



**ADAMS
DAIRY
BANK**

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**IRREVOCABLE STANDBY LETTER OF CREDIT NO. 12468
September 28, 2016**

651 NE Coronado Drive
Blue Springs, MO 64014
tel: 816.655.3333
fax: 816.655.3399
www.AdamsDairyBank.com

City of Lee's Summit
Finance Department
Attn: Conrad Lamb, Finance Director
220 SE Green Street
Lee's Summit, MO 64063

Issue Date: 9-28-2016

Expiration Date: 10-06-2017

We hereby issue our IRREVOCABLE STANDBY LETTER OF CREDIT ("Letter of Credit") in your favor for the account of Choyce, LLC and/or Kevin Higdon Construction, LLC ("Obligee") for a maximum aggregate amount not exceeding Six Hundred Fifty-Five Thousand Six-Hundred Eleven and 75/100 Dollars (\$655,611.75) representing the following:

To ensure that certain improvements including but not limited to public streets, storm sewers, water and sanitary improvements required for the 2nd Plat of the Napa Valley subdivision in Lee's Summit, MO ("Project") are completed according to the Opinion of Probable Cost prepared by Warger Associates, LLC and preliminarily approved by City staff on September 28, 2016.

The City may draw upon this Letter of Credit upon written notification to the Bank that the Obligee has defaulted in its obligation to the City to construct, install and / or complete the development related Improvements required for the Project by October 6, 2017 or if the Obligee has failed to post a new Letter of Credit or other sufficient security approved by the City's Director of Finance, prior to Initial Expiration Date, securing the construction, installation and / or completion of the Improvements.

The written notification shall be on official City letterhead, signed by the City Manager, the City's Finance Director, or another authorized official of the City. The amount of the Letter of Credit shall be reduced automatically by the amount of any draw hereunder. A copy of this Letter of Credit must accompany any presented documents.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored upon the presentation and delivery of documents as specified to us at the address specified above, no later than the Initial Expiration Date.

It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year from the Initial Expiration Date hereof, unless at least 60 days prior to such date, we shall send you written notice, via certified mail, that we elect not to consider this Letter of Credit renewed for such additional one-year period.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 revision) for the International Chamber of Commerce, ICC Publication No. 500, and to the extent not inconsistent therewith the laws of the State of Missouri, including without limitation the Uniform Commercial Code in effect therein.

Adams Dairy Bank
651 NE Coronado Dr
Blue Springs, MO 64014

Duston R. Weisenborn
Vice President & Chief Credit Officer
Effective as of September 28, 2016