAILING ADDRESS]

ATTENTION: [BANK REPRESENTATIVE NAME & TITLE]

STANDBY LETTER OF CREDIT DEPT.

DRAWINGS MAY ALSO BE PRESENTED BY E-MAIL TO E-MAIL ADDRESS [EMAIL ADDRESS], UNDER TELEPHONE PRE-ADVICE TO [PHONE NUMBER], PROVIDED THAT SUCH E-MAIL PRESENTATION IS RECEIVED ON OR BEFORE THE EXPIRY DATE OF THIS LETTER OF CREDIT, IT BEING UNDERSTOOD THAT ANY SUCH E-MAIL PRESENTATION SHALL BE CONSIDERED THE SOLE OPERATIVE INSTRUMENT OF DRAWING. IN THE EVENT OF PRESENTATION BY E-MAIL, THE ORIGINAL DOCUMENTS SHOULD NOT ALSO BE PRESENTED.

ALL ISSUER CHARGES ARE FOR THE ACCOUNT OF APPLICANT.

ISSUER HEREBY ENGAGES WITH BENEFICIARY THAT DOCUMENTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS LETTER OF CREDIT WILL BE DULY HONORED UPON PRESENTATION AS SPECIFIED IF PRESENTED ON OR BEFORE THE APPLICABLE EXPIRY DATE.

BY MY SIGNATURE BELOW, I HEREBY AFFIRM THAT I AM AN AUTHORIZED REPRESENTATIVE TO BIND ISSUER.

[BANK LEGAL ENTITY NAME]

BY: _____
AUTHORIZED SIGNATURE

NAME: _____

TITLE: _____

PHONE: _____

EMAIL: _____

APPROVED AS EXHIBIT "A" TO LETTER OF
CREDIT NO.: _____
ISSUED BY: _____
_____, 20____

AT SIGHT

PAY TO THE CITY OF CEDAR PARK, TEXAS
_____, DOLLARS (\$_____) FOR
VALUE RECEIVED AND CHARGE TO ACCOUNT OF LETTER OF CREDIT NO.
_____ OF

BANK:

CITY OF CEDAR PARK, TEXAS

By: _____

Its: _____

APPROVED AS EXHIBIT "B" TO LETTER OF
CREDIT NO.: _____
ISSUED BY: _____

DRAWING CERTIFICATE

THE CITY OF CEDAR PARK, TEXAS, BENEFICIARY UNDER BANK'S LETTER
OF CREDIT _____, HEREBY REQUESTS PAYMENT FROM
_____ IN THE AGGREGATE AMOUNT OF THE ATTACHED
PAYMENT ON DEMAND SIGHT DRAFT UNDER THE ABOVE REFERENCED LETTER
OF CREDIT. PLEASE PAY SUCH AMOUNT AS PER THE FOLLOWING

INSTRUCTIONS:

PAY TO BANK:

ABA NO.:

FOR ACCOUNT OF:

ACCOUNT NO.:

REF:

BY: _____
AUTHORIZED SIGNATURE

NAME: _____

TITLE: _____