



CERTIFIED COPY OF HAYS COUNTY COMMISSIONERS' COURT MINUTES

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 16TH DAY OF JULY A.D., 2013, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH WILL CONLEY COMMISSIONER, PCT. 3 BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

29153 SUB-106 BELTERRA PHASE 4, SECTION 12B (101 LOTS) APPROVE FINAL PLAT AND ACCEPT SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$423,800.00

Roxie McInnis Development Services Manager gave staff recommendation. The preliminary plan for Belterra Phase 4 was originally approved in January 2006 as a 938 lot phase covering 812.83 acres. Section 12B covers 29.95 acres and will result in 101 lots with an average residential lot size of 0.21 acres. Water and wastewater services will be provided to all lots by Hays County Water Control and Improvement District No. 2. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve final plat and accept Surety for the Construction of street and drainage improvements, in the amount of \$423,800.00 for Belterra Phase 4, Section 12B. All present voting "Aye". MOTION PASSED**

THE STATE OF TEXAS
COUNTY OF HAYS

I, Liz Q. Gonzalez, County Clerk and Ex-Officio Clerk of the Commissioners' Court of Hays County, Texas, do hereby certify that the following contains a true and correct copy of the minutes of July 16, 2013 under Resolution #29153 in the Commissioners' Court Minutes of Hays County, Texas:
Given under my hand and seal of office at San Marcos, Texas this the 18TH day of July, 2013.



LIZ Q. GONZALEZ, COUNTY CLERK AND
EXOFFICIO CLERK OF THE HAYS
COUNTY COMMISSIONERS' COURT

BY

DEPUTY



Letters of Credit Department
1200 San Bernardo Ave.
Laredo, TX 78040
Tel: (956) 722-7611 Ext. 26442 Fax: (956) 794-8142
Email: lcdepartment@ibc.com SWIFT: IBCLUS44
Member International Bancshares Corporation-Member FDIC

IRREVOCABLE STANDBY LETTER OF CREDIT

Date: June 27, 2013

RE: Belterra Subdivision Phase 4, Section 12B
Street and Drainage

To: The Hays County Judge

Irrevocable Standby Letter of Credit: SBP702327

We hereby establish our Irrevocable Standby Letter of Credit No. SBP702327 in favor of the County of Hays in the account of MAK Foster Ranch, LP, 3809 Juniper Trace, Ste. 203, Austin, Texas 78738. This letter is effective up to the aggregate amount of \$423,800.00 (Four Hundred Twenty-Three Thousand Eight Hundred 00/100 U.S. Dollars) and will remain effective until June 27, 2014 or discharged by the County of Hays. This is authority to draw drafts for any amount, or the full amount not to exceed \$423,800.00 (Four Hundred Twenty-Three Thousand Eight Hundred 00/100 U.S. Dollars). All drafts are to be marked "Drawn under International Bank of Commerce, Letter of Credit No. SBP702327" and presented at our office located at 1200 San Bernardo Avenue, Laredo, Texas 78040, Attention: Letters of Credit Department.

This letter of credit is given as assurance that all street and drainage construction in Belterra Subdivision Phase 4, Section 12B will be completed to Hays County specifications.

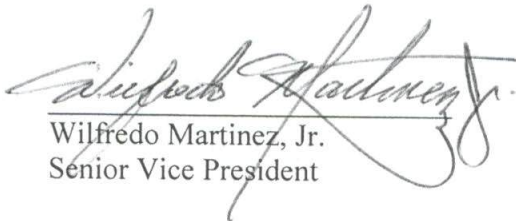
Each draft so drawn must be marked "Drawn under International Bank of Commerce, Letter of Credit No. SBP702327" and be accompanied by:

- (1) The original Letter of Credit, and
- (2) A signed statement from the Hays County Judge stating that:

"The streets and drainage improvements in Belterra Subdivision Phase 4, Section 12B were not completed as defined in the plans and specifications approved by the Hays County Commissioners' Court".

Except so far as otherwise expressly stated, this credit is subject to the "Uniform Customs and Practice for Documentary Credits (2007 Revision) International Chamber of Commerce Publication No. 600".

International Bank of Commerce


Wilfredo Martinez, Jr.
Senior Vice President

PLEASE SIGN THIS ACKNOWLEDGMENT
AND RETURN IT TO: INTERNATIONAL
BANK OF COMMERCE
P.O. DRAWER 1359
LAREDO, TX 78042-1359 U.S.A.

RECEIVED BY: 

DATE: 7/16/13

Hays County
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2013 13024064

Instrument Number: 2013-13024064

As

Recorded On: July 18, 2013

NO Fee-Recording #/Misc

Parties: BELTERRA SUB PH 4 SEC 12B

To

Number of Pages: 2

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

NO Fee-Recording #/Misc	0.00
Total Recording:	0.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2013-13024064
Receipt Number: 342883
Recorded Date/Time: July 18, 2013 12:11:31P
Book-Vol/Pg: BK-OPR VL-4696 PG-746
User / Station: O Martinez - Cashing #2

Record and Return To:

CO CLERK
ORIGINAL TO ROSE
SAN MARCOS TX 78666



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez

Liz Q. Gonzalez, County Clerk



Letters of Credit Department
1200 San Bernardo Ave.
Laredo, TX 78040
Tel: (956) 722-7611 Ext. 26442 Fax: (956) 794-8142
Email: lcdepartment@ibc.com SWIFT: IBCLUS44
Member International Bancshares Corporation-Member FDIC

Bk Vol Pg
13024064 0PR 4696 747

IRREVOCABLE STANDBY LETTER OF CREDIT

Date: June 27, 2013

RE: Belterra Subdivision Phase 4, Section 12B
Street and Drainage

To: The Hays County Judge

Irrevocable Standby Letter of Credit: SBP702327

We hereby establish our Irrevocable Standby Letter of Credit No. SBP702327 in favor of the County of Hays in the account of MAK Foster Ranch, LP, 3809 Juniper Trace, Ste. 203, Austin, Texas 78738. This letter is effective up to the aggregate amount of \$423,800.00 (Four Hundred Twenty-Three Thousand Eight Hundred 00/100 U.S. Dollars) and will remain effective until June 27, 2014 or discharged by the County of Hays. This is authority to draw drafts for any amount, or the full amount not to exceed \$423,800.00 (Four Hundred Twenty-Three Thousand Eight Hundred 00/100 U.S. Dollars). All drafts are to be marked "Drawn under International Bank of Commerce, Letter of Credit No. SBP702327" and presented at our office located at 1200 San Bernardo Avenue, Laredo, Texas 78040, Attention: Letters of Credit Department.

This letter of credit is given as assurance that all street and drainage construction in Belterra Subdivision Phase 4, Section 12B will be completed to Hays County specifications.

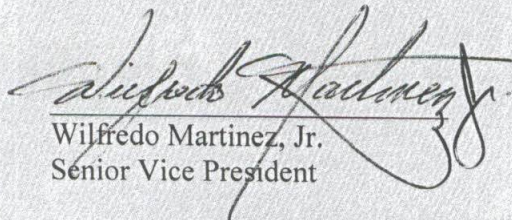
Each draft so drawn must be marked "Drawn under International Bank of Commerce, Letter of Credit No. SBP702327" and be accompanied by:

- (1) The original Letter of Credit, and
- (2) A signed statement from the Hays County Judge stating that:

"The streets and drainage improvements in Belterra Subdivision Phase 4, Section 12B were not completed as defined in the plans and specifications approved by the Hays County Commissioners' Court".

Except so far as otherwise expressly stated, this credit is subject to the "Uniform Customs and Practice for Documentary Credits (2007 Revision) International Chamber of Commerce Publication No. 600".

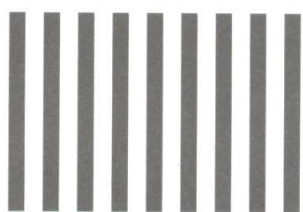
International Bank of Commerce



Wilfredo Martinez, Jr.
Senior Vice President



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO 145 LAREDO TX

POSTAGE WILL BE PAID BY ADDRESSEE

International Bank of Commerce

PO BOX 1359
LAREDO TX 78042-9951

ATTN.: LETTERS OF CREDIT DEPT.

