

**LETTER OF CREDIT**  
**PERFORMANCE FOR STORMWATER MANAGEMENT**

*(Funds must be available at a Maryland Bank or Branch Bank located within a County Contiguous to Washington County, Maryland)*

\_\_\_\_\_, 20\_\_\_\_

Board of County Commissioners of  
Washington County, Maryland  
c/o Administrative Assistant  
Division of Permits and Inspections  
747 Northern Avenue  
Hagerstown MD 21742

Dear Commissioners:

We hereby establish our Irrevocable Standby Letter of Credit No. \_\_\_\_\_ in favor of the Board of County Commissioners of Washington County, Maryland (*the Commissioners*) at the request of and for the account of \_\_\_\_\_ at \_\_\_\_\_ effective \_\_\_\_\_, 20\_\_\_\_ up to an aggregate amount of \$ \_\_\_\_\_ in U.S. dollars. Funds under this Letter of Credit are available at our office at \_\_\_\_\_, against your draft drawn at sight on us accompanied by a written certification from the Commissioners that the draft is a result of noncompliance with the guaranty to the County guaranteeing completion of work in accordance with stormwater management plans approved by the Director of Engineering of Washington County, Maryland, bearing the date \_\_\_\_\_ concerning construction of the stormwater management facility (*the SWM Facility*) identified as:

**Subdivision/Project Name/Section or Phase:** \_\_\_\_\_

**Recorded Plat No./Deed Reference:** \_\_\_\_\_

**Name, Number or Location of SWM Facility:** \_\_\_\_\_

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Your signed and dated statement as follows should accompany your draft:

The undersigned office of the Board of County Commissioners of Washington County, Maryland, hereby certifies that the amount drawn represents amounts due and owing to the Board of County Commissioners of Washington County, Maryland, because \_\_\_\_\_ has defaulted or failed to pay under the terms of the Stormwater Management Ordinance of Washington County, Maryland, the construction plans approved by the Director of Engineering of Washington County dated \_\_\_\_\_, or the terms of a Guaranty to the Board of County Commissioners of Washington County, Maryland to guarantee the completion of work for construction of stormwater management facilities for \_\_\_\_\_ in accordance with stormwater management plans approved by the Director of Engineering of Washington County, Maryland, bearing the date \_\_\_\_.

All banking charges are for the account \_\_\_\_\_.

Our obligation under this Letter of Credit shall not be affected by any circumstance, claim, or defense, real or personal, as to the enforceability of the Stormwater Management Ordinance for Washington County, Maryland or the construction plans approved by the Director of Engineering of Washington County dated \_\_\_; it being understood that our obligation shall be that of a primary obligor and not that of a surety guarantor, or accommodation maker.

Drafts and documents must be presented on or before \_\_\_\_\_. Drafts drawn under this credit must be marked "Drawn Under Irrevocable Standby Letter of Credit \_\_\_." Partial drawings are permitted.

We hereby agree with the drawers, endorsers, and bona fide holders of drafts drawn under and in compliance with the terms of this Letter of Credit that such drafts shall be duly honored on presentation and delivery of documents as specified.

This Letter of Credit sets forth in full the terms of our undertaking, and such undertaking shall not in any way be modified, amended, or amplified by reference to any document, instrument, or agreement referred to herein or in which this Letter of Credit is referred to or to which this Letter of Credit relates and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement.

This Letter of Credit is issued subject to the Uniform Customs and Practice for Documentary Credits, 2007 Revision, ICC Publication No. 600 (UCP). To the extent applicable provisions of the UCP are not in conflict, in which case applicable provisions of the UCP shall prevail, this Letter of Credit shall be governed by and construed in accordance with the laws of the United States of America and the State of Maryland including the Uniform Commercial Code as in effect in the State of Maryland.

ISSUING BANK:

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

Name of Issuing Bank: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

Approved & Accepted by:

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Director of Permits &  
Inspections/Code Official

Approved as to form legal  
sufficiency:

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County Attorney

Approved & Accepted by:

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Real Property Administrator