

# Collateral Assignment for Capital Facility

This Collateral Assignment ("Assignment") is made on [Date] by and between [Assignor Name], a [Type of entity] with its principal address at [Assignor Address], and [Assignee Name], a [Type of entity] with its principal address at [Assignee Address].

## 1. Recitals

WHEREAS, Assignor is the owner and/or developer of the capital facility project located at [Project Address] ("Project");

WHEREAS, Assignee has agreed to provide lending or funding to Assignor for development or completion of the Project;

## 2. Assignment

For value received, Assignor hereby assigns, transfers, and sets over to Assignee all rights, title and interest in and to the contracts, agreements, licenses, permits, plans, and other documents relating to the Project (collectively, the "Assigned Collateral"), as security for the obligations owed by the Assignor to the Assignee.

## 3. Warranties and Covenants

The Assignor warrants that:

- The Assigned Collateral is free and clear of any prior assignment, lien, or encumbrance;
- The Assignor shall, upon request, deliver to the Assignee all documents evidencing the Assigned Collateral;
- The Assignor will not take any action that would impair the value of the Assigned Collateral.

## 4. Default

Upon default by Assignor under the loan or funding agreement, Assignee shall have the right, but not the obligation, to exercise all rights, remedies, and powers with respect to the Assigned Collateral, as set forth in the applicable agreement and by law.

## 5. Governing Law

This Assignment shall be governed by and construed in accordance with the laws of the State of [State].

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Assignor: [Assignor Name]

Date: \_\_\_\_\_

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Assignee: [Assignee Name]

Date: \_\_\_\_\_

## Important Notes

- This document creates a security interest; it may need to be recorded or filed to be effective against third

parties.

- Legal counsel should review for compliance with state law and specific project requirements.
- Does not replace the need for a separate security agreement or other loan documentation.
- Parties should ensure all referenced collateral documents are clearly identified and attached.