UNITED STATES BANKRUPTCY COURT Northern District of Texas		PROOF OF CLAIM
Name of Debtor: Opus West Construction Corporation (5917)	Case Numbe 09-34356	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of administrative expense may be filed pursuant to 11 U.S.C. § 503.	the case. A r	equest for payment of an
Name of Creditor (the person or other entity to whom the debtor owes money or property): Clean Scapes, LP  Name and address where notices should be sent: Clean Scapes, LP  PO Box 203070  Austin, Texas 78720  NOV 0 3 2009	claim am claim.	s box to indicate that this ends a previously filed
Telephone number: (512) 448-1094  BMC GROUP	Filed on:	
Name and address where payment should be sent (if different from above):  . Telephone number:	anyone el relating to statement	s box if you are aware that se has filed a proof of claim your claim. Attach copy of giving particulars. s box if you are the debtor
1. Amount of Claim as of Date Case Filed: \$ 38,449.84		in this case. of Claim Entitled to
If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.	Priority any port	under 11 U.S.C. §507(a). If ion of your claim falls in he following categories, box and state the
Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		oriority of the claim.
2. Basis for Claim: Services performed		§507(a)(1)(A) or (a)(1)(B).
(See instruction #2 on reverse side.)  3. Last four digits of any number by which creditor identifies debtor:  3a. Debtor may have scheduled account as: (See instruction #3a on reverse side.)  4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested	to \$10,95 before fil petition of business,	alaries, or commissions (up 10*) carned within 180 days ing of the bankruptcy or cessation of the debtor's whichever is carlier – 11 507 (a)(4).
information.  Nature of property or right of setoff:	plan − 11  Up to \$2, purchase, or service	ions to an employee benefit U.S.C. §507 (a)(5).  425* of deposits toward lease, or rental of property s for personal, family, or thuse – 11 U.S.C. §507
if any: \$ Basis for perfection:  Amount of Secured Claim: \$ Amount Unsecured: \$	☐ Taxes or	penalties owed to intal units – 11 U.S.C. §507
<ol> <li>Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.</li> <li>Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)</li> </ol>	of 11 U.S	pecify applicable paragraph S.C. §507 (a)().  nt entitled to priority:
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:	4/1/10 and e	e subject to adjustment on very 3 years thereafter with ses commenced on or after djustment.
Date: 11/02/2009  Signature: The person filing this claim must sign it. Sign and print name and title, it any, of the crother person authorized to file this claim and state address and telephone number of different from the address above. Attach copy of power of attorney, if any.  Ivan Giraldo, President	editor or	OPUS WEST 00352

Clean Scapes LP PO Box 203070 Austin,TX 78720--307

Phone: (512)-448-1094 Fax: (512)-448-9590

Customer: OPUSADD

Opus West Construction Corp.

Attention: Rachel Cash Gilley

ATTN: Accounts Payable

**STATEMENT** 

15455 N. Dallas Parkway

As Of: 11/2/09

Page: 1

Addison

TX 75001

**Invoice Date** Invoice No **Due Date** Description **Amount Due** 2/24/2009 12959 3/26/2009 Shiro's - HCG Opus \$12,697.00 3/24/2009 13432 4/23/2009 Shiro's - HCG Opus \$8,003.00 4/14/2009 13873 5/14/2009 Hill Country Galleria \$975.84 4/22/2009 13913 5/22/2009 Shiro's - HCG Opus \$16,774.00

0 - 30 days 31 - 60 days 61 - 90 days 90 + days Retainage Srv. Chrg. Total \$38,449.84 \$3,747.40 \$0.00 \$0.00 \$0.00 \$34,702.44 \$0.00

**OPUS** 

HCG Pad 3 / 97337.44 2901 /Pad 2 - Irrigation

Clean Scapes, Inc. / George Lindenberg

Contact Phone: 512-205-6171 / Contact Fax: 512-448-9590

Payment Terms: Standard Retainage: 10%

### SUBCONTRACT AGREEMENT (Labor and Materials)

This Subcontract Agreement ("Subcontract") is made as of this 30th day of January, 2009, by and between Opus West Construction Corporation ("Contractor"), with its office located at 15455 N. Dallas Parkway, Addison, TX 75001, and Clean Scapes, Inc. ("Subcontractor") with its office located at 12130 Pecan St., Austin, TX 78727.

Contractor and Subcontractor agree as follows:

- 1. Subcontract Documents. The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A."
- Project Contractor is providing construction-related materials and services, as applicable, to Owner (defined below) in connection with the project generally described as HCG Pad 3
  ("Project"), located at 4005 FM 620 S, Bee Cave, TX 78738 ("Project Site"), and consisting of the total work provided by Contractor under contract documents between Owner and
  Contractor.
- 3. Owner. The Owner of the Project is Hill Country Galleria, LP ("Owner").
- 4. Architect/Engineer. The Architect(s)/Engineer(s) of record for the Project are:

Civil Engineer:

Garrett-Ihnen Civil Engineers Inc

Architect of Record:

Opus Architects & Engineers, Inc.

- 5. Scope of Work Subcontractor's scope of work for the Project is described in the attached Rider "A" and is defined therein as the Work
- 6. Schedule. Time is of the essence. Accordingly, all time limits and requirements for completion set forth in the Subcontract Documents, including any intermediate milestones (collectively referred to in the Contract Documents as the "Schedule"), are of the essence of this Subcontract. Subcontract or shall begin its Work as soon as the Project is ready for the Work or within three (3) calendar days after being notified orally or in writing to proceed by Contractor. The Substantial Completion of the Work (defined in the General Conditions of Subcontract) shall be achieved as required by job progress, so as to allow the entire Project to be substantially completed on or before 10/24/2007. Subcontractor shall conform to all progress and schedule requirements of the Subcontract Documents and as directed by Contractor's project manager or superintendent, and must achieve the milestones (if any) as described in the attached Rider "A".
- 7. Subcontract Sum. Contractor shall pay Subcontract the sum of \$ 12,697.00 ("Subcontract Sum"). The Subcontract Sum includes freight and delivery charges and all applicable state and local taxes including sales and use tax, and if required by law, these taxes must be separately stated on any payment applications, invoices or similar documents delivered by Subcontractor to Contractor for completion of the Work in accordance with the terms and conditions of the Subcontract Documents. A breakdown of the components of the Subcontract Sum is set forth in the attached Rider "A."
- 8. Riders. The following Riders are attached to and made a part of this Subcontract:

1.

- 8.1 Rider A (Scope of Work)
- 8.2 Rider B (Indemnification)
- 8.3 Rider C (Insurance)

Contractor and Subcontractor sign as follows:	
Approved by Contractor's project manager James Vehoe	GUIDGONTEN GTOD
CONTRACTOR	SUBCONTRACTOR
Opus West/Construction Corporation	Clean Scapes, Inc.
By:	By:
Paul Lembke	Tevraelindenbera
(Print Name)	(Print Name)
Vice President of Construction, Texas	Principal
(Title) 21209	(Title) 2/11/09
(Date)	(Date)



Hill Country Galleria / 973/37

02901, 02902, 03120, 02815 /Landscape, Irrigation, Re-Irrigation, Hardscape and Water Features

Clean Scapes, Inc. / George Lindenberg

Contact Phone # 512-206-6171

Contact Fax # 512-448-9590

Payment Terms: Standard

### SUBCONTRACT AGREEMENT (Labor and Materials)

This Subcontract Agreement ("Subcontract") is made as of this 15th day of November, 2006, by and between Opus West Construction Corporation ("Contractor"), with its office located at 15455 N. Dallas Parkway - Suite 450, Addison, TX 75001, and Clean Scapes, Inc. ("Subcontractor") with its office located at 12130 Pecan St., Austin, TX 78727.

Contractor and Subcontractor agree as follows:

- Subcontract Documents. The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A".
- Contractor is providing design and construction-related services to Owner (defined below) in connection with the project generally described as Hill Country Galleria ("Project"), located at 4005 FM 620 S, Bee Cave, TX 78738 ("Project Site"), and consisting of the total work provided by Contractor under contract documents between Owner and Contractor.
- Owner. The Owner of the Project is Hill Country Galleria, LP ("Owner").
- Architect/Engineer. The architect and engineers ("Architect/Engineer") of record for the Project are:

Architect of Records

Opus Architects & Engineers, Inc.

Civil Engineer:

Garrett-Ihnen

- Subcontractor's scope of work for the Project is described in Paragraph I of the attached Rider "A" and is defined therein as the Scope of Work.
- Schedule. Time is of the essence. Accordingly, all time limits and requirements for completion set forth in the Subcontract Documents, including any intermediate milestones (collectively referred to in the Subcontract Documents as the "Schedule"), are of the essence of this Subcontract. Subcontractor shall begin its Work as soon as the Project is ready for the Work or within three (3) calendar days after being notified orally or in writing to proceed by Contractor. The Substantial Completion of the Work (defined in the General Conditions of Subcontract) shall be achieved as required by job progress, so as to allow the entire Project to be substantially completed on or before 09/12/2007. Subcontractor shall conform to all progress and schedule requirements of the Subcontract Documents and as directed by Contractor's project manager, and must achieve the milestones (if any) as described in the attached Rider "A".
- Contractor shall pay Subcontractor the sum of \$ 6,447,507.00 ("Subcontract Sum"). The Subcontract Sum includes freight and delivery charges and all applicable state and local taxes including sales and use tax, and if required by law, these taxes must be separately stated on any payment applications, invoices or similar documents delivered by Subcontractor to Contractor for completion of the Work in accordance with the terms and conditions of the Subcontract Documents. A breakdown of the components of the Subcontract Sum is set forth in the attached Rider "A".
- Riders. The following Riders are attached to and made a part of this Subcontract:
  - 8.1 Rider A (Scope of Work)
  - 8.2 Rider B (Indemnification)
  - 8.3 Rider C (Insurance)

Contractor and Subcontractor sign as follows: Approved by Contractor's project manage Paul Lembke

CONTRACTOR
OPUS West Construction Comporation

Fritche

Vice President Construction

SUBCONTRACTOR

By:

isiness Development



Printed On: 02/09/2009

### SUBCONTRACTOR APPLICATION FOR PAYMENT

<b>~</b>					97337			
Project Name:	Hill Country Galleria		Project I	Number: Application:	2/2	1109		
Subcontractor:	Clean Scapes, Inc.			sphira		11 V - J -		
Supplier #:	1022530				ì			
Address:	12130 Pecan St.			ion Number:	2/1/09	Period	T- 3/2	2/09
	Austin, TX 78727		Period F	rom:	व्यक्त	Perina	10: <u>0.4 //</u>	of U.f.
Phone :	512-206-6171							
Remittance Address :	Opus West Construction Corpor	ation						
	Attn: Accounts Payable							
	15455 N. Dallas Parkway							
	Addison, TX 75001							
CONTRACT INFORM				en ee	-A.F\	T.	OTAL (S)	
	ITEM			TAX (S)fif applic	able)		\$12,697.00	
ORIGINAL CONTRAC			177	7.85				
OPUS APPROVED CH	ANGE ORDER # 1 thru # CONTRACT AMOUNT TO DATE	TOTAL	ના કાર	04.85		<del></del>	\$12,697.00	
		. 101111	1 11 2	<u> </u>		<u> </u>		•
APPLICATION INFO			121	697.00				
A Total Completed			- 1 ×	49.70	<del></del>			
B Less Retainage			\$ <del>!   24</del>	W. 10	<del>-</del> .	11.157	20	
C Total Earned less	Retainage (A - B)				\$,	11,427 11,427	.30	
D Less Previous Bill	ings (previous req's line C)		sO	.00	<del></del>			
E Current Payment	Due (C - D)				\$_	11,427	1.30_	
	Plus Retainage (H - A + B)		s 1, 3	169.70	_			
			./2.	697.00			•	
G Current Gross Au	nount Completed This Period	Clean	Scapes, Mc.	<u> </u>		Suns	plier#: 102253	0
	SUBCONTRACTO	R: Clean	scapes, gic.	(		- Duly	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	· · · · · · · · · · · · · · · · · · ·
	BY:		/ \_	<u> </u>				
	DATE:		2/24/	09				·
APPLICATION BREA	KDOWN		, ,	•				
	BE COMPLETED IN ORDER FOR T	HIS PAYMENT TO	BE PROCESSED	BY OPUS	•			
			Work Co					
A	The section	CurrentContract	From		Total Work	Percent	Retainage This	Net Payment
Account Code	Description	Amount	Previous	This Period	Complete	Complete	Application	
			Application				<u></u>	
				13 . 6	1+0	A/H	1	G-K
97337.44-B40-02901.00-S	Landscaping - Subcontract	\$12,697.00	0.00		12,647.00	100%	1,264.70	11,4,7.30
	Total	\$12,697.00	0.00	12,697.00	12.697.00	100%	1,269.70 K	11,427.3
		Н	I	<u> </u>	L	<u> </u>	! <u>``</u>	~
Entered By :			Approve	d By:				
Entered by .	Accounting	Date	-		Project	Manager		Date
	•				•	-		
SHADED AREA FOR OF	PUS ACCOUNTING USE ONLY		······································					
Vendor ID		Vendor Inv:#		Deu	<b>e</b>	- // · G/	L Exp	
<b>用形式的一个人的</b>	Participation (Section Views)	(2017) 全国的基础	CAN PROPERTY.	A PART SAFETY	2000年1月1日 · 1000年1月1日		NAS SALATION PLANS	至1945年1945年

AIA Type Document
Application and Certification for Payment

Page 1 of 2

	rights of the Owner or Contractor under this Contract.		0.00	MET CHANGES by Change Older
nt are without prejudice	named herein. Issuance, Payment and acceptance of payment are without prejudice to any		000	NET CHANCES by Chance Order
is payable only to the C	This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor	0.00	0.00	TOTALS
	by.	0.00	0.00	Total approved this Month
:	ARCHITECT:	0.00	0.00	Total changes approved in previous months by Owner
t applied for Initial all fig o conform to the amoun	(Attach explanation if amount certified differs from the amount applied for Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)	DEDUCTIONS	ADDITIONS	CHANGE ORDER SUMMARY
\$	AMOUNT CERTIFIED	9.70	\$ 1,269.70	(Line 3 less Line 6)
	AMOUNT CERTIFIED.		ETAINAGE	9 RAI ANCE TO FINISH INCI LIDING BETAINAGE
tractor is entitled to payr	is in accordance with the Contract Documents, and the Contractor is entitled to payment of the	11,427.30		8. CURRENT PAYMENT DUE
te observations and the that to the best of the /s indicated the quality of	In Accordance with the Contract Documents, based on on-site observations and the data com- prising the above application, the Architect certifies to owner that to the best of the Architect's knowledge information and belief the Work has progressed as indicated the quality of the work	0.00	R PAYMENT	7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)
<b>PAYMENT</b>	ARCHITECT'S CERTIFICATE FOR PAYMENT	11,427.30		6. I CIAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)
	My Commission Expires: 4-12-05	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
•	Notary Public: STANIN Just	1,269.70		Total retainage (Line 5a + 5b)
Day of Felor WHIM 20 09	Subscribed and Sworn to before me this	0.00	€	b. 0.00% of Stored Material
	County of: Travis	3.70	\$ 1,269.70	a. 10.00 % of Completed Work
-	acongethology through			5. RETAINAGE:
16: A)24/09	By: Date:	12,697.00	TO DATE \$	4. TOTAL COMPLETED AND STORED TO DATE
		12,697.00	2)\$	3. CONTRACT SUM TO DATE (Line 1 + 2)
April 12, 2009	CONTRACTOR: Clean Scapes LP	0.00		2. Net Change by Change Orders
My Commission Expires	current payment snowminerein is now one.	12,697.00		1. ORIGINAL CONTRACT SUM
t of the Contractor's knowledge, information ayment has been completed in accordance the period by Contractor for Work for which ay parts, received from the owner, and man	to the bes	TN	Connection with	CONTRACTOR'S APPLICATION FOR PAYMI Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Type Document is attached.
	CONTRACT DATE: 1/30/2009			CONTRACT FOR: 20240 - InC
ı	ARCHITECT'S PROJECT NO:	VIA (ARCHITECT):	P 0-3070	FROM (CONTRACTOR): Clean Scapes LP PO Box 203070 Austin, TX 78720-3070
DISTRIBUTION TO: OWNER ARCHITECT CONTRACTOR	APPLICATION NO: 1 PERIOD TO:2/28/2009	PROJECT: Shiro's - HCG Opus 4005 FM 620 S Bee Cave, TX 78738	orp.	TO (OWNER): Opus West Construction Corp. ATTN: Accounts Payable 15455 N. Dallas Parkway Addison, TX 75001

### **Application and Certification for Payment** AIA Type Document

Page 2 of 2

OWNER
ARCHITECT
CONTRACTOR

DISTRIBUTION TO:

TO (OWNER): Opus West Construction Corp. ATTN: Accounts Payable 15455 N. Dallas Parkway Addison, TX 75001 FROM (CONTRACTOR): Clean Scapes LP
PO Box 203070
Austin, TX 78720-3070 VIA (ARCHITECT): PROJECT: Shiro's - HCG Opus 4005 FM 620 S Bee Cave, TX 78738 PERIOD TO: 2/28/2009 **APPLICATION NO: 1** 

ARCHITECT'S PROJECT NO:

CONTRACT FOR: 20240 - InC

CONTRACT DATE: 1/30/2009

	Ν	_	ITEM
REPORT TOTALS	Irrigation	Design	DESCRIPTION
\$12,697.00	8,697.00	4,000.00	SCHEDULE VALUE
\$0.00	0.00	0.00	PREVIOUS APPLICATIONS
\$12,697.00	8,697.00	4,000.00	COMPLETED THIS PERIOD
\$0.00	0.00	0.00	STORED MATERIAL
\$12,697.00	8,697.00	4,000.00	COMPLETED
100.00	100.00	100.00	%
\$0.00	0.00	0.00	BALANCE
\$1,269.70	869.70	400.00	RETAINAGE



Printed On: 02/20/2009

Project Name:	Hill Country Galleria			Number:	9/33/			
Subcontractor:	Clean Scapes, Inc.		Date of	Application:	3/9	4/09		
Supplier #:	1022530			•	~			
Address:	12130 Pecan St.		Applicat	tion Number:	<u> </u>			1.0
Phone:	Austin, TX 78727 512-206-6171	<u> </u>	Period I	'rom:	3/11	9 Period	To: 3/	31/09
Remittance Address:	Opus West Construction Co	rporation						
	Attn: Accounts Payable							
	15455 N. Dailas Parkway							
	Addison, TX 75001						·	
CONTRACT INFORM	ATION							
Contract into an	ITEM		SALES	TAX (\$)(if applic	able)	1	TOTAL (\$)	
ORIGINAL CONTRAC	T AMOUNT						\$12,697.00	)
OPUS APPROVED CH	ANGE ORDER thru# 1						\$8,003.0	0
	CONTRACT AMOUNT TO DAT	TE TOTAL					\$20,700.0	0
APPLICATION INFO	RMATION							
A Total Completed	& Stored to Date		s 20	700.00	Q			
B Less Retainage	10	%	\$ (2	1,700.01 4070.01	2)			
-	Retainage (A - B)					s 18.6.	30.00_	
	•		. 11	127.30	•	-44	2.70	
	ings (previous req's line C)		* <del></del>	1001100	-	. 7.20	70	
E Current Payment			. 2	070.00		·	<del>1./</del>	
	Plus Retainage (H - A + B)			003.00				
G Current Gross An	nount Completed This Period	Class	n Scapes, Inc.	000,00	<del></del>		Supplier #: 10	22530
	SUBCONTRAC	CTOR: Creat	n Scapes, nic.				supplier #:	
	BY:	<b>_</b>	>(					
	DATE:		3/24/09					
APPLICATION BREA	<u>KDOWN</u>	<del></del>						
THIS SECTION MUST I	BE COMPLETED IN ORDER FO	OR THIS PAYMENT TO	BE PROCESSEI	BY OPUS				
			Work Co	mpleted				
Account Code	Description	CurrentContract Amount	From Previous Application	This Period	Total Work Complete	Percent Complete	Retainage This Application	Net Payment
					1+0	A/H		G-K
97337.44-B40-02901.00-S	Landscaping - Subcontract	\$20,700.00	12,697.00	8,003,00	20,700.00	10093		7,202.70
	Total	\$20,700.00	12,1297,00	8,003,00	20.700.00	100%	₹00.30 K	7,20000
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			Approve	of Dur.				
Entered By:	A	Date	- "		Proje	ect Manager		Date
	Accounting				2.00			
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ع داميلانگذيه

	rights of the Owner of Contractor under this Contract.		0.00	NET CHANGES by Change Cider	No.
int are without prejui	named herein. Issuance, Payment and acceptance of payment are without prejudice to any		9	HANGES by Change Order	2 7
is payable only to	This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor	0.00	0.00	TOTALS	
	Cy.	0.00	0.00	Total approved this Month	Total
Ÿ.	ARCHITECT:	0.00	0.00	Total changes approved in previous months by Owner	Total previo
t applied for Initial to conform to the	(Attach explanation if amount certified differs from the amount applied for Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)	DEDUCTIONS	ADDITIONS	CHANGE ORDER SUMMARY	CHAN
	AMOUNT CERTIFIED	2,070.00		(Line 3 less Line 6)	Ē
	AMOUNT CERTIFIED.		ETAINAGE	9. BALLANCE TO FINISH, INCLUDING RETAINAGE	9. BA
tractor is entitled	is in accordance with the Contract Documents, and the Contractor is entitled to payment of the	7,202.70	<b>69</b>	8. CURRENT PAYMENT DUE	8. CU
te observations a that to the best o is indicated the o	In Accordance with the Contract Documents, based on on-site observations and the data com- prising the above application, the Architect certifies to owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated the quality of the work	11,427.30	R PAYMENT	(Line 6 from prior Certificate)	7. LEX (Liř
RPAYME	ARCHITECT'S CERTIFICATE FOR PAYMENT	10,000,00		(Line 4 less Line 5 Total)	? <u>-</u>
	My Commission Expires: 472-09	18 830 00	ə		n 1
	Notary Public: Strange Got	2,070.00		Total retainage (Line 5a + 5b)	Tot
_ Day of MUNCY 20 09	Subscribed and Sworn to before me this	0.00	<b>6</b>	0.00 % of Stored Material	<b>0</b>
	ravis	2,070.00	\$ 2,07	10.00 % of Completed Work	a Section 1
	State of: TX			6. RETAINAGE:	6. RE
te: 3/34/09	By: Date:	20,700.00	O DATE \$	4. TOTAL COMPLETED AND STORED TO DATE.	4. 101
1		20,700.00	2)\$	3. CONTRACT SUM TO DATE (Line 1 + 2)	3. CO
April 12, 2009	CONTRACTOR: Clean Scapes LP PO Box 203070 Austin, TX 78721-3076	0.00	• • • • • • • • • • • • • • • • • • •	2. Net Change by Change Orders	2. Net
My Commission F	current payment shown resem is now use.	20,700.00		1. ORIGINAL CONTRACT SUM	1. ORI
ayments received from the officer as	unts have ued and		n below, in connection with s attached.	Application is made for Payment, as snown below, in connection with the Contract Continuation Sheet, AIA Type Document is attached.	Contin
ontractor's knowle	The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance	ENT	ICATION FOR	NTRACTOR'S APPLICATION	<u>C</u>
:	CONTRACT DATE: 1/30/2009			CONTRACT FOR: 20240 - InC	CONT
				ur Uz -	
	ARCHITECT'S PROJECT NO:	VIA (ARCHITECT):	P 0-3070	FROM (CONTRACTOR): Clean Scapes LP PO Box 203070 Austin, TX 78720-3070	FROM
ARCHITECT CONTRACTOR		Covered To Section		Addison, TX:75001	
DISTRIBUTION TO:	APPLICATION NO: 2 PERIOD TO:3/31/2009	PROJECT: Shiro's - HCG Opus 4005 FM 620 S	<del>p</del>	TO (OWNER): Opus West Construction Corp. ATTN: Accounts Payable	70 (O)

## AIA Type Document Application and Certification for Payment

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and the second of the second o		Change Orders	Irrigation	Design	ITEM	CONTRACT FOR: 20240 - Inc	A (CONTRACTO	WNER): Opus WATTN: ATTN: 15455.1 Addisor	
REPORT TOTALS	CO# i soliscape	All	<b></b>		DESCRIPTION	240 - InC	FROM (CONTRACTOR): Clean Scapes LP PO Box 203070 Austin, TX 78720-3070	TO (OWNER): Opus West Construction Corp. ATTN: Accounts Payable 15455 N: Dallas Parkway Addison, TX 75001	
\$20,700.00	0,003.00		8,697.00	4,000.00	SCHEDULE				
<b>\$12,697.00</b>	0.00	) }	8,697.00	4,000.00	PREVIOUS APPLICATIONS		VIA (ARCHITECT):	PROJECT: Shiro's - HCG Opus 4005 FM 620 S Bee Cave, TX 7873	AIA Typ Application and C
\$8,003.00	0,003.00		0.00	0.00	COMPLETED THIS PERIOD			Shiro's - HCG Opus 4005 FM 620 S Bee Cave, TX 78738	AIA Type Document Application and Certification for Payment
<b>\$0.00</b>	0.00	9	0.00	0.00	STORED MATERIAL				ment
\$20,700.00	0,000.00		8,697.00	4,000.00	COMPLETED	CONTRACT DATE: 1/30/2009	ARCHITECT'S PROJECT NO:	APPLICATION NO: 2 PERIOD TO: 3/31/2009	
100.00	100.00		100.00	100.00	<b>%</b>	: 1/30/2009		2009	
\$0.00	0.90	3	0.00	0.00	BALANCE				
\$2,070.00	000.00		869.70	400.00	RETAINAGE		·	DISTRIBUTION TO: OWNER ARCHITECT CONTRACTOR	Page 2 of 2



### SUBCONTRACTOR APPLICATION FOR PAYMENT

•	Hill Country Galleria		Project 1	Number:	97337	,			
Project Name:	Clean Scapes, Inc.	· · · · · · · · · · · · · · · · · · ·		Application:	Wis	209			
Subcontractor:	1022530				<del></del>	• • • •		-	
Supplier #:	12130 Pecan St.		Applicat	tion Number:	3				
Address:			Period F		पाति	9 Period	1 To: 1/3	olog	
	Austin, TX 78727			·IVIII·	-म्म-	<del></del>	71-	121-	
Phone :	512-206-6171	<del> </del>							
Remittance Address:	Opus West Construction Con	poration							
	Attn: Accounts Payable								
	15455 N. Dallas Parkway								
	Addison, TX 75001								
CONTRACT INFORM	ATION								
ONTRACTION	ITEM		SALES	TAX (\$)(if applic	able)		TOTAL (S)		
ORIGINAL CONTRAC	T AMOUNT						\$12,697.00		
	ANGE ORDER thru# 2						\$24,777.00		
	CONTRACT AMOUNT TO DAT	TE TOTAL					\$37,474.00		
APPLICATION INFO									
A Total Completed			s <u>3</u>	7,474.0	Q				
B Less Retainage	10	%	<u> </u>	747.40	2				
_	Retainage (A - B)			,		<u> 33, </u>	126.60 [6.60		
			, 13	8.630.00	O				
	lings (previous req's line C)		*_ <del> _</del>	1000		s 15 09	6.60		
Current Payment	•		.3	747 40	ı	111			
	, Plus Retainage (H - A + B)		\$_ <del></del>	771 00	_				
G Current Gross A	mount Completed This Period		<u>s 10</u>	, 179.00	2			220	
SUBCONTRACTOR: Clean Scapes, Inc. Supplier #: 1022530									
	BY:	7	)		<				
	TO A TENE.	~	4/22/15						
DATE: $\frac{4 2\imath \upsilon\varsigma}{}$									
APPLICATION BREAKDOWN THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS									
THIS SECTION MUST	BE COMPLETED IN ORDER FO	OR THIS PAYMENT TO			T T			<u> </u>	
			Work	ompleted	4				
Account Code	Description	CurrentContract Amount	From Previous Application	This Period	Total Work Complete	Percent Complete	Retainage This Application	Net Payment	
				1	1+0	A/H	i ,l	G-K	
97337.40-B40-02901.00-S	Landscaping - Subcontract	\$16,774.00	0.00	16,774.	16,774	10090		15,096.60	
97337.44-B40-02901.00-S	Landscaping - Subcontract	\$20,700.00	20,700	0.00	20,700	1004	0.00	0.00	
	Total	\$37,474.00	20,700	16,774	37.474	100%	1,677.40	15.096.60	
		н		G	A	<del></del>	K	E	
Entered By :			Approv	ved By:				D-4:	
	Accounting	Date	:		Proj	ect Manager		Date	
SHADED AREA FOR	OPUS ACCOUNTING USE	ONLY							
1 m 1 1 2 2 2 2 1 2 2 2 2 2 2 2 2 2 2 2	Saltan Till State of the State	CONTRACTOR SANCTOR	N. S. J. P. W. P. J.	De	de	ACAME A	G/L:Exap	TION OF	
Vendor I	D	Vendor Inv.#							
						数。600%	PACE 1841-1038	AND MALES AND	
Carlotte Control of Section (1995)									

### AIA Type Document

## Application and Certification for Payment

TO (OWNER): Opus West Construction Corp. ATTN: Accounts Payable 15455 N. Dallas Parkway Addison, TX 75001

PROJECT: Shiro's - HCG Opus 4005 FM 620 S Bee Cave, TX 78738

> PERIOD TO:4/30/2009 **APPLICATION NO: 3**

> > DISTRIBUTION ಠ಼

Page 1 of 2

ARCHITECT CONTRACTOR

OWNER

ARCHITECT'S PROJECT NO:

FROM (CONTRACTOR): Clean Scapes LP PO Box 203070 Austin, TX 78720-3070

VIA (ARCHITECT):

CONTRACT DATE: 1/30/2009

# CONTRACTOR'S APPLICATION FOR PAYMENT

CONTRACT FOR: 20240 - IrrC

Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Type Document is attached.

37,474.00	4. TOTAL COMPLETED AND STORED TO DATE\$
37,474.00	3. CONTRACT SUM TO DATE (Line 1 + 2)\$
24,777.00	2. Net Change by Change Orders\$
12,697.00	1. ORIGINAL CONTRACT SUM

### 5. RETAINAGE

b 0.00 % of Stored Material	a. 10.00 % of Completed Work
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### 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT Ę

(Line 4 less Line 5 Total)

8. CURRENT PAYMENT DUE\$	(Line 6 from prior Certificate)
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15,096.60 18,630.00

# 9. BALANCE TO FINISH, INCLUDING RETAINAGE

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3,747.40	

	16,774.00	otal approved this Month
	8,003.00	otal changes approved in revious months by Owner
DEDUCTIONS	ADDITIONS	HANGE ORDER SUMMARY

코밀코Q

NET CHANGES by Change Order

24,777.00 24,777.00

TOTALS

and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by Contractor for Work for which current payment shown herein is now due. previous Certificates for Payment were issued and payments received from the owner, and that The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information

CONTRACTOR: Clean Scapes LP PO Box 203070 Austin, TX 78720-3070

Date: 4/22/09

State of: TX

County of: Travis

Subscribed and Sworn to before me this

3,747.40

MY COMMISSION EXPIRES DANA REMEENESILE December 16, 2012

# ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data com-prising the above application, the Architect certifies to owner that to the best of the Architect's AMOUNT CERTIFIED. is in accordance with the Contract Documents, and the Contractor is entitled to payment of the knowledge, information and belief the Work has progressed as indicated,the quality of the work

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Application and on the Continuation Sheet that are changed to conform to the amount certified.) (Attach explanation if amount certified differs from the amount applied for Initial all figures on this

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Date

named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract. This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor

AIA Type Document
Application and Certification for Payment

Page 2 of 2

FROM (CONTRACTOR): Clean Scapes LP PO Box 203070 Austin TX 78720-3070	TO (OWNER): Opus West Construction Corp. ATTN: Accounts Payable 15455 N. Dallas Parkway Addison, TX 75001
VIA (ARCHITECT):	PROJECT: Shiro's - HCG Opus 4005 FM 620 S Bee Cave, TX 78738
ARCHITECT'S PROJECT NO:	APPLICATION NO: 3 PERIOD TO: 4/30/2009
	DISTRIBUTION TO: OWNER ARCHITECT CONTRACTOR

CONTRACT FOR: 20240 - InC CONTRACT DATE: 1/30/2009

	On	4	ω	Change Orders	2	-	ITEM
REPORT TOTALS	CO#2 Irrigation	CO#2 Softscape	CO#1 Softscape	rders	Irrigation	Design	DESCRIPTION
\$37,474 00	6,275.00	10,499.00	8,003.00		8,697.00	4,000.00	SCHEDULE VALUE
\$20,700.00	0.00	0.00	8,003.00		8,697.00	4,000.00	PREVIOUS APPLICATIONS
\$16,774.00	6,275.00	10,499.00	0.00		0.00	0.00	COMPLETED THIS PERIOD
\$0.00	0.00	0.00	0.00		0.00	0.00	STORED
\$37,474.00	6,275.00	10,499.00	8,003.00		8,697.00	4,000.00	COMPLETED STORED
100.00	100.00	100.00	100.00		100.00	100.00	%
\$0.00	0.00	0.00	0.00		0.00	0.00	BALANCE
\$3,747.40	627.50	1,049.90	800.30		869.70	400.00	RETAINAGE



### SUBCONTRACTOR APPLICATION FOR PAYMENT

ject Name:	Hill Country Galleria		Project N		97337	12/00			
bcontractor:	Clean Scapes, LF		Date of A	pplication:	4122109				
pplier#:	1022530 12130 Pecan St.			None bear	4	4 - Final			
dress:				on Number:	مرازال	Period		5/09	
	Austin, TX 78727		Period Fo	rom:	41110	Penou	10: 4/3	701	
one :	512-206-6171								
mittance Address :	Opus West Construction Cor	poration							
	Attn: Accounts Payable								
	15455 N. Dallas Parkway								
	Addison, TX 75001								
NTRACT INFORM	ATION					Tr.	OTAL (\$)		
	ITEM		SALES	AX (S)(if applies	b(e)		\$12,697.00		
RIGINAL CONTRAC	T AMOUNT						\$12,057.00		
US APPROVED CH	ANGE ORDER thru# 2		l				\$24,777.00		
<del>,</del>	CONTRACT AMOUNT TO DAT	E TOTAL					\$37,474.00		
PLICATION INFO									
			, 37	,474.00					
Total Completed		67	s 0.	00	-				
Less Retainage	70	70	¥		-	, 37,4	74.00		
	Retainage (A - B)		. 2:	3,726.6	()				
Less Previous Bil	lings (previous req's line C)		\$ <u> </u>	3, 104.Q	<u>~</u>	374	74.00 7.40		
Current Payment			. (7)	.00	,	<u></u>			
	, Pius Retainage (H - A + B)			.00					
Current Gross Ar	mount Completed This Period		\$		<u>-</u>		S44. 100	2530	
	SUBCONTRAC	CTOR: Clean	n Scapes, LF				Supplier #: 102		
	BY:		)c_		=				
	DATE:	, -	4/22/0	9		<u> </u>			
PPLICATION BREA									
TERRITON MUST	BE COMPLETED IN ORDER FO	OR THIS PAYMENT TO	DE PROCESSE	D BY OPUS					
ns section most				ompleted				ļ	
Account Code	Description	CurrentContract Amount	From Previous Application	This Period	Total Work Complete	Percent Complete	Retainage This Application	Net Psyment	
			Application		1+G	A/H		G-K	
7337.40-B40-02901.00-S	Landscaping - Subcontract	\$16,774.00	16.774	6,00	16.774	10093	0.00		
7337.44-B40-02901.00-S	Landscaping - Subcontract	\$20,700.00	20,700	0.00	20,700	100%	0.00		
	Total	\$37,474.00	37.474	0.00	37,474	10000	<u> </u>		
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ntered By :			Approv	ed By:					
	Accounting	Date		_	Proj	ect Manager		Date	
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## AIA Type Document

## Application and Certification for Payment

TO (OWNER): Opus West Construction Corp ATTN: Accounts Payable Addison, TX 75001 15455 N. Dallas Parkway

> PROJECT: Shiro's - HCG Opus Bee Cave, TX 78738 4005 FM 620 S

> > PERIOD TO: 4/30/2009 **APPLICATION NO: 4**

OWNER  $\ddot{\circ}$ DISTRIBUTION

\_ CONTRACTOR ARCHITECT

FROM (CONTRACTOR): Clean Scapes LP
PO Box 203070

Austin, TX 78720-3070

VIA (ARCHITECT):

ARCHITECT'S PROJECT NO:

CONTRACT FOR: 20240 - Inc

# CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Type Document is attached.

37,474.00	4. TOTAL COMPLETED AND STORED TO DATE\$
37,474.00	3. CONTRACT SUM TO DATE (Line 1 + 2)\$
24,777.00	2. Net Change by Change Orders\$
12,697.00	1. ORIGINAL CONTRACT SUM\$

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7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	(Line 4 less Line 5 Total)	6. TOTAL EARNED LESS RETAINAGE\$
	:	37,474.00

## 9. BALANCE TO FINISH, INCLUDING RETAINAGE 8. CURRENT PAYMENT DUE ..... \$

(Line 6 from prior Certificate)

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(Line 3 less Line 6)	DALANCE
Line 6)	O FINISH,
	INCLUDING
	9. DALANCE I O FINION, INCLUDING RETAINAGE
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CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	8,003.00	00.0
Total approved this Month	16,774.00	0.00
TOTALS	24,777.00	0.00
NET CHANGES by Change Order	24,777.00	

with the Contract Documents, that all amounts have been paid by Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due. and belief the work covered by this application for Payment has been completed in accordance The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information

CONTRACT DATE: 1/30/2009

CONTRACTOR: Clean Scapes LP
PO Box 203070 Austin, TX 78720-3070



Date: 412211

State of: TX

County of: Travis

Subscribed and Sworn to before me this

Notary Public:

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My Commission Expires: W.LIM DW 16, 2012 CHARLES OF THE PARTY OF THE PAR

MY COMMISSION EXPIRES DANA RENEE NESTLE December 16, 2012

B

# ARCHITECT'S CERTIFICATE FOR PAYMENT

is in accordance with the Contract Documents, and the Contractor is entitled to payment of the In Accordance with the Contract Documents, based on on-site observations and the data com-prising the above application, the Architect certifies to owner that to the best of the Architect's AMOUNT CERTIFIED. knowledge, information and belief the Work has progressed as indicated the quality of the work

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Application and on the Continuation Sheet that are changed to conform to the amount certified.) (Attach explanation if amount certified differs from the amount applied for Initial all figures on this

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rights of the Owner or Contractor under this Contract. named herein. Issuance, Payment and acceptance of payment are without prejudice to any This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor

Page 1 of 2

AIA Type Document
Application and Certification for Payment

FROM (CONTRACTOR): Clean Scapes LP PO Box 203070 PO Box 203070 Austin, TX 78720-3070	TO (OWNER): Opus West Construction Corp. ATTN: Accounts Payable 15455 N. Dallas Parkway Addison, TX 75001  PROJECT: Shiro's - HCG Opus 4005 FM 620 S Bee Cave, TX 78738  PERIOD TO: 4/30/2009	AIA Type Document  Application and Certification for Payment
ARCHITECT'S PROJECT NO:	APPLICATION NO: 4 PERIOD TO: 4/30/2009	
,	DISTRIBUTION TO: OWNER ARCHITECT CONTRACTOR	Page 2 of 2

CONTRACT FOR: 20240 - IrrC CONTRACT DATE: 1/30/2009

	ហ	4	ω	Change Orders	2	_	ITEM
REPORT TOTALS	CO#2 Irrigation	CO#2 Softscape	CO#1 Softscape	Orders	Irrigation	Design	M DESCRIPTION
\$37,474.00	6,275.00	10,499.00	8,003.00		8,697.00	4,000.00	SCHEDULE VALUE
\$37,474.00	6,275.00	10,499.00	8,003.00		8,697.00	4,000.00	PREVIOUS APPLICATIONS
\$0.00	0.00	0.00	0.00		0.00	0.00	COMPLETED THIS PERIOD
\$0.00	0.00	0.00	0.00		0.00	0.00	STORED MATERIAL
\$37,474.00	6,275.00	10,499.00	8,003.00		8,697.00	4,000.00	COMPLETED
100.00	100.00	100.00	100.00		100.00	100.00	%
\$0.00	0.00	0.00	0.00		0.00	0.00	BALANCE
\$0.00	0.00	0.00	0.00		0.00	0.00	RETAINAGE

### SUBCONTRACT APPLICATION FOR PAYMENT

Project Name :	Hill Country Galleria	Project Number :	97337		
•	Clean Scapes, Inc.	Date of Application		<del></del>	4/13/2009
Subcontractor:	1022530	Application Number :	24 - chan	nge order	
Supplier # :	12130 Pecan St.	Period From :	21 010	.90 0.001	4/30/2009
Address :	Austin, TX 78727	_ renou riom .			
	512-448-1094	<del>-</del>			
Phone :					
Remittance Addre	es : Opus West Construction Corporation				
	Attn : Accounts Payable				
	15455 N. Dallas Parkway #450				
	Addison, TX 75001				
CONTRACT INF				T	
	ITEM	SALES TAX(S) (if	applicable)	TOTAL(\$)	04 449 400 04
ORIGINAL CONT		<u> </u>		<b></b>	\$6,447,507.00
OPUS APPROVED	CHANGE ORDER THRU#10 18				\$1,740,207.33
CONTRACT AMO	UNT TO DATE TOTAL	<u> </u>			\$8,187,714.33
APPLICATION D	NFORMATION				
A Total Complete	d & Stored to Date	\$ 8,187,714.33		_	
B Less Retainage		\$ .00		***	
C Total Earned La	ess Retainage (A - B)			\$ 8,187,714.33	
D Less Previous B	illings (previous req's line C)	\$ 8,186,738.49			
E Current Paymer	nt Due (C - D)			<b>S</b> 000_	
F Balance to Finis	h, Plus Retninage (H - A + B)	\$ .00		_	
G Current Gross A	Amount Completed This Period	\$ 975.84		<del></del>	
	SUBCONTRACTOR:	Clean Scapes LP		Supplier #: 1022530	

4/13/2009

APPLICATION BREAKDOWN
THIS SECTION MUST BE COMPLETE IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

DATÉ:

THIS SECTION MOS	DE COMPLETE ET ORDERT	OK IIIDI MINILANI	0 001110011				1	T
Account Code	Description	Current Contract Amount	From Previous Application	This Period	Total Work Complete	Percent Complete	Retainage This Application	Net Payment
					_1+G	A/H		G - K
97337.03-B40-02901.00- S	Landscaping - Subcontract	\$2,894,418.63	\$2,894,417.79	\$0.84	\$2,894,418.63	100.00%	\$0.00	\$0.84
97337.03-B40-03132.00- S	7 Concrete Paving - Subcontract	\$166,538,00	\$166,538.00	\$0.00	\$166,538.00	100.00%	\$0.00	\$0.00
97337.03-B40-02815.00- S	Water Features - Subcontract	\$790,481.00	\$790,481.00	\$0.00	\$790,481.00	100.00%	\$0.00	\$0.00
97337.03-B40-03198.00- S	Sits Finish: Misc - Subcontract	\$245,016.00	\$245,016.00	\$0.00	\$245,016.00	100.00%	\$0,00	\$0,00
97337,03-B40-02902,00- S	Irrigation - Subcontract	\$1,515,504.00	\$1,515,504.00	\$0.00	\$1,515,504.00	100,00%	\$0,00	\$0.00
97337,03-B40-03100.00- S	Sidowalk - Subcontract	\$236,856.00	<b>\$236,856.00</b>	\$0.00	\$236,856.00	100,00%	\$0,00	\$0.00
97337,03-B40-03120.00- S	Concrete Hardscape - Subcontract	\$1,644,716.36	\$1,644,716,36	\$0,00	\$1,644,716.36	100,00%	\$0.00	\$0.00
97337,03-B40-02520.00- S	Cabble/Other Pavers - Subcontract	\$257,547.00	\$257,547.00	\$0.00	\$257,547.00	100.00%	\$0.00	. \$0.00
97337.03-B40-02515.00- S	Brick/CMU Pavers - Subcontract	\$235,095.00	\$235,095.00	\$0,00	\$235,095.00	100.00%	\$0.00	\$0.00
97337,03-B20-02300.00- S	Earthwork - Subcontract	\$6,000.00	\$6,000.00	\$0.00	\$6,000.00	100.00%	\$0,00	\$0.00
97337.56-B40-02901.00- S	Landscaping - Subcontract Dick's Sporting Goods	\$53,271.00	\$53,271.00	\$0,00	\$53,271.00	100.00%	\$0.00	\$0.00
97337,56-B40-02902,00- S	Irrigation - Subcontract Dick's Sporting Goods	\$34,998.00	\$34,998.00	\$0.00	\$34,998.00	100,00%	\$0.00	\$0,00
97337,99-B40-02901.00- S	Landsceping - Subcontract	\$81,170.00	\$81,170.00	\$0,00	\$81,170.00	100.00%	\$0,00	\$0.00
97337.99-B40-03100.00- S	Landscaping - Subcontract	\$26,103.34	\$25,128.34	\$975.00	\$26,103.34	100,00%	\$0.00	\$975,00
	TOTAL	\$8,187,714.33	\$8,186,738.49	\$975.84	\$8,187,714.33	100.00%	\$0.00	\$975.84
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SHADED AREA FOR OPUS ACCOUNTING USE ONLY

### FROM CONTRACTOR: Clean Scapes, LP Application is made for payment as shown below, in connection with the contract. Continuation Sheet, Document CAP703, is attached. CONTRACTOR'S APPLICATION FOR PAYMENT 9. BALANCE TO FINISH, INCLUDING RETAINAGE 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT 6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) 5. RETAINAGE: 3. CONTRACT SUM TO DATE (Line 1+ - 2) 1. ORIGINAL CONTRACT SUM 8. CURRENT PAYMENT DUE 2. Net Change by Change Orders CHANGE ORDER SUMMARY Total Retainage (Line 5a + 5b or a. 10.00 % of Completed Work TOTAL COMPLETED & STORED TO DATE (Column G on CAP703) **NET CHANGES by Change Order** (Line 6 from prior Certificate) (Line 3 less Line 6) Total approved this Month previous months by Owner lotal changes approved in (Column F on CAP703) Total in column I of CAP703) (Columns D + E on CAP703) 10.00 % of Stored Material TO: Opus West Construction Corporation PO Box 203070 Addison, TX 75001 Austin, TX 78720 **Suite 450** 15455 N. Dailas Parkway TOTALS ADDITIONS 0.00 0.00 0.0 0.00 DEDUCTIONS œ 8,186,738.49 CONTRACT FOR: VIA ARCHITECT: OPUS ARCHITECTS &ENG ,187,714.33 ,187,714.33 187,714.33 187,714.33 975.84 PROJECT: HCG 0.0 0 8 0.0 0.00 000 0.00 0.00 0.00 4005 FM 620 S HILL COUNTRY GALLERIA BEE CAVE, TX 78738 The Undersigned Contractor certifies that to the best of the Contractor's knowledge information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due. In accordance with the Contract Documents, based on on-site obervations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED. CONTRACTOR: Clean Scapes, LP (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.) me this State of: prejudice to any rights of the Owner or Contractor under this contract tractor named herein. Issuance, payment and acceptance of payment are without This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Con-AMOUNT CERTIFIED ......\$ ARCHITECT'S CERTIFICATE FOR PAYMENT My Commission expires: Notary Public Subscribed and sworn to before County of ARCHITECT: 첫 day or CONTRACT DATE: APPLICATION NO: PROJECT NOS: PERIOD TO: Date: 4/13/2009 Distribution to: 4/30/2009 24 Construction Mgr Architect Owner Contractor

CONTRACTOR'S APPLICATION FOR PAYMENT

CAP702L

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OF 2

**PAGES** 

# **CAP703 DETAIL PAGE(S)**

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	97337.99-B40-03100.00 Sidewalk	97337.99-B40-02901.00-S	Dicks Sporting Goods Irr 2902	Dicks Sporting Goods Soft 2901	Earthwork Subcontract - 2300	Brick/CMU Pavers 2515	Cobble/ Other Pavers 2520	Concrete Hardscape 3120	Sidewalk 3100	lrrigation 2902	Site Finish: Misc 3198	Water Features 2815	7" Concrete Paving 3132	Landscaping 2901	DESCRIPTION OF WORK	DESCRIPTION OF WORK		Addison, TX 75001	Cuito AFO	TO: Opus West Construction Corporation
8,187,714.33	26,103.34	81,170.00	34,998.00	53,271.00	6,000.00	235,095.00	257,547.00	1,644,716.36	236,856.00	1,515,504.00	245,016.00	790,481.00	166,538.00	2,894,418.63	SCHEDULED VALUE		c	Magill, 12 10120	Austin TY 7873	FROM: Clean Scapes, LP
8,186,738.49	25,128.34	81,170.00	34,998.00	53,271.00	6,000.00	235,095.00	257,547.00	1,644,716.36	236,856.00	1,515,504.00	245,016.00	790,481.00	166,538.00	2,894,417.79	FROM PREVIOUS APPLICATION (D + E)	WORK CC	0	7 101 20	.030/0 X 78720	apes, LP
975.84	975.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.84	THIS PERIOD	WORK COMPLETED	m			
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	STORED (NOT IN D OR E)	MATERIALS	חד			PROJECT HCG
8,187,714.33	26,103.34	81,170.00	34,998.00	53,271.00	6,000.00	235,095.00	257,547.00	1,644,716.36	236,856.00	1,515,504.00	245,016.00	790,481.00	166,538.00	2,894,418.63	AND STORED TO DATE (D+E+F)	TOTAL	G	ARCHITECTS PROJECT#	CONTR	
100	100	<b>1</b> 00	<b>1</b> 8	100	<b>1</b> 8	<b>1</b> 00	100	100	<b>1</b> 00	100	100	<b>1</b> 00	100	100	(0 / 0)	%		PROJEC	CONTRACT DATE:	APPLI
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	FINISH (C - G)	BALANCE	Н		TE: //	APPLICATION#: APPLICATION DATE: PERIOD TO:
0.00			0.00											0.00	(IF VARIABLE RATE)	RETAINAGE	-			24 4/13/2009 4/30/2009

Forms & Software by PEM Software 1.800.803.1315



LANDSCAPING . HARDSCAPING



### **ASHLEY LANDRY**

ashley@cleanscapes.net Mobile 512.623.9213

> P.O. Box 203070 Austin, TX 78720 Office 512.448.1094 Fax 512.448.9590

www.cleanscapes.net

Aronginal Proof of Claim Plus 2 copies

\* Self-addressed, stamped envelope to receive file stamped copy back

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