



# CITY OF LAREDO

## ENGINEERING DEPARTMENT

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### Subdivision Ordinance

#### Section 2-4 Performance Bonds

The City Planner shall not file or cause to be filed an approved plat for record until a written report is received from the City Attorney and City Engineer stating whether either of the following conditions have been met by the owner:

1. Construction of Improvements: All necessary improvements have been constructed. All such construction shall be inspected while in progress by his duly authorized representative. A certificate of such officer stating that the construction conforms to the specifications and standards contained in or referred herein must be presented to the Director of Planning before the recordation of the plat.
2. Security in Lieu of Construction:

**(i) Surety Bond**

The owner has filed with the City Attorney, a surety bond, payable to the City of Laredo, on a form provided by City, from a surety bonding company, licensed to do business in the State of Texas, and having a Best AAA rating. The bond shall be in the amount adequate to cover the entire cost, as estimated by the City Engineer of installing all necessary improvements and guaranteeing the installation thereof within the time estimated by the City Engineer for completion of the improvements. The adequate amount of the bond will be based on the estimated cost of the improvements on the latest date stated for installation of the same, and not on the actual date of the surety bond. A bond shall specifically state that it shall remain in full force until such improvements are made by the owner and accepted by the City of Laredo.

**(ii) Letter of Credit**

The owner has filed with City Attorney, on a form provided by the City an irrevocable letter of credit in an amount adequate to cover the entire cost, as estimated by the owner and approved by the City Engineer, of installing all necessary improvements. The adequate amount of the letter of credit will be based on the estimated cost of the improvements on the latest date stated for installation of the same, and not on the actual date of the letter of credit.

**Requirement:**

- a) Irrevocable Letter of Credit from the Bank (Original)

**(iii) Escrow Account**

The owner has placed on deposit, cash or other instrument made payable to the City of Laredo, which instrument is readily converted into cash at face value, either with the City of Laredo or in escrow with a bank. The use of any instrument other than cash and, in the case of an escrow account, the bank with which the funds are to be deposited shall be subject to the approval of the Planning Commission. The amount of the cash or other deposit shall be at least equal to the cost of the improvements as estimated by the subdivider and approved by the City Engineer of installing all required improvements on the latest date stated for installing the same, and shall not be based on the cost of installing the same on the date that the cash or other instrument is deposited with the City or the bank.

**Requirements:**

- a) Trust Agreement Executed (Original)
- b) Complete Request for Taxpayer Identification Number and Certification (Form W-9)
- c) Cashier's Check amount being equal to the cost of the improvements as estimated by the Developer and approved by the City Engineer for the construction of the specified improvements in the above project.

(iv) In the case of an escrow account, as provided in (iii) above, the owner shall file with the City Attorney an agreement between the financing bank and himself, guaranteeing the following:

(a) That the funds of said escrow account shall be held in trust until released by the City Attorney, as construction is approved by the City Engineer, and may not be used or pledged by the owner as security in any other matter during the escrow period, and,

(b) That in the case of a failure on the part of the owner to complete said improvements within the agreed time limits, then the bank shall immediately make the funds in said accounts available to the City for use in the completion of those improvements.

(v) If one of the above three (3) types of security be filed by the owner, the City Engineer shall inspect the construction of the improvements while in progress, and he shall inspect each improvement upon completion of construction. After final inspection, he shall notify the owner and the City Attorney in writing as to his acceptance or rejection of the construction. He shall reject such construction only if it fails to comply with the standards and specifications contained or referred to herein. If he rejects such construction, the City Attorney shall on direction of the Planning and Zoning Commission proceed to enforce the guarantees provided in this ordinance.

(vi) As to replats of property less than one block, the Planning and Zoning Commission shall have discretion as to the type of securities to be posted by the owner.

(vii) For properties within the floodplain and where a map revision is proposed, a surety bond, letter of credit, or escrow account as outlined in sections, i, ii, iii above, provided that said security, letter of credit, or escrow account shall be double the estimate of the drainage improvements and shall remain in effect until such time that the improvements are complete. Upon completion of improvements, a letter of credit shall be put up in the amount equivalent to the estimate of the drainage improvements until such time as the Letter of Map Revision (LOMR) is approved by the Federal Emergency Management Agency (FEMA).

**General information:**

Complete documents related to the above shall be submitted to the City of Laredo Engineering Department in order to process a plat for recordation.

The following are examples of documents to be used for reference purposes only which are required to file an approved plat for recordation.

All applicable fees related to water availability, annexation, water meter(s), park improvements, street lights, plat recordation, fire, other(s) shall be paid to the respective department including Utilities Department, Parks & Recreation Department, Traffic Safety department, Fire department, and/or Planning Department.

Should you have any other general questions please contact our office at (956) 791-7346 or visit our website for more information. [www.cityoflaredo.com/Engineering/index.html](http://www.cityoflaredo.com/Engineering/index.html)

# TRUST AGREEMENT

WHEREAS, Developer owns the land included in the proposed subdivision \_\_\_\_\_, Subdivision;

WHEREAS, City ordinance requires Developer to complete various Subdivision improvements to protect the health, safety, and general welfare of the community;

WHEREAS, this Trust Agreement is entered into by and between \_\_\_\_\_, hereinafter referred to as "Developer", acting through its duly authorized agent \_\_\_\_\_, and The City of Laredo, a municipal corporation, hereinafter referred as "City" and

WHEREAS, Developer is depositing, in cash, the sum of \_\_\_\_\_ (\$ \_\_\_\_\_);, in trust, with City and pertinent to Section 2-4(2) (iii) of the Subdivision Ordinance of the City of Laredo.

**NOW, THEREFORE, DEVELOPER AGREES AS FOLLOWS:**

1. Developer will leave a deposit, in trust, with the City the amounts described below as security for the following improvements for the following project:

**PROJECT:** \_\_\_\_\_  
**DEVELOPER:** \_\_\_\_\_  
**DATE OF PLAT APPROVAL:** \_\_\_\_\_  
**ESTIMATED COST OF IMPROVEMENTS:** \$ \_\_\_\_\_

TYPE OF IMPROVEMENTS	ESTIMATED COST
Streets	\$ _____
Lot Site Grading	\$ _____
Storm Drainage System	\$ _____
Storm Water Pollution Prevention	\$ _____
Sanitary Sewer Collection	\$ _____
Water Distribution System	\$ _____
Total Construction	\$ _____
Testing (3%)	\$ _____
Engineering (10%)	\$ _____
<b>TOTAL</b>	\$ _____

2. Developer has deposited, in trust, the sum of \_\_\_\_\_ (\$ \_\_\_\_\_) with City, in cash, said amount being equal to the cost of the improvements as estimated by the Developer and approved by the City Engineer for the construction of the specified improvements in the above project.
3. The above trust funds shall be held by the City until released at the written request of the City Attorney, after construction of the specified improvements are approved by the City Engineer.

4. Upon completion by the Developer of the specified improvements, prior to the expiration of one (1) year from the date of this agreement, said date being \_\_\_\_\_ of the \_\_\_\_\_ without interest, shall be released and paid to Developer.
5. In the event Developer fails to complete the specified improvements on or before \_\_\_\_\_, then the City shall immediately withdraw said trust funds and immediately make said funds payable to the City for use in the completion of the specified improvements, for which said funds have been placed in Trust. Any balance remaining after the completion of the specified improvements by the City, if there's any, shall be paid to the Developer.

SIGNED on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Subdivider: \_\_\_\_\_  
 Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 Phone No.: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

**STATE OF TEXAS                    §**  
**COUNTY OF WEBB                §**

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
 by \_\_\_\_\_, on \_\_\_\_\_ behalf of \_\_\_\_\_  
 \_\_\_\_\_.

\_\_\_\_\_  
 Notary Public, State of Texas  
 My Commission expires: \_\_\_\_\_

**APPROVED AS TO FORM:**

Rene C. Benavides,  
 City Attorney

By: \_\_\_\_\_  
 Assistant City Attorney

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.

<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <p><b>2</b> Business name/disregarded entity name, if different from above</p> <p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p>	<p><b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p style="font-size: small; text-align: right;">(Applies to accounts maintained outside the U.S.)</p>
<p><b>5</b> Address (number, street, and apt. or suite no.) See instructions.</p>	<p>Requester's name and address (optional)</p>
<p><b>6</b> City, state, and ZIP code</p>	
<p><b>7</b> List account number(s) here (optional)</p>	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
- - -											
or											
Employer identification number											
- - -											

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶
	Date ▶

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

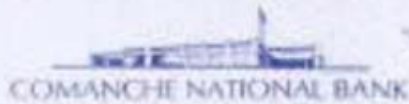
An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*



COMANCHE NATIONAL BANK  
Payable Through Comanche National Bank  
Comanche, TX  
For Inquiries call 1-888-715-6635

PAY TO THE  
ORDER OF:



REMITTER: S. F. INC.

### CASHIER'S CHECK

AN ACCOUNTY AND/OR CURETY BOND MAY BE REQUIRED  
REPLACEMENT OR REFUND OF THIS CHECK IS LOAN ONLY

229471134

780508  
0142

EXAMPLE

*William M. Twister*  
AUTHORIZED SIGNATURE  
*P. Rubenovich*  
COUNTERSIGNED

⑆ 229471134 ⑆ ⑆ 161903407⑆ 5621263001⑆