Page 1 of B 10 (Official Form 10) (12/08) United States Bankruptcy Court PROOF OF CLAIM Case Number Name of Debor: In re Opus West Corporation, et al. 09-34356 NOTE: This form should not be used to make a claim for an administrative expense arising after the case encement of the case. A request of payment of an administrative expense may be filled our scani to 11 U.S.C. § 503. Name of Craditor (the person or other entity to whom the debter owes money or property): O Check this buy to indicate that this oking S&T Plumbing, Inc. amends a previously filed olehn. Court Claim Number: Name and address where notices should be sent: RECEIVED (If Isom) S&T Plumbing, Inc. c'o Mike Massad Filed on: OCT 02 2009 Winstead P.C. 1201 Elm Street, Suite 5400 Dallas, Texas 75270 **BMC GROUP** Tolephone Nausber. 214.745.5655 Check box if you are aware that anyone Name endaddess when payment should be seat (if different from above). else has filed a proof of claim relating to S&T Finmbing, Inc. your claim. Altach copy of statement. 804 W. Shady Greve Road giving penticulars. Irving, Texas 75060 O Check this box if you are the debter or transfer in this case. Telephone Number. 972-259-5286 Amount of Cipies Builded to Priority s342.447.15 1. Amount of Chilm as of Date Case Filesh under II U.S.C. \$507(a). If any portion of your claim falls in one of the If all or part of your claim is escured, complete Hem 4 below; however, if all of your claim is unsecured, do not complete following categories, check the box and state the amount. If all or past of your claim is entitled to priority, complete item 5. Specify the priority of the claim. 3 Check this box if claim imbules induces or other charges in addition to the principal amount of ulains. Attach itemized Domestic support obligations under 11 statement of interest or charges. Claimant reserves its right (if any) to seek pre und post-petition U.S.C. \$507(s)(i)(A) or (s)(i)(B). interest on lie claim as well as reasonable attorneys' fees. Weges, salaries, or commissions (up to \$10,950*), carried within 180 days before 2. Rasis for Chisa: Performed labor and fornished materials to improve property filling of the bankruptcy petition or (See instantion #2 on reverse side.) cessation of the debtor's business 3. Last four digits of any number by which creditor identifies debtor: 7306 (Lakepolate Crossing Project No.) whichever is codier-11 U.S.C. §507(a)(4). Debtor may have scheduled account as: (See instruction #3a on reverse ride.) Contributions to an employee benefit plan—II U.S.C. § 507(a)(5). 4. Secured Claim (See Instruction #4 on reverse side.) c. Up to \$2,423" of deposits toward Check the appropriate box if your claim is secured by a lien on property or a right of satisfi and provide the requested purchase, lease, or regial of property or services for personal, family, or household use-11 U.S.C. \$ 507(a)(7). Nature of property or right of cetoff: II Real Estate II Motor Vehicle II Other Dogerihee Taxes or penalties owed to governmental units-11 U.S.C. § 507(a)(8). Value of Property: SGreater than amount of claim Annual Interest Rate % Other-Specify applicable paragraph of 11 Amount of arrestage and other charges as of time case filed included in secured cision, U.S.C. §507(a)(__). if any: Silfechanic's and Materialogen's Lion Basis for perfection: Lien affidavits attached Amount entitled to priority: Amount of Secured Claim: \$342,447.15 Amount Tascrured: \$0.00

6. Credits: The amount of all payments on this claim; has been credited for the purpose of making this proof of claim.

7. Decrements: Attached reflected copies of any documents that support the claim, such as promissory notes, purchase ensured by the security agreement, involved, attemptor, contracts, property agreements becomes, excited You may also attach a ammary. Attach reducted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See Instruction I and definition of "reducted" on reverse side.)

DO NOT SENT ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER.

if the documents are not available, please explain:

"Amounts are subject to edjustment on 4/1/10 and every I years thereafter with respect to cases communical on or after the date of adjustment.

Date:4209 Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the cardinor or other person authorized to file this claim and stone address and sclephone number if different from the notice

eddress above. Attack copy of power of attorney, if jury. MARNEY SNOW

FOR COURT USE ONLY

SUBCONTRACT APPLICATION FOR PAYMENT

Project Nume:	Lukepoint Crossing	·	Project Nu	imber:	97306:			
Subsontractor:	S&T Plumbing	-44.	_ Date of Ap	plication				2/22/20
Supplier #:	1007779		_ Application	o Manaber :				
Address:	\$04 W. Shady Grove Road		Perind Fro	m ;	02/01/20	09 to 02/28	/ 2009	
	Irving TX 75060				·			
Phone:	972-259-5286							
Kemittence Addres	s: Opus West Construction Con	poration						
	Atin : Accounts Phyable	to the etc. while						
	15455 North Dallas Perkwi	ry, Suite 450						
CONTRACT INFO	Addison, TX 75001							
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	BY:			Marney	- O	F		
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7306.10-J110-15400.00S	Plumbling Systems - Subcontract	\$597,810,00	\$216,236.50	\$125,882,00	\$342,118.50	67.37%	\$12,588.20	
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CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT
Project: Lakepointe Crossing
Job No.: 97306
On receipt by the undersigned of a check from Opus West Construction Corp
(Maker of Check) in the sum of \$113,293.35
payable to S&T Plumbing Inc. (Amount of Check)
(Payee or Payees of Check) and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position that the undersigned has on the job of Opus West Construction Corp (Owner)
located at Lakepointe Crossing
(Job Description) to the following extent. This release covers a progress payment for all labor, services, equipment or materials furnished to the jobsite or to Opus West Construction Corp through 2/28/2009
(Person with whom undersigned contracted) (Date) only, and does not cover any retentions, pending modifications and changes or items furnished after that date. Before any recepient of this document relies on it, the person should verify evidence of payment to the undersigned. The undersigned warrants that he either has already paid or will use the
monies he receives from this payment to promptly pay in full all of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.
Feb. 22,2009 S&T Plumbing Inc. (Company Name) (Signature)
(Title)

	SUBCON	TRACTOR'S	SUBCONTRACTOR'S SUBS & SUPPLIERS LIEN RELEASE	UPPLIEF	S LIEN RE	LEASE LOG	ଜ			
SUBCONTRACTOR: S&T Plumbing, Inc.	ē.						APPL	APPLICATION NO.:	4 Feb. 22, 2009	
PROJECT NAME/NO: LakePointe Crossing 97306	sing 97306							PERIOD TO:	Feb. 28, 2009 87308.00	
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SUBCONTRACTOR NAME	DESCRIPTION OF WORK	AVLUE	WORK COMPLETED FROM: - THIS -PREVIOUS - THIS APPLICATION - FERIO (D + E)	9	E E E	TOTAL COMPLETED AND STORED TO DATE (D+6+F)	(6/0)	BALANCE TO FINISH (C-G)	RETAINAGE 0%	LIEN RELEASE RECEIVED
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T	PROJECT TOTAL	\$196,000	\$83,730	\$53,300	\$0	\$137,030	15	\$57,9	ß.	2

NOTICE: THIS IS NOT A LIEN. THIS IS ONLY AN AFFIDAVIT CLAIMING A LIEN

AMENDED AFFIDAVIT FOR MECHANIC'S AND MATERIAL MAN'S LIEN SUB-CONTRACTOR

State of Texas)	
)	Know all Men by These Presents That:
County of Dallas)	,

Marney Snow, President of S&T Plumbing, Inc., appeared personally before me, the undersigned authority, and, upon oath, deposed and stated:

"My name is Marney Snow. Lam President of S&T Plumbing, Inc., which is referred to in this affidavit as "Claimant." The mailing address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, 75060, and the physical address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, 75060. I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit and the information contained herein is true and correct.

- 1. Pursuant to a contract between Claimant and Opus West Construction Corporation, whose address is 15455 N. Dallas Parkway, Suite 450, Addison Texas 75001, said project being located at 2525 E. State Hwy. 121, Lewisville, Texas 75056 (hereinafter referred to as the "Property"), Claimant performed labor and furnished materials to improve the Property. The owner or reputed owner of the Property is Opus West L.P., whose address is 15455 N. Dallas Parkway, Suite 450, Addison, Texas 75001. The Property is legally described on Exhibit "A", which is attached hereto and made a part hereof for all purposes as if set out herein in full.
- 2. The labor and furnished materials may be generally described as the providing of plumbing equipment and supplies and the installation of such plumbing equipment and supplies. Attached hereto as Exhibit "B" is a true and correct copy of the invoices for work done at the Property by Claimant which was submitted by Claimant to Opus West Construction Corporation and the owner of the Property, Opus West L.P., on or before the date of this Affidavit, evidencing the nature and value of the work performed at the Property, which is being claimed as due and unpaid as of the date of this Affidavit.
- 3. Said labor and furnished materials were furnished by Claimant for the use and benefit of Opus West L.P., at the Property, at the special instance and request of Opus West Construction Corporation.
 - 4. Claimant is a sub-contractor for the improvements to the Property for which a lien is claimed.
- 5. After allowing all just credits and offsets, the amount of \$113,293.35 remains unpaid and is due and owing under this contract, which sum is just, reasonable and unpaid.
- 6. Claimant claims a lien on the Property, including any improvements placed thereon, to secure the payment of the above sum of \$113,293.35."
- 7. Notice of this claim was sent to the owner or reputed owner and general contractor, on the following dates and by the following methods:

Method Sent
Via CMRRR to
Opus West Construction Corporation
15455 North Dallas Parkway, Suite 450
Addison, TX 75001

Date Sent April 3, 2009

Via CMRRR to Opus West Corporation 15455 North Dallas Parkway, Suite 450 Addison, TX 75001

April 3, 2009

CLAIMANT: S&T PLUMBING, INC.

Mamay Snow Providen

Subscribed and sworn to before me on this 2 day of June 2009, by Marney Snow, in his capacity as President of S&T Plumbing, Inc.

DAWN BURKETT
Noting Public,
State of Texas
Comm. Expires 05-31-11

Notary Public State of Texas

EXHIBIT "A"

Attached to and made a part of that certain AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN, dated June 2, 2009, executed by S&T Plumbing, Inc. and claiming a lien on real property described in this Exhibit owned by Opus West Corporation.

Lands covered by this Exhibit:

WHEREAS, OPUS WEST, L.P. is the owner of all that tract of land in the City of Lewisville, Denton County, Texas, and being a part of the B.B.B. & C.R.R. SURVEY, ABSTRACT No. 180, and being a part of the J.W. JOHNSON SURVEY, ABSTRACT No. 1609, and being all of Lot 1R, Block A, and all of Lot 4, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet W, Page 7, Denton County Plat Records, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap found at the northwest corner of said Lot IR, said point being in the south line of a 31.553 acre tract of land described as Tract 4 conveyed to 80 acres Lakepointe, Ltd., as recorded in Clerk's File No. 2004-86578, Denton County Deed Records, said point also being in the east line of East Hill Park Road (a variable width right-of-way);

THENCE along the north line of said Lot 1R and the south line of said Tract 4 as follows: Northeasterly, 656.80 feet along a curve to the left having a central angle of 28 degrees 56 minutes 51 seconds, a radius of 1300.00 feet, a tangent of 335.57 feet, and whose chord bears North 75 degrees 24 minutes 37 seconds East, 649.83 feet to a one-half inch iron rod with cap found for corner;

North 60 degrees 56 minutes 11 seconds East, at 464.78 feet passing a one-half inch iron rod with cap found at the northeast corner of said Lot 1R, said point also being the northwest corner of said Lot 4, in all a total distance of 845.43 feet to a one-half inch iron rod with cap found in the north line of said Lot 4;

THENCE along the north line of said Lot 4 and the south line of said Tract 4 as follows: Northeasterly, 358.94 feet along a curve to the left having a central angle of 10 degrees 16 minutes 58 seconds, a radius of 2000.00 feet, a tangent of 179.95 feet, and whose chord bears North 55 degrees 47 minutes 42 seconds East, 358.46 feet to a one-half inch iron rod with cap found for corner;

North 50 degrees 39 minutes 13 seconds East, 217.81 feet to a railroad spike found at the southeast corner of said Tract 4, said point being in the southwest line of Leora Lane (a 80 foot right-of-way);

THENCE Southeasterly, 155.47 feet along the southwest line of Leora Lane following a curve to the left having a central angle of 08 degrees 33 minutes 56 seconds, a radius of 1040.00 feet, a tangent of 77.88 feet, and whose chord bears South 82 degrees 42 minutes 08 seconds East, 155.33 feet to a one-half inch iron rod found at the northeast corner of said Lot 4, said point being the northwest corner of Lot 2, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet V, Page 234, Denton County Plat Records;

THENCE South 29 degrees 12 minutes 55 seconds East, 1182.95 feet to a one-half inch iron rod with cap found at the southeast corner of said Lot 4, said point being the southwest corner of said Lot 2, said point also being in the north line of State Highway 121 (a variable width right-of-way);

THENCE along the south line of said Lot 4 and the north line of State Highway 121 as follows: South 60 degrees 47 minutes 06 seconds West, 696.87 feet to a one-half inch iron rod set for corner; South 64 degrees 13 minutes 29 seconds West, 200.00 feet to a one-half inch iron rod set for corner; South 60 degrees 47 minutes 06 seconds West, 180.50 feet to an "X" in concrete set for corner, said point being the southwest corner of said Lot 4, said point also being the southeast corner of Lot 3, Block A, of said Crossroads Centre North Addition;

THENCE North 29 degrees 12 minutes 54 seconds West, 416.00 feet along the west line of said Lot 4 and the east line of said Lot 3 to an "X" in concrete found at the northeast corner of said Lot 3, said point being the southeast corner of said Lot 1R;

THENCE along the south line of said Lot 1R and the north line of said Lot 3 as follows: South 60 degrees 47 minutes 06 seconds West, 978.76 feet to an "X" in concrete found for corner; South 19 degrees 05 minutes 03 seconds West, 120.03 feet to an "X" in concrete found at the most southerly southeast corner of said Lot 1R, said point being the most westerly northwest corner of said Lot 3, said point also being in the north line of East Hill Park Road;

THENCE along the north line of East Hill Park Road and the south line of said Lot 1R as follows: Northwesterly, 415.23 feet along a curve to the left having a central angle of 04 degrees 03 minutes 24 seconds, a radius of 5864.58 feet, a tangent of 207.70 feet, and whose chord bears North 72 degrees 56 minutes 53 seconds West, 415.14 feet to a one-half inch iron rod with cap found for corner;

North 15 degrees 01 minutes 25 seconds East, 10.00 feet to a one-half inch iron rod with cap found for corner;

Northwesterly, 123.54 feet along a curve to the left having a central angle of 01 degrees 12 minutes 18 seconds, a radius of 5874.58 feet, a tangent of 61.77 feet, and whose chord bears North 75 degrees 34 minutes 44 seconds West, 123.53 fee to a one-half inch iron rod with cap found for corner;

North 28 degrees 15 minutes 19 seconds West, 26.67 feet to a one-half inch iron rod with cap found at the southwest corner of said Lot 1R, said point being in the east line of East Hill Park Road;

THENCE along the west line of said Lot 1R and the east line of East Hill Park Road as follows: North 00 degrees 23 minutes 35 seconds East, 357.66 feet to an "X" in concrete found for corner; Northeasterly, 17.54 feet along a curve to the right having a central angle of 25 degrees 07 minutes 16 seconds, a radius of 40.00 feet, a tangent of 8.91 feet, and whose chord bears North 77 degrees 48 minutes 20 seconds East, 17.40 feet to an "X" in concrete found for corner; South 89 degrees 38 minutes 02 seconds East, 16.02 feet to an "X" in concrete found for corner; North 00 degrees 46 minutes 20 seconds West, 35.43 feet to an "X" in concrete found for corner; Northwesterly, 150.55 feet along a curve to the left having a central angle of 143 degrees 45 minutes 49 seconds, a radius of 60.00 feet, a tangent of 183.37 feet, and whose chord bears North 16 degrees 02 minutes 52 seconds West, 114.05 feet to a one-half inch iron rod with cap found for corner; North 00 degrees 23 minutes 35 seconds East, 189.58 feet to the POINT OF BEGINNING and containing 2,373,271 square feet or 54.483 acres of land.

SUBCONTRACT APPLICATION FOR PAYMENT

Project Name: 1	akepoint Crossing		Project Num	ber:	97306			
Subcontractor:	S&T Plumbing		Date of Appli	ication				1/20/2009
Supplier #:	1007779	and the state of t	Application !	Vumber:				3
Address:	804 W. Shady Grove Road		Period From	i	12/01/2000	3 to 01/31/2	2009	<u> </u>
	Irving, TX 75060	·	_					511
	972-259-5286	<u> </u>				•		
Remittance Address	: Opus West Construction Corp	ocration						
7	Attn : Accounts Payable							
	15455 North Dallas Parkway	, Suite 450						
	Addison, TX 75001							
CONTRACT INFO	RMATION					· · · · · · · · · · · · · · · · · · ·		
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D Less Previous Billi	ngs (previous reg's line C)		\$ 165,362,8	5				
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G Current Gross Am	ount Completed This Period	·-	\$ 32,500.0	0				
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	DATE:			<u> </u>				1/20/2009
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97306.10-J110-15400.00S	Plumbing Systems - Subcontract	\$507,810.00	\$183,736,50	\$32,500.00	\$216,236.50	42.58%	\$3,250.00	\$29,250,00
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., .,	TOTAL	\$507,810.00	\$183,736,50	\$32,500.00	\$216,236.50	100.00%	\$3,250.00	\$29,250.00
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payable to	S&T Plumbing Inc.	(Amount of Check) Payees of Check)	
bank on which it Mechanic's Lien, any s any claim for payr	t is drawn, this do state or federal statutory b nent and any rights ment rights for persons in	rly endorsed and has been paid cument becomes effective to releat and right, any private bond right, under any similar ordinance, rule or the undersigned's position that Opus West Construction Con (Owner)	statute
located at		Lakepointe Crossing	
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monies he receive laborers subcontracte	es from this payme ors, materialmen and sup	r has already paid or will use the int to promptly pay in full all opliers for all work, materials, to the above referenced project up	of his
Jan. 20, 2009)	S&T Plumbing Inc. (Company Name)	
(Date			

SUBCONTRACTOR'S SUBS & SUPPLIERS LIEN RELEASE LOG

APPLICATION NO.
APPLICATION DATE
PERIOD TO.
PROJECT NO.

3 Jan. 20, 2009 Jan. 31, 2009 97306.00

SUBCONTRACTOR: SAT Plumbing, Inc. CONTRACT DATE: CONTRACT AMOUNT: 507,610.00 PROJECT NAME/NO: LekePointe Crossing 97308

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\$6	<u>.</u>	\$55,770	46.89%	\$49,230					Plumbing supplies	Arlington Pipe
30	9	\$35,500	38.33%	\$34,500		\$6,500	\$28,000	\$90,000	Plumbing supplies	Ferguson
NAGE RELEASE RECEIVED	RETAINAGE	BALANCE TO FINISH (C-G)	% (G/C)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	MATERIALS PRESENTLY STORED (NOT IN D OR E)	HERICO PERICO	JUED FROM PREVIOUS THIS JE APPLICATION PERIOD (0+E)	SCHEOULED VALUE	DESCRIPTION OF WORK	SUBCONTRACTOR NAME:
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NOTICE: THIS IS NOT A LIEN. THIS IS ONLY AN AFFIDAVIT CLAIMING A LIEN

AMENDED AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN SUB-CONTRACTOR

State of Texas)	
)	Know all Men by These Presents That:
County of Dallas).	

Marney Snow, President of S&T Plumbing, Inc., appeared personally before me, the undersigned authority, and, upon oath, deposed and stated:

"My name is Marney Snow. I am President of S&T Plumbing, Inc., which is referred to in this affidavit as "Claimant." The mailing address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, 75060, and the physical address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, 75060. I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit and the information contained herein is true and correct.

- 1. Pursuant to a contract between Claimant and Opus West Construction Corporation, whose address is 15455 N. Dallas Parkway, Suite 450, Addison Texas 75001, said project being located at 2525 E. State Hwy. 121, Lewisville, Texas 75056 (hereinafter referred to as the "Property"), Claimant performed labor and furnished materials to improve the Property. The owner or reputed owner of the Property is Opus West L.P., whose address is 15455 N. Dallas Parkway, Suite 450, Addison, Texas 75001. The Property is legally described on Exhibit "A", which is attached hereto and made a part hereof for all purposes as if set out herein in full.
- 2. The labor and furnished materials may be generally described as the providing of plumbing equipment and supplies and the installation of such plumbing equipment and supplies. Attached hereto as Exhibit "B" is a true and correct copy of the invoices for work done at the Property by Claimant which was submitted by Claimant to Opus West Construction Corporation and the owner of the Property, Opus West L.P., on or before the date of this Affidavit, evidencing the nature and value of the work performed at the Property, which is being claimed as due and unpaid as of the date of this Affidavit.
- 3. Said labor and furnished materials were furnished by Claimant for the use and benefit of Opus West L.P., at the Property, at the special instance and request of Opus West Construction Corporation.
 - 4. Claimant is a sub-contractor for the improvements to the Property for which a lien is claimed.
- 5. After allowing all just credits and offsets, the amount of \$29,250.00 remains unpaid and is due and owing under this contract, which sum is just reasonable and unpaid.
- 6. Claimant claims a lien on the Property, including any improvements placed thereon, to secure the payment of the above sum of \$29250.00."
- 7. Notice of this claim was sent to the owner or reputed owner and general contractor, on the following dates and by the following methods:

Method Sent
Via CMRRR to
Opus West Construction Corporation
15455 North Dallas Parkway, Suite 450

Via CMRRR to Opus West Corporation 15455 North Dallas Parkway, Suite 450 Addison, TX 75001

Addison, TX 75001

April 3, 2009

CLAIMANT: S&T PLUMBING, INC.

Marney Snow President

Subscribed and sworn to before me on this 2 day of June 2009, by Marney Snow, in his capacity as President of S&T Plumbing, Inc.

DAWN BURKETT

Notary Public,
State of Texas

Comm. Expires 05-31-11

Notary Public State of Texas

After recording return to: Cole Halliburton 17304 Preston Road, Suite 965 Dallas Texas, 75252

EXHIBIT "A"

Attached to and made a part of that certain AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN, dated June 2, 2009, executed by S&T Plumbing, Inc. and claiming a lien on real property described in this Exhibit owned by Opus West Corporation.

Lands covered by this Exhibit:

WHEREAS, OPUS WEST, L.P. is the owner of all that tract of land in the City of Lewisville, Denton County, Texas, and being a part of the B.B.B. & C.R.R. SURVEY, ABSTRACT No. 180, and being a part of the J.W. JOHNSON SURVEY, ABSTRACT No. 1609, and being all of Lot 1R, Block A, and all of Lot 4, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet W, Page 7, Denton County Plat Records, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap found at the northwest corner of said Lot 1R, said point being in the south line of a 31.553 acre tract of land described as Tract 4 conveyed to 80 acres Lakepointe, Ltd., as recorded in Clerk's File No. 2004-86578, Denton County Deed Records, said point also being in the east line of East Hill Park Road (a variable width right-of-way);

THENCE along the north line of said Lot 1R and the south line of said Tract 4 as follows: Northeasterly, 656.80 feet along a curve to the left having a central angle of 28 degrees 56 minutes: 51 seconds, a radius of 1300.00 feet, a tangent of 335.57 feet, and whose chord bears North 75 degrees 24 minutes 37 seconds East, 649.83 feet to a one-half inch iron rod with cap found for corner;

North 60 degrees 56 minutes 11 seconds East, at 464.78 feet passing a one-half inch iron rod with cap found at the northeast corner of said Lot 1R, said point also being the northwest corner of said Lot 4, in all a total distance of 845.43 feet to a one-half inch iron rod with cap found in the north line of said Lot 4;

THENCE along the north line of said Lot 4 and the south line of said Tract 4 as follows:

Northeasterly, 358.94 feet along a curve to the left having a central angle of 10 degrees 16 minutes
58 seconds, a radius of 2000.00 feet, a tangent of 179.95 feet, and whose chord bears North 55
degrees 47 minutes 42 seconds East, 358.46 feet to a one-half inch iron rod with cap found for
corner:

North 50 degrees 39 minutes 13 seconds East, 217.81 feet to a railroad spike found at the southeast corner of said Tract 4, said point being in the southwest line of Leona Lane (a 80 foot right-of-way);

THENCE Southeasterly, 155.47 feet along the southwest line of Leora Lane following a curve to the left having a central angle of 08 degrees 33 minutes 56 seconds, a radius of 1040.00 feet, a tangent of 77.88 feet, and whose chord bears South 82 degrees 42 minutes 08 seconds East, 155.33 feet to a one-half inch iron rod found at the northeast corner of said Lot 4, said point being the northwest corner of Lot 2, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet V, Page 234, Denton County Plat Records;

Page 15 of

THENCE South 29 degrees 12 minutes 55 seconds East, 1182.95 feet to a one-half inch iron rod with cap found at the southeast corner of said Lot 4, said point being the southwest corner of said Lot 2, said point also being in the north line of State Highway 121 (a variable width right-of-way);

THENCE along the south line of said Lot 4 and the north line of State Highway 121 as follows: South 60 degrees 47 minutes 06 seconds West, 696.87 feet to a one-half inch iron rod set for corner; South 64 degrees 13 minutes 29 seconds West, 200.00 feet to a one-half inch iron rod set for corner; South 60 degrees 47 minutes 06 seconds West, 180.50 feet to an "X" in concrete set for corner, said point being the southwest corner of said Lot 4, said point also being the southeast corner of Lot 3, Block A, of said Crossroads Centre North Addition:

THENCE North 29 degrees 12 minutes 54 seconds West, 416.00 feet along the west line of said Lot 4 and the east line of said Lot 3 to an "X" in concrete found at the northeast corner of said Lot 3, said point being the southeast corner of said Lot 1R;

THENCE along the south line of said Lot 1R and the north line of said Lot 3 as follows: South 60 degrees 47 minutes 06 seconds West, 978.76 feet to an "X" in concrete found for corner; South 19 degrees 05 minutes 03 seconds West, 120.03 feet to an "X" in concrete found at the most southerly southeast corner of said Lot 1R, said point being the most westerly northwest corner of said Lot 3, said point also being in the north line of East Hill Park Road;

THENCE along the north line of East Hill Park Road and the south line of said Lot 1R as follows: Northwesterly, 415.23 feet along a curve to the left having a central angle of 04 degrees 03 minutes 24 seconds, a radius of 5864.58 feet, a tangent of 207.70 feet, and whose chord bears North 72 degrees 56 minutes 53 seconds West, 415.14 feet to a one-half inch iron rod with cap found for corner;

North 15 degrees 01 minutes 25 seconds East, 10.00 feet to a one-half inch iron rod with cap found for corner;

Northwesterly, 123.54 feet along a curve to the left having a central angle of 01 degrees 12 minutes 18 seconds, a radius of 5874.58 feet, a tangent of 61.77 feet, and whose chord bears North 75 degrees 34 minutes 44 seconds West, 123.53 fee to a one-half inch iron rod with cap found for corner;

North 28 degrees 15 minutes 19 seconds West, 26.67 feet to a one-half inch iron rod with cap found at the southwest corner of said Lot 1R, said point being in the east line of East Hill Park Road;

THENCE along the west line of said Lot 1R and the east line of East Hill Park Road as follows: North 00 degrees 23 minutes 35 seconds East, 357.66 feet to an "X" in concrete found for corner; Northeasterly, 17.54 feet along a curve to the right having a central angle of 25 degrees 07 minutes 16 seconds, a radius of 40.00 feet, a tangent of 8.91 feet, and whose chord bears North 77 degrees 48 minutes 20 seconds East, 17.40 feet to an "X" in concrete found for corner; South 89 degrees 38 minutes 02 seconds East, 16.02 feet to an "X" in concrete found for corner; North 00 degrees 46 minutes 20 seconds West, 35.43 feet to an "X" in concrete found for corner; Northwesterly, 150.55 feet along a curve to the left having a central angle of 143 degrees 45 minutes 49 seconds, a radius of 60.00 feet, a tangent of 183.37 feet, and whose chord bears North 16 degrees 02 minutes 52 seconds West, 114.05 feet to a one-half inch iron rod with cap found for corner; North 00 degrees 23 minutes 35 seconds East, 189.58 feet to the POINT OF BEGINNING and containing 2,373,271 square feet or 54.483 acres of land.

Case 09-34356-hdh11 Claim 16-1 Filed 09/15/09 Desc Main Document Page 17 of 30 SUBCONTRACT APPLICATION FOR PAYMENT

Application Number: 77 Application Number: 77 Application Number: 974 Irving, TX 75060 Irving, TX	Project Name:	Lakepoint Crossing		Project Num	ber :	97306			
Period Frem :	Subcontractor:	S&T Plumbing		Date of Appli	leation				4/20/2009
Indiana Transport Transp	Supplier #:	1007779		Application I	Number:	···· · · · ·			7
hone : 972-259-2286 tentifiace Address : Opus West Construction Corporation	Address :	804 W. Shady Grove Road		Period From	1.	04/01/2009	thru 04/30	/2009	
Resilitance Address: Opus West Construction Corporation		Irving TX 75060		-					•.
Atin ! Accounts Payable 15455 North Delitae Parkway, Suite 450 Addissar, 17x 175001. ONTRACT INFORMATION ITEM SALES TAX(5) (fapplicable) TOTAL(5) S507,810.00 PUS APPROVED CHANGE ORDER THRU # 4 ONTRACT AMOUNT ONTRACT AMOUNT TO DATE TOTAL S507,810.00 PUS APPROVED CHANGE ORDER THRU # 4 ONTRACT AMOUNT TO DATE TOTAL S507,810.00 Total Completed & Stored to Date S507,810.00 Less Reclausge 10 ½ Total Earned Less Reclausge 10 ½ Total Earned Less Reclausge (4 - 10) S 507,810.00 Less Previous Billings (previous reg's line C) S 457,029.00 S 50,781.00 Current Gross Amount Completed This Period S0,781.00 RETAINAGE SUBCONTRACTOR: SAT Plumbing Sapplier #: 1007779 BY: DATE: Sapplier #: 1007779 BY: DATE: 4/20/2009 PPLICATION BREAKDOWN HIS SECTION MUST BE COMPLETE IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OBUS Account Code Description Amount Application This Period Complete Complete Application Net Payment Account Code Description Amount S507,810.00 S50,781.00 S50,781.00 S50,781.00 S06.66-1110-13400.005 Phambing Systems - Subcontract S507,810.00 S50,781.00	Phone:								
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Case 09-34356-hdh11 Claim 16-1 Filed 09/15/09 Desc Main Document Page 18 of 30 SUBCONTRACT APPLICATION FOR PAYMENT

Project Name : L	akepoint Crossing		Project Name	er:	97306			
Subcontractor:	S&T Plumbing		Date of Appli	cation	W.			4/20/2009
Supplier#:	1007779		Application N					6
Address :	804 W. Shady Grove Road		Period From		04/01/2009	thru 04/30	/2009	
The state of the s	Irving, TX 75060							
	972-259-5286		-					
	Opus West Construction Corp	oration	-					
•	Attn : Accounts Payable	•						
	15455 North Dalles Parkway	Suite 450						
	Addison, TX 75001	•						
CONTRACT INFOR	MATION							
	ITEM		SALES	TAX(\$) (if ap	plicable)		TOTAL(S)	
ORIGINAL CONTRA	CT AMOUNT							\$507,810.00
OPUS APPROVED C	HANGE ORDER THRU#	4					Tank Jane Herry	·
CONTRACT AMOUN	IT TO DATE TOTAL							\$507,810.00
APPLICATION INFO	<u>ORMATION</u>							
A Total Completed &	Stored to Date		\$ 507.810.0	0				
B Less Retainage	10 %		\$ 50,781.0	0				
C Total Earned Less	Retainage (A - B)					\$ 457,029.0	0	
D Less Previous Billing	igs (previous req's line C)		\$ 429,736,50	<u> </u>				
E Corrent Payment D	ne (C - D)					\$ 27,292.5	O	
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G Current Gross Ame	ount Completed This Period	·	\$ 30.525.00	0	······································			
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	TOTAL	\$507,810.00	\$477,485.00	\$30,325.00	\$507,810.00	100.00%	\$3,032.50	\$27,292.50
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CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT
Project: Lakepointe Crossing
Job No.: 97366
On receipt by the undersigned of a check from Opus West Construction Corp (Maker of Check)
in the sum of \$27,292.50
(Amount of Check) payable to S&T Plumbing Inc.
(Payee or Payees of Check) and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position that the undersigned has on the job of Opus West Construction Corp
located at Lakepointe Crossing (Job Description)
to the following extent. This release covers a progress payment for all labor, services, equipment or materials furnished to the jobsite or to Opus West Construction Corp through 4/30/2009
(Person with whom undersigned contracted) (Date) only, and does not cover any retentions, pending modifications and changes or items furnished after that date. Before any recepient of this document relies on it, the person should verify evidence of payment to the undersigned.
The undersigned warrants that he either has already paid or will use the monies he receives from this payment to promptly pay in full all of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.
April 20, 2009 S&T Plumbing Inc. (Company Name) (Signature)
Melhies. (Title)

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NOTICE: THIS IS NOT A LIEN. THIS IS ONLY AN AFFIDAVIT CLAIMING A LIEN

AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN CONTRACTOR

State of Texas)	
)	Know all Men by These Presents That:
County of Dallas	.)	

Marney Snow, President of S&T Plumbing, Inc., appeared personally before me, the undersigned authority, and, upon eath, deposed and stated:

"My name is Marney Snow. I am President of S&T Plumbing, Inc., which is referred to in this affidavit as "Claimant." The mailing address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, 75050, and the physical address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, 75060. I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit and the information contained herein is true and correct.

- 1. Pursuant to a contract between Claimant and Opus West Construction Corporation, whose address is 15455 N. Dallas Parkway, Suite 450, Addison Texas 75001, said project being located at 2525 E. State Hwy. 121, Lewisville, Texas 75056 (hereinafter referred to as the "Property"), Claimant performed labor and furnished materials to improve the Property. The owner or reputed owner of the Property is Opus West L.P., whose address is 15455 N. Dallas Parkway, Suite 450, Addison, Texas 75001. The Property is legally described on Exhibit "A", which is attached hereto and made a part hereof for all purposes as if set out herein in full.
- 2. The labor and furnished materials may be generally described as the providing of plumbing equipment and supplies and the installation of such plumbing equipment and supplies. Attached hereto as Exhibit "B" is a true and correct copy of the invoices for work done at the Property by Claimant which was submitted by Claimant to Opus West Construction Corporation and the owner of the Property, Opus West L.P., on or before the date of this Affidavit, evidencing the nature and value of the work performed at the Property, which is being claimed as due and unpaid as of the date of this Affidavit:
- 3. Said labor and furnished materials were furnished by Claimant for the use and benefit of Opus West L.P., at the Property, at the special instance and request of Opus West Construction Corporation.
 - 4. Claimant is a contractor for the improvements to the Property for which a lien is claimed.
- 5. After allowing all just credits and offsets, the amount of \$78,073.50 remains unpaid and is due and owing under this contract, which sum is just, reasonable and unpaid.
- 6. Claimant claims a lien on the Property, including any improvements placed thereon, to secure the payment of the above sum of \$78,073.50."

CLAIMANT: S&T PLUMBING, INC.

Marney Snow, Presider

Subscribed and sworn to before me on this ____ day of May 2009, by Marney Snow, in his capacity as President of S&T Plumbing, Inc.

EXHIBIT "A"

Attached to and made a part of that certain AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN, dated May , 2009, executed by S&T Plumbing, Inc. and claiming a lien on real property described in this Exhibit owned by Opus West Corporation.

Lands covered by this Exhibit:

WHEREAS, OPUS WEST, L.P. is the owner of all that tract of land in the City of Lewisville, Denton County, Texas, and being a part of the B.B.B. & C.R.R. SURVEY, ABSTRACT No. 180, and being a part of the J.W. JOHNSON SURVEY, ABSTRACT No. 1609, and being all of Lot 1R, Block A, and all of Lot 4, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet W, Page 7, Denton County Plat Records, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap found at the northwest corner of said Lot 1R, said point being in the south line of a 31.553 acre tract of land described as Tract 4 conveyed to 80 acres Lakepointe, Ltd., as recorded in Clerk's File No. 2004-86578, Denton County Deed Records, said point also being in the east line of East Hill Park Road (a variable width right-of-way);

THENCE along the north line of said Lot 1R and the south line of said Tract 4 as follows: Northeasterly, 656.80 feet along a curve to the left having a central angle of 28 degrees 56 minutes 51 seconds, a radius of 1300.00 feet, a tangent of 335.57 feet, and whose chord bears North 75 degrees 24 minutes 37 seconds East, 649.83 feet to a one-half inch iron rod with cap found for corner;

North 60 degrees 56 minutes 11 seconds East, at 464.78 feet passing a one-half inch iron rod with cap found at the northeast corner of said Lot 1R, said point also being the northwest corner of said Lot 4, in all a total distance of 845.43 feet to a one-half inch iron rod with cap found in the north line of said Lot 4;

THENCE along the north line of said Lot 4 and the south line of said Tract 4 as follows: Northeasterly, 358.94 feet along a curve to the left having a central angle of 10 degrees 16 minutes 58 seconds, a radius of 2000.00 feet, a tangent of 179.95 feet, and whose chord bears North 55 degrees 47 minutes 42 seconds East, 358.46 feet to a one-half inch iron rod with cap found for corner;

North 50 degrees 39 minutes 13 seconds East, 217.81 feet to a railroad spike found at the southeast corner of said Tract 4, said point being in the southwest line of Leora Lane (a 80 foot right-of-way);

THENCE Southeasterly, 155.47 feet along the southwest line of Leora Lane following a curve to the left having a central angle of 08 degrees 33 minutes 56 seconds, a radius of 1040.00 feet, a tangent of 77.88 feet, and whose chord bears South 82 degrees 42 minutes 08 seconds East, 155.33 feet to a one-half inch iron rod found at the northeast corner of said Lot 4, said point being the northwest corner of Lot 2, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet V, Page 234, Denton County Plat Records;

THENCE South 29 degrees 12 minutes 55 seconds East, 1182.95 feet to a one-half inch iron rod with cap found at the southeast corner of said Lot 4, said point being the southwest corner of said

Lot 2, said point also being in the north line of State Highway 121 (a variable width right-of-way);

THENCE along the south line of said Lot 4 and the north line of State Highway 121 as follows: South 60 degrees 47 minutes 06 seconds West, 696.87 feet to a one-half inch iron rod set for corner; South 64 degrees 13 minutes 29 seconds West, 200.00 feet to a one-half inch iron rod set for corner; South 60 degrees 47 minutes 06 seconds West, 180.50 feet to an "X" in concrete set for corner, said point being the southwest corner of said Lot 4, said point also being the southeast corner of Lot 3, Block A, of said Crossroads Centre North Addition;

THENCE North 29 degrees 12 minutes 54 seconds West, 416.00 feet along the west line of said Lot 4 and the east line of said Lot 3 to an "X" in concrete found at the northeast corner of said Lot 3, said point being the southeast corner of said Lot IR;

THENCE along the south line of said Lot 1R and the north line of said Lot 3 as follows: South 60 degrees 47 minutes 06 seconds West, 978.76 feet to an "X" in concrete found for corner; South 19 degrees 05 minutes 03 seconds West, 120.03 feet to an "X" in concrete found at the most southerly southeast corner of said Lot 1R, said point being the most westerly northwest corner of said Lot 3, said point also being in the north line of East Hill Park Road;

THENCE along the north line of East Hill Park Road and the south line of said Lot 1R as follows: Northwesterly, 415.23 feet along a curve to the left having a central angle of 04 degrees 03 minutes 24 seconds, a radius of 5864.58 feet, a tangent of 207.70 feet, and whose chord bears North 72 degrees 56 minutes 53 seconds West, 415.14 feet to a one-half inch iron rod with cap found for corner;

North 15 degrees 01 minutes 25 seconds East, 10.00 feet to a one-half inch iron rod with cap found for corner;

Northwesterly, 123.54 feet along a curve to the left having a central angle of 01 degrees 12 minutes 18 seconds, a radius of 5874.58 feet, a tangent of 61.77 feet, and whose chord bears North 75 degrees 34 minutes 44 seconds West, 123.53 fee to a one-half inch iron rod with cap found for corner,

North 28 degrees 15 minutes 19 seconds West, 26.67 feet to a one-half inch iron rod with cap found at the southwest corner of said Lot 1R, said point being in the east line of East Hill Park Road;

THENCE along the west line of said Lot 1R and the east line of East Hill Park Road as follows:
North 00 degrees 23 minutes 35 seconds East, 357.66 feet to an "X" in concrete found for corner;
Northeasterly, 17.54 feet along a curve to the right having a central angle of 25 degrees 07 minutes
16 seconds, a radius of 40.00 feet, a tangent of 8.91 feet, and whose chord bears North 77 degrees
48 minutes 20 seconds East, 17.40 feet to an "X" in concrete found for corner;
South 89 degrees 38 minutes 02 seconds East, 16.02 feet to an "X" in concrete found for corner;
North 00 degrees 46 minutes 20 seconds West, 35.43 feet to an "X" in concrete found for corner;
Northwesterly, 150.55 feet along a curve to the left having a central angle of 143 degrees 45 minutes
49 seconds, a radius of 60.00 feet, a tangent of 183.37 feet, and whose chord bears North 16 degrees
02 minutes 52 seconds West, 114.05 feet to a one-half inch iron rod with cap found for corner;
North 00 degrees 23 minutes 35 seconds East, 189.58 feet to the POINT OF BEGINNING and containing 2,373,271 square feet or 54.483 acres of land.

Case 09-34356-hdh11 Claim 16-1 Filed 09/15/09 Desc Main Document Page 24 of 30 SUBCONTRACT APPLICATION FOR PAYMENT

Project Name:	Lakepoint Crossing		Project Num	ber :	97306			
Subcontractor:	S&T Plumbing		Date of Appl	ication				3/20/200
Supplier # :	100 <u>7779</u>		Application	Number :				
Address:	804 W. Shady Grove Road		Period From		03/01/200	9 to 03/31/	2009	
	Irving, TX 75060		-					
Phone:	972-259-5286							
Remittance Addres	ss: Opus West Construction Corp	oration						
	Attn: Accounts Payable							
	15455 North Dallas Parkway	y, Suite 450						
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CONTRACT INFO			7					
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C Total Earned Less Retainage (A - B)						\$ 429,736.	i <u>o</u>	
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in the sum of \$121,830.30			
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NOTICE: THIS IS NOT A LIEN. THIS IS ONLY AN AFFIDAVIT CLAIMING A LIEN

AMENDED AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN SUB-CONTRACTOR

State of Texas)	.: .: .:
County of Dallas)	Know all Men by These Presents That:

Marney Snow, President of S&T Plumbing, Inc., appeared personally before me, the undersigned authority, and, upon oath, deposed and stated:

"My name is Marney Snow. I am President of S&T Plumbing, Inc., which is referred to in this affidavit as "Claimant." The mailing address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, 75060, and the physical address of S&T Plumbing, Inc. is 804 West Shady Grove, Irving, Texas, have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit and the information contained herein is true and correct.

- 1. Pursuant to a contract between Claimant and Opus West Construction Corporation, whose address is 15455 N. Dallas Parkway, Suite 450, Addison Texas 75001, said project being located at 2525 E. State Hwy. 121, Lewisville, Texas 75056 (hereinafter referred to as the "Property"), Claimant performed labor and furnished materials to improve the Property. The owner or reputed owner of the Property is Opus West L.P., whose address is 15455 N. Dallas Parkway, Suite 450, Addison, Texas 75001. The Property is legally described on Exhibit "A", which is attached hereto and made a part hereof for all purposes as if set out herein in full.
- 2. The labor and furnished materials may be generally described as the providing of plumbing equipment and supplies and the installation of such plumbing equipment and supplies. Attached hereto as Exhibit "B" is a true and correct copy of the invoices for work done at the Property by Claimant which was submitted by Claimant to Opus West Construction Corporation and the owner of the Property, Opus West L.P., on or before the date of this Affidavit, evidencing the nature and value of the work performed at the Property, which is being claimed as due and unpaid as of the date of this Affidavit.
- 3. Said labor and furnished materials were furnished by Claimant for the use and benefit of Opus West L.P., at the Property, at the special instance and request of Opus West Construction Corporation.
 - 4. Claimant is a sub-contractor for the improvements to the Property for which a lien is claimed.
- 5. After allowing all just credits and offsets, the amount of \$121,830.30 remains unpaid and is due and owing under this contract, which sum is just, reasonable and unpaid.
- 6. Claimant claims a lien on the Property, including any improvements placed thereon, to secure the payment of the above sum of \$121,830.30."
- 7. Notice of this claim was sent to the owner or reputed owner and general contractor, on the following dates and by the following methods:

Method Sent Via CMRRR to Opus West Construction Corporation 15455 North Dallas Parkway, Suite 450 Addison, TX 75001

Date Sent April 27, 2009

Via CMRRR to
Opus West Corporation
15455 North Dallas Parkway, Suite 450
Addison, TX 75001

April 27, 2009

CLAIMANT: S&T PLUMBING, INC.

By: Marney Snow Presiden

Subscribed and sworn to before me on this 2 day of June 2009, by Marney Snow, in his capacity as President of S&T Plumbing, Inc.

DAWN BURKETT

Noting Public,
State of Toxice
Comm. Expires 05-31-11

Notary Public State of Texas

After recording return to: Cole Halliburton 17304 Preston Road, Suite 965 Dallas Texas, 75252

EXHIBIT "A"

Attached to and made a part of that certain AFFIDAVIT FOR MECHANIC'S AND MATERIAL MAN'S LIEN, dated June 2, 2009, executed by S&T Plumbing, Inc. and claiming a lien on real property described in this Exhibit owned by Opus West Corporation.

Lands covered by this Exhibit:

WHEREAS, OPUS WEST, L.P. is the owner of all that tract of land in the City of Lewisville, Denton County, Texas, and being a part of the B.B.B. & C.R.R. SURVEY, ABSTRACT No. 180, and being a part of the J.W. JOHNSON SURVEY, ABSTRACT No. 1609, and being all of Lot 1R, Block A, and all of Lot 4, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet W, Page 7, Denton County Plat Records, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap found at the northwest corner of said Lot 1R, said point being in the south line of a 31.553 acre tract of land described as Tract 4 conveyed to 80 acres Lakepointe, Ltd., as recorded in Clerk's File No. 2004-86578, Denton County Deed Records, said point also being in the east line of East Hill Park Road (a variable width right-of-way);

THENCE along the north line of said Lot 1R and the south line of said Tract 4 as follows: Northeasterly, 656.80 feet along a curve to the left having a central angle of 28 degrees 56 minutes 51 seconds, a radius of 1300.00 feet, a tangent of 335.57 feet, and whose chord bears North 75 degrees 24 minutes 37 seconds East, 649.83 feet to a one-half inch iron rod with cap found for corner;

North 60 degrees 56 minutes 11 seconds East, at 464.78 feet passing a one-half inch iron rod with cap found at the northeast corner of said Lot 1R, said point also being the northwest corner of said Lot 4, in all a total distance of 845.43 feet to a one-half inch iron rod with cap found in the north line of said Lot 4;

THENCE along the north line of said Lot 4 and the south line of said Tract 4 as follows:
Northeasterly, 358.94 feet along a curve to the left having a central angle of 10 degrees 16 minutes
58 seconds, a radius of 2000.00 feet, a tangent of 179.95 feet, and whose chord bears North 55
degrees 47 minutes 42 seconds East, 358.46 feet to a one-half inch iron rod with cap found for
corner;

North 50 degrees 39 minutes 13 seconds East, 217.81 feet to a railroad spike found at the southeast corner of said Tract 4, said point being in the southwest line of Leora Lane (a 80 foot right-of-way);

THENCE Southeasterly, 155.47 feet along the southwest line of Leora Lane following a curve to the left having a central angle of 08 degrees 33 minutes 56 seconds, a radius of 1040.00 feet, a tangent of 77.88 feet, and whose chord bears South 82 degrees 42 minutes 08 seconds East, 155.33 feet to a one-half inch iron rod found at the northeast corner of said Lot 4, said point being the northwest corner of Lot 2, Block A, Crossroads Centre North, an addition to the City of Lewisville as recorded in Cabinet V, Page 234, Denton County Plat Records;

THENCE South 29 degrees 12 minutes 55 seconds East, 1182.95 feet to a one-half inch iron rod with cap found at the southeast corner of said Lot 4, said point being the southwest corner of said

Lot 2, said point also being in the north line of State Highway 121 (a variable width right-of-way);

THENCE along the south line of said Lot 4 and the north line of State Highway 121 as follows: South 60 degrees 47 minutes 06 seconds West, 696.87 feet to a one-half inch iron rod set for corner; South 64 degrees 13 minutes 29 seconds West, 200.00 feet to a one-half inch iron rod set for corner; South 60 degrees 47 minutes 06 seconds West, 180.50 feet to an "X" in concrete set for corner, said point being the southwest corner of said Lot 4, said point also being the southeast corner of Lot 3, Block A, of said Crossroads Centre North Addition;

THENCE North 29 degrees 12 minutes 54 seconds West, 416.00 feet along the west line of said Lot 4 and the east line of said Lot 3 to an "X" in concrete found at the northeast corner of said Lot 3, said point being the southeast corner of said Lot 1R;

THENCE along the south line of said Lot 1R and the north line of said Lot 3 as follows: South 60 degrees 47 minutes 06 seconds West, 978.76 feet to an "X" in concrete found for corner; South 19 degrees 05 minutes 03 seconds West, 120.03 feet to an "X" in concrete found at the most southerly southeast corner of said Lot 1R, said point being the most westerly northwest corner of said Lot 3, said point also being in the north line of East Hill Park Road;

THENCE along the north line of East Hill Park Road and the south line of said Lot 1R as follows: Northwesterly, 415.23 feet along a curve to the left having a central angle of 04 degrees 03 minutes 24 seconds, a radius of 5864.58 feet, a tangent of 207.70 feet, and whose chord bears North 72 degrees 56 minutes 53 seconds West, 415.14 feet to a one-half inch iron rod with cap found for corner;

North 15 degrees 01 minutes 25 seconds East, 10.00 feet to a one-half inch iron rod with cap found for corner;

Northwesterly, 123.54 feet along a curve to the left having a central angle of 01 degrees 12 minutes 18 seconds, a radius of 5874.58 feet, a tangent of 61.77 feet, and whose chord bears North 75 degrees 34 minutes 44 seconds West, 123.53 fee to a one-half inch iron rod with cap found for corner;

North 28 degrees 15 minutes 19 seconds West, 26.67 feet to a one-half inch iron rod with cap found at the southwest corner of said Lot 1R, said point being in the east line of East Hill Park Road;

THENCE along the west line of said Lot 1R and the east line of East Hill Park Road as follows: North 00 degrees 23 minutes 35 seconds East, 357.66 feet to an "X" in concrete found for corner; Northeasterly, 17.54 feet along a curve to the right having a central angle of 25 degrees 07 minutes 16 seconds, a radius of 40.00 feet, a tangent of 8.91 feet, and whose chord bears North 77 degrees 48 minutes 20 seconds East, 17.40 feet to an "X" in concrete found for corner; South 89 degrees 38 minutes 02 seconds East, 16.02 feet to an "X" in concrete found for corner; North 00 degrees 46 minutes 20 seconds West, 35.43 feet to an "X" in concrete found for corner; Northwesterly, 150.55 feet along a curve to the left having a central angle of 143 degrees 45 minutes 49 seconds, a radius of 60.00 feet, a tangent of 183.37 feet, and whose chord bears North 16 degrees 02 minutes 52 seconds West, 114.05 feet to a one-half inch iron rod with cap found for corner; North 00 degrees 23 minutes 35 seconds East, 189.58 feet to the POINT OF BEGINNING and containing 2,373,271 square feet or 54.483 acres of land.

Northern District of Texas Claims Register

09-34356-hdh11 Opus West Corporation

Judge: Harlin DeWayne Hale

Chapter: 11

Office: Dallas

Last Date to file claims: 11/09/2009

Trustee:

Last Date to file (Govt):

Creditor: (12642291)S&T Plumbing, Inc. c/o Michael P. Massad, Jr. Winstead P.C.

Dallas, Texas 75270

Claim No: 16 Original Filed Date: 09/15/2009

Status: Filed by: CR Entered by: Massad, Michael

1201 Elm Street, Suite 5400

Original Entered Date: 09/15/2009 Modified:

Secured claimed: \$342447.15 Total claimed: \$342447.15

History:

Details

16-1 09/15/2009 Claim #16 filed by S&T Plumbing, Inc., total amount claimed: \$342447.15

(Massad, Michael)

Description: (16-1) Mechanic's and Materialmen's Lien

Remarks:

Claims Register Summary