

UNITED STATES BANKRUPTCY COURT Northern District of Texas			PROOF OF CLAIM
Name of Debtor: Opus West Construction Corporation (5917)		Case Number: 09-34356	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.			
Name of Creditor (the person or other entity to whom the debtor owes money or property): Clean Scares, LP		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____	
Name and address where notices should be sent: Clean Scares, LP PO Box 203070 Austin, Texas 78720 Telephone number: (512) 448-1094		<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> RECEIVED NOV 03 2009 BMC GROUP </div>	
Name and address where payment should be sent (if different from above): Telephone number:			
1. Amount of Claim as of Date Case Filed: \$ <u>38,449.84</u> 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. <input type="checkbox"/> 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.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(): _____ Amount entitled to priority: \$ _____ <small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>	
2. Basis for Claim: <u>services performed</u> (See instruction #2 on reverse side.)		FOR COURT USE ONLY <div style="text-align: center;"> 00352 </div>	
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 information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____			
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. 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.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. <div style="text-align: center;"> Ivan Giraldo, President </div>	
Date: 11/02/2009		Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.	

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
15455 N. Dallas Parkway
Addison TX 75001

STATEMENT

As Of: 11/2/09

Page: 1

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
\$0.00	\$0.00	\$0.00	\$34,702.44	\$3,747.40	\$0.00	\$38,449.84

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."
2. 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. 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 **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 Subcontractor 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:
 - 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 Kehoe

CONTRACTOR

Opus West Construction Corporation

By:

Paul Lembke

(Print Name)

Vice President of Construction, Texas

(Title)

2/12/09

(Date)

SUBCONTRACTOR

Clean Scapes, Inc.

By:

George Lindenberg

(Print Name)

Principal

(Title)

2/11/09

(Date)



Hill Country Galleria / 97337.00
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:

1. Subcontract Documents. The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A".
2. Project. 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.
3. Owner. The Owner of the Project is Hill Country Galleria, LP ("Owner").
4. Architect/Engineer. The architect and engineers ("Architect/Engineer") of record for the Project are:
Architect of Record: Opus Architects & Engineers, Inc.
Civil Engineer: Garrett-Ihnen
5. Scope of Work. Subcontractor's scope of work for the Project is described in Paragraph 1 of 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 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".
7. Subcontract Sum. 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".
8. 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 manager

Paul Leimbke

CONTRACTOR
OPUS West Construction Corporation

By:

Jim Fritcher

(Print Name)

Senior Vice President Construction

(Title)

12/11/06

(Date)

SUBCONTRACTOR
Clean Scapes, Inc.

By:

George Lindenberg

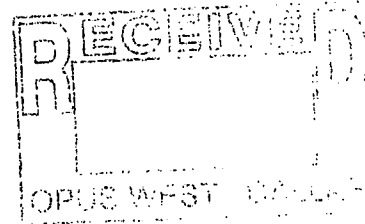
(Print Name)

Dir. of Business Development

(Title)

11/28/06

(Date)





OPUS

SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Hill Country Galleria
 Subcontractor: Clean Scapes, Inc.
 Supplier #: 1022530
 Address: 12130 Pecan St.
 Austin, TX 78727
 Phone: 512-206-6171

Project Number: 97337
 Date of Application: 2/24/09
 Application Number: 1
 Period From: 2/1/09 Period To: 2/28/09

Remittance Address: Opus West Construction Corporation
 Attn: Accounts Payable
 15455 N. Dallas Parkway
 Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT	\$304.85	\$12,697.00
OPUS APPROVED CHANGE ORDER # 1 thru #		
CONTRACT AMOUNT TO DATE TOTAL	\$304.85	\$12,697.00

APPLICATION INFORMATION

A Total Completed & Stored to Date \$12,697.00
 B Less Retainage 10 % \$1,269.70
 C Total Earned less Retainage (A - B) \$11,427.30
 D Less Previous Billings (previous req's line C) \$0.00
 E Current Payment Due (C - D) \$11,427.30
 F Balance to Finish, Plus Retainage (H - A + B) \$1,269.70
 G Current Gross Amount Completed This Period \$12,697.00

SUBCONTRACTOR: Clean Scapes, Inc. Supplier #: 1022530
 BY: *[Signature]*
 DATE: 2/24/09

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
97337.44-B40-02901.00-S	Landscaping - Subcontract	\$12,697.00	0.00	12,697.00	12,697.00	100%	1,269.70	11,427.30
	Total	\$12,697.00	0.00	12,697.00	12,697.00	100%	1,269.70	11,427.30
		H	I	G	A	J	K	E

Entered By: _____ Accounting Date _____ Approved By: _____ Project Manager Date _____

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

Vendor ID	Vendor Inv. #	Date	G/L Exp

AIA Type Document
Application and Certification for Payment

Page 1 of 2

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

APPLICATION NO: 1
PERIOD TO: 2/28/2009

DISTRIBUTION
TO:
- OWNER
- ARCHITECT
- CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: 20240 - IIRC

CONTRACT DATE: 1/30/2009

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.

1. ORIGINAL CONTRACT SUM \$ 12,697.00

2. Net Change by Change Orders \$ 0.00

3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 12,697.00

4. TOTAL COMPLETED AND STORED TO DATE \$ 12,697.00

5. RETAINAGE:

a. 10.00 % of Completed Work \$ 1,269.70

b. 0.00 % of Stored Material \$ 0.00

Total retainage (Line 5a + 5b) \$ 1,269.70

6. TOTAL EARNED LESS RETAINAGE \$ 11,427.30
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 from prior Certificate) \$ 0.00

8. CURRENT PAYMENT DUE \$ 11,427.30

9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6) \$ 1,269.70

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	0.00

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 to the Contractor for Work for which previous Certificates for Payment were issued and current payment shown therein is now due.

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



SONJA LESTER
My Commission Expires
April 12, 2009

By:

George L. Lester
State of: TX

Date:

2/24/09

County of: Travis

Subscribed and Sworn to before me this

24th

Day of February 2009

Notary Public:

Sonja Lester
My Commission Expires: 4-12-09

ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising 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 is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$

(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.)

ARCHITECT:

By:

Date:

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

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

APPLICATION NO: 1
PERIOD TO: 2/28/2009

DISTRIBUTION
TO:
- OWNER
- ARCHITECT
- CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: 20240 - lmc

CONTRACT DATE: 1/30/2009

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



OPUS

SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Hill Country Galleria
 Subcontractor: Clean Scapes, Inc.
 Supplier #: 1022530
 Address: 12130 Pecan St.
 Austin, TX 78727
 Phone: 512-206-6171

Project Number: 97337
 Date of Application: 3/24/09
 Application Number: 2
 Period From: 3/1/09 Period To: 3/31/09

Remittance Address: Opus West Construction Corporation
 Attn: Accounts Payable
 15455 N. Dallas Parkway
 Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$12,697.00
OPUS APPROVED CHANGE ORDER thru # 1		\$8,003.00
CONTRACT AMOUNT TO DATE TOTAL		\$20,700.00

APPLICATION INFORMATION

- A Total Completed & Stored to Date
 B Less Retainage 10 %
 C Total Earned less Retainage (A - B)
 D Less Previous Billings (previous req's line C)
 E Current Payment Due (C - D)
 F Balance to Finish, Plus Retainage (H - A + B)
 G Current Gross Amount Completed This Period

\$ 20,700.00
 \$ (2,070.00)
 \$ 18,630.00
 \$ 11,427.30
 \$ 2,070.00
 \$ 8,003.00

\$ 18,630.00
 \$ 7,202.70

SUBCONTRACTOR:

Clean Scapes, Inc.

Supplier #: 1022530

BY:

DATE:

3/24/09

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
97337.44-B40-02901.00-S	Landscaping - Subcontract	\$20,700.00	12,697.00	8,003.00	20,700.00	100%	800.30	7,202.70
	Total	\$20,700.00	12,697.00	8,003.00	20,700.00	100%	800.30	7,202.70
		H	I	G	A	J	K	E

Entered By: _____
 Accounting Date

Approved By: _____
 Project Manager Date

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

Vendor ID	Vendor Inv #	Date	GL: Exp
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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

APPLICATION NO: 2
PERIOD TO: 3/31/2009

DISTRIBUTION TO:
- OWNER
- ARCHITECT
- CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECTS PROJECT NO:

CONTRACT FOR: 20240 - IIRC

CONTRACT DATE: 1/30/2009

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.

1. **ORIGINAL CONTRACT SUM** \$ 20,700.00
2. **Net Change by Change Orders** \$ 0.00
3. **CONTRACT SUM TO DATE (Line 1 + 2)** \$ 20,700.00
4. **TOTAL COMPLETED AND STORED TO DATE** \$ 20,700.00

6. RETAINAGE:

a. 10.00 % of Completed Work \$ 2,070.00
b. 0.00 % of Stored Material \$ 0.00
Total retainage (Line 5a + 5b) \$ 2,070.00

6. **TOTAL EARNED LESS RETAINAGE** \$ 18,630.00
(Line 4 less Line 5 Total)

7. **LESS PREVIOUS CERTIFICATES FOR PAYMENT** \$ 11,427.30
(Line 6 from prior Certificate)

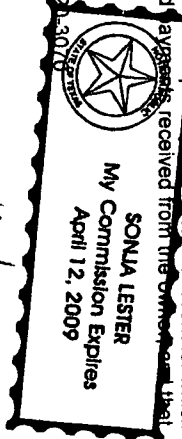
8. **CURRENT PAYMENT DUE** \$ 7,202.70

9. **BALANCE TO FINISH, INCLUDING RETAINAGE** \$ 2,070.00
(Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

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 to 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.

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



By: [Signature] Date: 3/24/09

State of: TX
County of: Travis

Subscribed and Sworn to before me this 24th Day of March 2009

Notary Public: [Signature]
My Commission Expires: 4-12-09

ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising 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 is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$

(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.)

ARCHITECT:
By: _____ Date: _____

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

AIA Type Document
Application and Certification for Payment

Page 2 of 2

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

APPLICATION NO: 2
PERIOD TO: 3/31/2009

DISTRIBUTION
TO:
 - OWNER
 - ARCHITECT
 - CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: 20240 - linc

CONTRACT DATE: 1/30/2009

ITEM	DESCRIPTION	SCHEDULE VALUE	PREVIOUS APPLICATIONS	COMPLETED THIS PERIOD	STORED MATERIAL	COMPLETED STORED	%	BALANCE	RETAINAGE
1	Design	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00	0.00	400.00
2	Irrigation	8,697.00	8,697.00	0.00	0.00	8,697.00	100.00	0.00	869.70
Change Orders									
3	CO#1 Softscape	8,003.00	0.00	8,003.00	0.00	8,003.00	100.00	0.00	800.30
REPORT TOTALS		\$20,700.00	\$12,697.00	\$8,003.00	\$0.00	\$20,700.00	100.00	\$0.00	\$2,070.00



OPUS

SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Hill Country Galleria
 Subcontractor: Clean Scapes, Inc.
 Supplier #: 1022530
 Address: 12130 Pecan St.
 Austin, TX 78727
 512-206-6171
 Phone :

Project Number: 97337
 Date of Application: 4/22/09
 Application Number: 3
 Period From: 4/1/09 Period To: 4/30/09

Remittance Address : Opus West Construction Corporation
 Attn : Accounts Payable
 15455 N. Dallas Parkway
 Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$12,697.00
OPUS APPROVED CHANGE ORDER thru # 2		\$24,777.00
CONTRACT AMOUNT TO DATE TOTAL		\$37,474.00

APPLICATION INFORMATION

- A Total Completed & Stored to Date
 B Less Retainage 10 %
 C Total Earned less Retainage (A - B)
 D Less Previous Billings (previous req's line C)
 E Current Payment Due (C - D)
 F Balance to Finish, Plus Retainage (H - A + B)
 G Current Gross Amount Completed This Period

\$ 37,474.00
 \$ 3,747.40
 \$ 33,726.60
 \$ 18,630.00
 \$ 15,096.60
 \$ 3,747.40
 \$ 16,774.00

SUBCONTRACTOR:

Clean Scapes, Inc.

Supplier #: 1022530

BY:

DATE:

4/22/09

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
97337.40-B40-02901.00-S	Landscaping - Subcontract	\$16,774.00	0.00	16,774.	16,774	100%	1,677.40	15,096.60
97337.44-B40-02901.00-S	Landscaping - Subcontract	\$20,700.00	20,700	0.00	20,700	100%	0.00	0.00
	Total	\$37,474.00	20,700	16,774	37,474	100%	1,677.40	15,096.60
			H	I	G	A	L	K

Entered By : _____
 Accounting Date

Approved By : _____
 Project Manager Date

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

Vendor ID	Vendor Inv #	Date	G/L Exp

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

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

DISTRIBUTION
TO:
OWNER
ARCHITECT
CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: 20240 - IIRC

CONTRACT DATE: 1/30/2009

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.

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 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.

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

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

By: 

Date: 4/22/09

5. RETAINAGE:

a. 10.00 % of Completed Work \$ 3,747.40
b. 0.00 % of Stored Material \$ 0.00

Total retainage (Line 5a + 5b) \$ 3,747.40

6. TOTAL EARNED LESS RETAINAGE \$ 33,726.60
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(Line 6 from prior Certificate) \$ 18,630.00

8. CURRENT PAYMENT DUE \$ 15,096.60

9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6) \$ 3,747.40

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	8,003.00	0.00
Total approved this Month	16,774.00	0.00
TOTALS	24,777.00	0.00
NET CHANGES by Change Order	24,777.00	

ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising 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 is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$

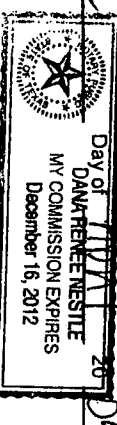
(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: _____

Date: _____

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

State of TX
County of: Travis
Subscribed and Sworn to before me this 22
Notary Public: 
My Commission Expires: 12/16/2012

Day of April 2009
MY COMMISSION EXPIRES
December 16, 2012

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

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

DISTRIBUTION
TO:
- OWNER
- ARCHITECT
- CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: 20240 - IIRC

CONTRACT DATE: 1/30/2009

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



OPUS

SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Hill Country Galleria
 Subcontractor: Clean Scapes, LP
 Supplier #: 1022530
 Address: 12130 Pecan St.
 Austin, TX 78727
 Phone : 512-206-6171

Project Number: 97337
 Date of Application: 4/22/09
 Application Number: 4 - Final
 Period From: 4/1/09 Period To: 4/30/09

Remittance Address : Opus West Construction Corporation
 Attn : Accounts Payable
 15455 N. Dallas Parkway
 Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$12,697.00
OPUS APPROVED CHANGE ORDER thru # 2		\$24,777.00
CONTRACT AMOUNT TO DATE TOTAL		\$37,474.00

APPLICATION INFORMATION

- A Total Completed & Stored to Date
 B Less Retainage 10 %
 C Total Earned less Retainage (A - B)
 D Less Previous Billings (previous req's line C)
 E Current Payment Due (C - D)
 F Balance to Finish, Plus Retainage (H - A + B)
 G Current Gross Amount Completed This Period

\$ 37,474.00
 \$ 0.00
 \$ 37,474.00
 \$ 33,726.40
 \$ 3,747.40
 \$ 0.00
 \$

SUBCONTRACTOR:

Clean Scapes, LP

Supplier #: 1022530

BY:

DATE:

4/22/09

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
					I + G	A / H		G - K
97337.40-B40-02901.00-S	Landscaping - Subcontract	\$16,774.00	16,774	0.00	16,774	100%	0.00	
97337.44-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	100%	0.00	
		II	I	G	A	J	K	E

Entered By : _____
 Accounting Date

Approved By : _____
 Project Manager Date

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

Vendor ID	Vendor Inv. #	Date	G/L Exp

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

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

DISTRIBUTION
TO:
OWNER
ARCHITECT
CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECTS
PROJECT NO:

CONTRACT FOR: 20240 - IIRC

CONTRACT DATE: 1/30/2009

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.

1. **ORIGINAL CONTRACT SUM** \$ 12,697.00
2. **Net Change by Change Orders** \$ 24,777.00
3. **CONTRACT SUM TO DATE (Line 1 + 2)** \$ 37,474.00
4. **TOTAL COMPLETED AND STORED TO DATE** \$ 37,474.00
5. **RETAINAGE:**
 - a. 0.00 % of Completed Work \$ 0.00
 - b. 0.00 % of Stored Material \$ 0.00
- Total retainage (Line 5a + 5b) \$ 0.00
6. **TOTAL EARNED LESS RETAINAGE** \$ 37,474.00
(Line 4 less Line 5 Total)
7. **LESS PREVIOUS CERTIFICATES FOR PAYMENT** \$ 33,726.60
(Line 6 from prior Certificate)
8. **CURRENT PAYMENT DUE** \$ 3,747.40
9. **BALANCE TO FINISH, INCLUDING RETAINAGE** \$ 0.00
(Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	8,003.00	0.00
Total approved this Month	16,774.00	0.00
TOTALS	24,777.00	0.00
NET CHANGES by Change Order	24,777.00	

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 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.

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

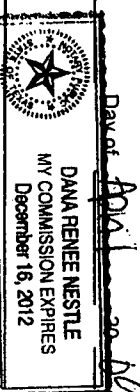
By: [Signature] Date: 4/22/09

State of: TX
County of: Travis

Subscribed and Sworn to before me this 22

Notary Public: [Signature]

My Commission Expires: December 16, 2012



ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising 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 is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$

(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.)

ARCHITECT:

By: _____ Date: _____

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

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

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

DISTRIBUTION
TO:
- OWNER
- ARCHITECT
- CONTRACTOR

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

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: 20240 - IIRC

CONTRACT DATE: 1/30/2009

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

SUBCONTRACT APPLICATION FOR PAYMENT

Project Name : Hill Country Galleria	Project Number : 97337	
Subcontractor : Clean Scapes, Inc.	Date of Application : 4/13/2009	
Supplier # : 1022530	Application Number : 24 - change order	
Address : 12130 Pecan St.	Period From : 4/30/2009	
Austin, TX 78727		
Phone : 512-448-1094		
Remittance Address : Opus West Construction Corporation		
Attn : Accounts Payable		
15455 N. Dallas Parkway #450		
Addison, TX 75001		

ITEM	SALES TAX(\$ (if applicable))	TOTAL(\$)
ORIGINAL CONTRACT AMOUNT		\$6,447,507.00
OPUS APPROVED CHANGE ORDER THRU #10 18		\$1,740,207.33
CONTRACT AMOUNT TO DATE TOTAL		\$8,187,714.33

APPLICATION INFORMATION

A Total Completed & Stored to Date	\$ 8,187,714.33	
B Less Retainage	\$.00	
C Total Earned Less Retainage (A - B)		\$ 8,187,714.33
D Less Previous Billings (previous req's line C)	\$ 8,186,738.49	
E Current Payment Due (C - D)		\$.00
F Balance to Finish, Plus Retainage (H - A + B)	\$.00	
G Current Gross Amount Completed This Period	\$ 975.84	

SUBCONTRACTOR : Clean Scapes I.P. Supplier #: 1022530

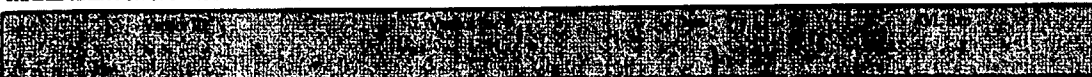
BY : *li*
DATE : 4/13/2009

APPLICATION BREAKDOWN

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

Account Code	Description	Current Contract Amount	From Previous Application	This Period	Total Work Complete	Percent Complete	Retainage This Application	Net Payment
					I + 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	Site 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	Sidewalk - Subcontract	\$236,856.00	\$236,856.00	\$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	Cobble/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	Landscaping - 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
		H	I	G	A	J	K	E

SHADED AREA FOR OPUS ACCOUNTING USE ONLY



CONTRACTOR'S APPLICATION FOR PAYMENT

CAP702L

PAGE 1 OF 2 PAGES

TO: Opus West Construction Corporation

16455 N. Dallas Parkway

Suite 450

Addison, TX 75001

PROJECT: HCG

HILL COUNTRY GALLERIA

4006 FM 620 S

BEE CAVE, TX 78738

VIA ARCHITECT: OPUS ARCHITECTS & ENG

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

Distribution to:
☐ Owner
☐ Architect
☐ Contractor
☐ Construction Mgr

APPLICATION NO: 24

PERIOD TO: 4/30/2009

CONTRACT DATE: / /

PROJECT NOS:

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment as shown below, in connection with the contract. Continuation Sheet, Document CAP703, is attached.

1. ORIGINAL CONTRACT SUM \$ 8,187,714.33
2. Net Change by Change Orders \$ 0.00
3. CONTRACT SUM TO DATE (Line 1+ - 2) \$ 8,187,714.33
4. TOTAL COMPLETED & STORED TO DATE (Column G on CAP703) \$ 8,187,714.33
5. RETAINAGE:
 - a. 10.00 % of Completed Work (Columns D + E on CAP703) \$ 0.00
 - b. 10.00 % of Stored Material (Column F on CAP703) \$ 0.00
- Total Retainage (Line 5a + 5b or Total in column I of CAP703) \$ 0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 8,187,714.33
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 8,186,738.49
8. CURRENT PAYMENT DUE \$ 975.84
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	0.00

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.

CONTRACTOR: Clean Scapes, LP

By: _____ Date: 4/13/2009

State of: TX

County of:

Subscribed and sworn to before

me this _____ day of _____

Notary Public:

My Commission expires:

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations 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.

AMOUNT CERTIFIED \$ _____

(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.)

ARCHITECT:

By: _____ Date: _____

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

CAP703 DETAIL PAGE(S)

PAGE 2 OF 2 PAGES

TO:Opus West Construction Corporation
15455 N. Dallas Parkway
Suite 450
Addison, TX 75001**FROM:**Clean Scapes, LP
PO Box 203070
Austin, TX 78720**PROJECT**
HCGAPPLICATION#: 24
APPLICATION DATE: 4/13/2009
PERIOD TO: 4/30/2009

CONTRACT DATE: / /

ARCHITECTS PROJECT#:

A	B	C	D		E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
1	Landscaping 2901	2,894,418.63	2,894,417.79	0.84	0.00	0.00	2,894,418.63	100	0.00	0.00
2	7" Concrete Paving 3132	166,538.00	166,538.00	0.00	0.00	0.00	166,538.00	100	0.00	0.00
3	Water Features 2815	790,481.00	790,481.00	0.00	0.00	0.00	790,481.00	100	0.00	0.00
4	Site Finish: Misc 3198	245,016.00	245,016.00	0.00	0.00	0.00	245,016.00	100	0.00	0.00
5	Irrigation 2902	1,515,504.00	1,515,504.00	0.00	0.00	0.00	1,515,504.00	100	0.00	0.00
6	Sidewalk 3100	236,856.00	236,856.00	0.00	0.00	0.00	236,856.00	100	0.00	0.00
7	Concrete Hardscape 3120	1,644,716.36	1,644,716.36	0.00	0.00	0.00	1,644,716.36	100	0.00	0.00
8	Cobble/ Other Pavers 2520	257,547.00	257,547.00	0.00	0.00	0.00	257,547.00	100	0.00	0.00
9	Brick/CMU Pavers 2515	235,095.00	235,095.00	0.00	0.00	0.00	235,095.00	100	0.00	0.00
10	Earthwork Subcontract - 2300	6,000.00	6,000.00	0.00	0.00	0.00	6,000.00	100	0.00	0.00
11	Dicks Sporting Goods Soft 2901	53,271.00	53,271.00	0.00	0.00	0.00	53,271.00	100	0.00	0.00
12	Dicks Sporting Goods Irr 2902	34,998.00	34,998.00	0.00	0.00	0.00	34,998.00	100	0.00	0.00
13	97337.99-B40-02901.00-S	81,170.00	81,170.00	0.00	0.00	0.00	81,170.00	100	0.00	0.00
14	97337.99-B40-03100.00 Sidewalk	26,103.34	25,128.34	975.00	0.00	0.00	26,103.34	100	0.00	0.00
		8,187,714.33	8,186,738.49	975.84	0.00	0.00	8,187,714.33	100	0.00	0.00

Clean Scapes

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

★ Original Proof of Claim
PLUS 2 copies

★ Self-addressed, stamped envelope
to receive file stamped copy back

512.448.1094

info@cleanscapes.net | www.cleanscapes.net