
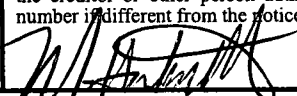


UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS		PROOF OF CLAIM
Name of Debtor: (Check Only One): <input checked="" type="checkbox"/> Opus West Corporation <input type="checkbox"/> Opus West Construction Corporation <input type="checkbox"/> O.W. Commercial, Inc. <input type="checkbox"/> Opus West LP <input type="checkbox"/> Opus West Partners, Inc.	Case Number: <div style="font-size: 1.5em; font-family: cursive;">09-34356</div>	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. All other requests 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): <div style="font-size: 1.5em; font-family: cursive; text-align: center;">PDL Designs</div> <div style="text-align: center; margin-top: 10px;"> RECEIVED NOV 09 2009 BMC GROUP </div>	<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: <i>(If known)</i> Filed on: _____	
Name and address where notices should be sent: <div style="font-size: 1.2em; font-family: cursive; margin-top: 10px;"> PDL Designs 2545 Golden Bear Dr. Carrollton, TX 75006 marla@pdl designs.com </div> Telephone number: 912 733-3006 Email Address:	<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.	
Name and address where payment should be sent (if different from above): <div style="font-size: 1.5em; font-family: cursive; text-align: center;">SAME</div> Telephone number:	<div style="font-size: 1.5em; font-family: cursive; text-align: center;">29,156.79 + interest</div>	
1. Amount of Claim as of Date Case Filed: \$ _____ 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 checked="" 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.	
2. Basis for Claim: <u>goods sold & services performed</u> (See instruction #2 on reverse side.)	<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)().	
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.)	Amount entitled to priority: <div style="text-align: center;">\$</div>	
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 checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Equipment <input type="checkbox"/> Other Value of Property: \$ _____ Annual Interest Rate: <u>12%</u> Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ <u>1260.</u> Basis for perfection: _____ Amount Unsecured: \$ _____	FOR COURT USE ONLY <div style="text-align: center;"> OPUS WEST  00491 </div>	
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 or 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: _____		
Date: 8/27/09	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="font-size: 1.2em; font-family: cursive;">  Marla Hawkesworth </div>	

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.

Modified B10 (GCG) (12/08)

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules. The attorneys for the Debtors and their court-appointed claims agent (The BMC Group) are not authorized and are not providing you with any legal advice.

PLEASE SEND YOUR ORIGINAL, COMPLETED CLAIM FORM AS FOLLOWS: **IF BY MAIL:** OPUS WEST CORPORATION, et al C/O BMC GROUP, PO BOX 3020, CHANHASSEN, MN, 55317-3020. **IF BY HAND OR OVERNIGHT COURIER:** OPUS WEST CORPORATION, et al C/O BMC GROUP, 18750 LAKE DRIVE EAST, CHANHASSEN, MN, 55317. ANY PROOF OF CLAIM SUBMITTED BY FACSIMILE OR E-MAIL WILL NOT BE ACCEPTED.

THE GENERAL BAR DATE IN THESE CHAPTER 11 CASES IS November 9, 2009

Court, Name of Debtor, and Case Number:

These chapter 11 cases were commenced in the United States Bankruptcy Court for the Northern District of Texas on July 6, 2009. You should select the Debtor against which you are asserting your claim.

A SEPARATE PROOF OF CLAIM FORM MUST BE FILED AGAINST EACH DEBTOR.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. Please provide us with a valid email address. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the Petition Date. Follow the instructions concerning whether to complete items 4 and/or 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the debtor, trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the Debtor, if any.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the Debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the Debtor credit for any payments received toward the debt.

7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor on the date of the bankruptcy filing.

Claim

A claim is the creditor's right to receive payment on a debt owed by the Debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the BMC Group as described in the instructions above and in the Bar Date Notice.

Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing from the BMC Group, please provide a self-addressed stamped envelope and a copy of this proof of claim when you submit the original claim to the BMC Group.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

7/31

Michael L. Hoffman, P.C.

17950 Preston Road, Suite 1080
Dallas, Texas 75252
Phone 214-420-7304 Fax 214-420-7301

INVOICE

INVOICE #0114
DATE: JULY 21, 2009

TO:
PDL Designs, Inc.
Attn: Leon Dagerman
2545 Golden Bear Drive
Carrollton, Texas 75006

FOR:
Legal Services

ATTORNEY	Date	DESCRIPTION	RATE	AMOUNT
MLHPC	5/13/09	Review and analyze lien situation for PDL Designs, Ltd. and formulate legal strategy relating to the filing of liens; includes review of various files and evaluation of timelines for filing of liens and notices (2.3)	\$250	\$575
MLHPC	5/28/09	Prepare Lien affidavits for client's execution for Regency and Addison Circle properties (1.5)	\$250	\$375
MLHPC	6/22/09	Further evaluate client's desire to pursue liens and prepare demand letters to accompany claims for Humana, Regency II, and Addison Circle (1.0)	\$250	\$250
MLHPC	6/25/09	Recording Fees for liens. 60.00		60.00
all MLH jobs				
ENTD JUL 24 2009				
Attorney Fees				
TOTAL				\$1,260.00

AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN

COUNTY OF DALLAS *
 *
STATE OF TEXAS *

A. Claimant: PDL DESIGNS LTD.

Address: 2545 Golden Bear Drive, Carrollton, Tx. 75006

claims a mechanics' or materialman's lien on the real property and improvement in the City of Dallas, County of Texas, located at

B. The legal description of the property is Being 4800 Regent Blvd, Irving, Texas 75063; more particularly described on Exhibit A attached hereto and incorporated herein by reference, together with all buildings, improvements and fixtures located thereon, and all rights, ways, privileges and appurtenances pertaining thereto.

C. The following persons have an ownership interest in the property or are reputed to have a property interest in said Property:

TEXAS DESERT LTD PS
PO BOX 263
MINNEAPOLIS, MINNESOTA 55440

D. Said claim is for the sum of \$1,858.87 plus interest at the contract rate or the legal rate, whichever is higher from March 13, 2009, which is due and unpaid to claimant (after deducting any just credits and offsets, if any) for labor, services, equipment and/or materials furnished by claimant. See attached contracts, invoices or other supporting documents.

E. The following is a record of the month in which the work was done and/or materials furnished for which payment is sought:

<u>Month/Year</u>	<u>Material, labor or services furnished</u>
March 2009	Floor Covering and Installation

F. Claimant was employed to furnish the labor and materials by Opus West Construction Corp., whose address is 15455 N. Dallas Pkwy, Suite 450, Addison, Texas 75001, who furnished the same to 4800 Regent Blvd, Irving, Texas 75063

G. If this claim remains unpaid, the owner may be personally liable and the owner's property may be subjected to a lien unless:

(1) The owner withholds payments from the contractor for payment of the claim;

or

(2) The claim is otherwise paid or settled.

Dated and sworn to this 22 th day of June, 2009 at Dallas, Texas.

Signature and Acknowledgment of Corporation

PDL DESIGNS, LTD.

By: _____

Signature

Leon Dagerman

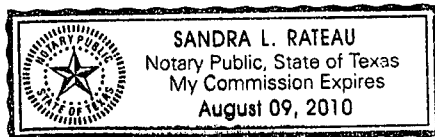
Print Name

Its: GENERAL PARTNER

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on the 22 th day of June, 2009 by Leon Dagerman, General Partner of PDL Designs, Ltd. on behalf of said corporation.

SEAL:



Sandra L. Rateau

Notary Public

Sandra L. Rateau

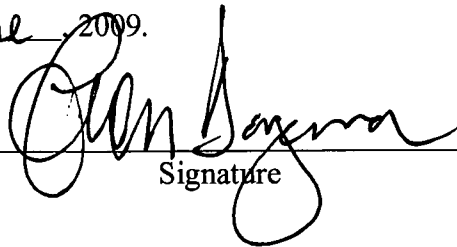
Printed Name

Certificate of Delivery

I, LEON DAGERMAN, hereby certify that by and through my attorney I forwarded this day a true and correct copy of the foregoing to Affidavit by mailing a true and correct

copy of same by Certified or Registered U.S. mail, postage prepaid, to the owner, Texas Desert Ltd. PS, P.O. Box 263, Minneapolis, Minnesota, 55440 and the general contractor Opus West Construction Corp., whose address is 15455 N. Dallas Pkwy, Suite 450, Addison, Texas 75001.

So certified this the 22th day of June, 2009.



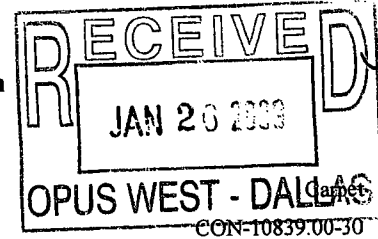
Signature

After recording, please return to:

Michael L. Hoffman
Michael L. Hoffman, P.C.
17950 Preston Road, Suite 1080
Dallas, Tx. 75252



OPUS West Construction Corporation
SUBCONTRACT CHANGE ORDER



Change Order Date: 01/16/2009

Change Order #: 1

To Subcontract Agreement dated: 11/05/2008

TO: PDL Floor Designs
2545 Golden Bear Drive
Carrollton, TX 75006

PROJECT: Regent Center II
4790 Regent Blvd.
Irving, TX 75063

18531

CHANGE DETAILS

Item	Description	Amount
1	720 LnFt Base 4" Rubber Cove Chart 3, DC29 Moon Rack	\$992.67
2	270 SqFt VCT Mannington Essentials DF, 129 Putty	\$446.91
		<u>\$1,439.58</u>

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
10839.01-F10-18531.00-S	\$14,134.00	\$1,439.58	\$15,573.58
	<u>\$14,134.00</u>	<u>\$1,439.58</u>	<u>\$15,573.58</u>
Original Contract Amount.....			\$14,134.00
Previously Approved Change Orders.....			\$0.00
Amount this Change Order.....			\$1,439.58
Contract Amount to Date.....			<u>\$15,573.58</u>

ACKNOWLEDGEMENT

Please sign and return all original copies

PDL Floor Designs

OPUS West Construction Corporation

Marka Hawkins
Printed Name

Date

1/22/09

Melissa Monier
Printed Name

Date

1/26/09

Reference this change order number on all Application for Payment documents.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

After recording please return to:
Law Offices of Jay F. Cook, P.L.
1415 Panther Lane, Suite 159
Naples, FL 34109
Attn: William F. McDonough, Esq.

**AFFIDAVIT, FULL RELEASE AND WAIVER
(Final Payment)**

THE STATE OF TEXAS §
 §
COUNTY OF Dallas §

~~34378~~

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared Leon Dapeman, known to me to be a credible person, who, after being by me duly sworn, upon oath stated:

For and in consideration of the sum of **\$1,557.36** (the "Final Payment") given under the Application (defined below), the receipt and sufficiency of which is hereby acknowledged and confessed:

1. **PDL Design Ltd.** ("Subcontractor") entered into a Subcontract Agreement #32003 ("Subcontract") dated 10/10/08, with **Opus West Construction Corporation** ("Opus"), as amended from time to time through Change Order #001 to provide labor, skills, services, materials and machinery (collectively, the "Work") as part of Opus' construction of a building and other improvements on the project known as **Regent Center II**, located on the property legally described on the attached **Exhibit A** and incorporated herein by this reference (the "Property").

2. Subcontractor submits this Affidavit, Full Release and Waiver to Opus and to the owner of the Property, Texas Desert Limited Partnership, in connection with the attached final application for payment ("Application"), and certifies that all labor, skills, services, materials, and machinery provided by or through Subcontractor under the Subcontract, for which Subcontractor was paid under prior applications of payment, have been fully paid by Subcontractor to the extent paid by Opus or Texas Desert Limited Partnership. Subcontractor also represents that (a) the change order referenced in paragraph 1 above is the final change order executed and to be executed under the Subcontract, (b) the Final Payment reflects the final and total amount due Subcontractor under the Subcontract or otherwise claimed by Subcontractor in connection with the Work, (c) the Final Payment to be received from Opus and Texas Desert Limited Partnership under the Application will be used to pay for all labor, skills, services, material and machinery provided by, through, or under Subcontractor in connection with the Work, as shown on the

Application, and that after such payment is made there will be no bills or obligations outstanding in connection therewith, and (d) all work to have been performed and all materials to have been supplied and all terms and conditions to have been performed or observed on the part of Subcontractor, its subcontractors and suppliers have been entirely performed, supplied and observed.

3. Subcontractor will indemnify and hold harmless Opus, its surety, Texas Desert Limited Partnership and any other party to whom Opus or Texas Desert Limited Partnership is responsible (collectively, the "Indemnities"), against any claims, loss or damage that the Indemnitees may sustain in connection with liens filed against the Property or claims for payment filed or asserted against the Indemnitees by subcontractors, sub-subcontractors, laborers, materialmen or suppliers engaged by or on behalf of Subcontractor to provide labor, skills, services, materials or machinery as part of the Work under the Subcontract, and for which Opus and Texas Desert Limited Partnership has made payment, including any liens filed for amounts validly retained by Opus and Texas Desert Limited Partnership under the Subcontract.

4. Subcontractor releases and waives all constitutional, statutory, contract and equitable liens, rights and claims it may have against Opus, its surety, Texas Desert Limited Partnership, and the Property, for payment in connection with labor, skills, services, materials and machinery provided by or through Subcontractor and used in connection with or incorporated into the Work or stored at the Property.

5. The waiver in paragraph 4 above will be effective on the date Subcontractor receives the Final Payment due under the Application.

6. This Affidavit, Full Release and Waiver is given pursuant to Chapter 53 of the Texas Property Code.

7. This Affidavit, Full Release and Waiver is executed and delivered by a duly authorized representative of Subcontractor.

By: Leon Dagerma

Title: Owner Date: 9/16/09

Subcontractor:

Latest Invoice # -

1-41214

PDL Design Ltd.

Latest Invoice Date -

3/19/09

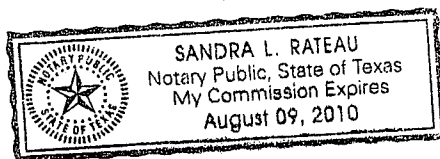
Check # -

1038

Check Date -

9/2/09

SUBSCRIBED AND SWORN TO BEFORE ME by the said Leon Dagerma on this 16th day of September, 2009.



Sandra L. Rateau
Notary Public, State of Texas

Exhibit A

Approximately 4.07 acres of the most southerly portion of that certain tract of land containing 13.5677 acres of land situated in Dallas County, Texas, more particularly described as follows:

BEING a tract of land situated in the Cordella Bowen Survey, Abstract No. 56, Dallas County, Texas, said tract being Lot 2, Block S of DFW Freeport, 5th Installment, 2nd Revisions, an addition to the City of Irving, Texas recorded in Volume 84239, Page 4379, Deed Records, Dallas County, Texas, said tract being same as that described in Substitute Trustee's Deed dated October 4, 1988, and recorded in Volume 88198, Page 4166, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod for corner in the east line of Currency Street (55 foot right-of-way), said corner being at the south end of a corner clip at the intersection of the said east right-of-way line of said Currency Street, and the south right-of-way line of Statesman Drive (55 foot right-of-way);

THENCE North 45 degrees 14 minutes 00 seconds East, along said corner clip from Currency Street to the south right-of-way line of Statesman Drive, a distance of 25.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "A.H. Halff Assoc." (hereafter referred to as "with cap") set for corner;

THENCE South 89 degrees 46 minutes 00 seconds East, along the south right-of-way line of Statesman Drive, a distance of 183.88 feet to a 1/2 inch iron rod with cap set for corner at the point of curvature of a circular curve to the left, said curve having a central angle of 35 degrees 58 minutes 40 seconds, a radius of 477.50 feet, a tangent of 155.05, a chord length of 294.94 feet and a chord bearing North 72 degrees 14 minutes 40 seconds East;

THENCE along said curve to the left and along the south right-of-way line of Statesman Drive, an arc length of 299.84 feet to a 1/2 inch iron rod with cap set for corner, said corner being the same point of tangency of said curve;

THENCE North 54 degrees 15 minutes 20 seconds East, along the south right-of-way line of Statesman Drive, a distance of 164.07 feet to a 1/2 inch iron rod with cap set for corner, said corner being at the west end of a corner clip at the intersection of the south right-of-way line of Statesman Drive (55 foot right-of-way) and the west right-of-way line of Regent Boulevard (80 foot right-of-way);

THENCE 80 degrees 44 minutes 40 seconds East, along said corner clip from the south right-of-way line of Statesman Drive to the west right-of-way line of said Regent Boulevard, a distance of 25.00 feet to a 1/2 inch iron rod with cap set for corner;

THENCE South 35 degrees 44 minutes 40 seconds East, along the west right-of-way line of Regent Boulevard, a distance of 29.03 feet to a 1/2 inch iron rod with cap set for corner at the point of curvature of a circular curve to the right, said curve having a central angle of 35 degrees 58 minutes 40 seconds, a radius of 660.00 feet, a tangent of 214.31, a chord length of 407.66 feet and a chord bearing of South 17 degrees 45 minutes 20 seconds East;

THENCE along said curve to the right, and along the west right-of-way line of Regent Boulevard, an arc length of 414.49 feet to a 1/2 inch iron rod with cap set for corner, said corner being the point of tangency of said curve;

THENCE South 00 degrees 14 minutes 00 seconds West, along the west right-of-way line of Regent Boulevard, a distance of 478.33 feet to a 1/2 inch iron rod with cap set for corner;

THENCE North 89 degrees 46 minutes 00 seconds West, departing the west right-of-way line of Regent Boulevard, a distance of 782.50 feet to a 1/2 inch iron rod with cap set for corner, said corner being in the east line of said Currency Street, said corner also being the southwest corner of Lot 2 and the northwest corner of Lot 1 of said addition;

THENCE North 00 degrees 14 minutes 00 seconds East, along the east right-of-way line of Currency Street, a distance of 688.33 feet to the POINT OF BEGINNING AND CONTAINING 591,009 square feet or 13.5677 acres of Land, more or less.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

After recording please return to:
Law Offices of Jay F. Cook, P.L.
1415 Panther Lane, Suite 159
Naples, FL 34109
Attn: William F. McDonough, Esq.

34878

RELEASE OF MATERIALMAN'S AND MECHANIC'S LIEN

STATE OF TEXAS

COUNTY OF Dallas

All amounts due and owing to the undersigned as described in that certain Affidavit of Mechanic's Lien of Sub-Contractor recorded June 22, 2009, as Document No. **200900181299** in the Official Public Records of Real Property of Dallas County, Texas, have been paid in full and satisfied and the undersigned hereby fully discharges, waives, and releases all claims and liens thereunder. Further, in consideration of the undersigned's receipt of such amounts, the undersigned hereby releases Texas Desert Limited Partnership from and against any and all claims, debts, demands, or causes of action that the undersigned now has or may have on account of work described in said Affidavit of Mechanic's Lien of Sub-Contractor or for the construction and erection of the improvements situated on the real property described therein. The undersigned does hereby waive and release any constitutional, statutory, contractual or other lien or claim of lien it has or may have against said property and the improvements on account of the furnishing of labor or materials thereto.

END OF PAGE
SIGNATURE PAGE FOLLOWS

In witness whereof, the undersigned has set his hand and seal, this 21st day of Sept, 2009.

Name of Company:

PDL Design Ltd.

By: [Signature]
Name: Leon Dagerman
Its: Owner

STATE OF TEXAS

§

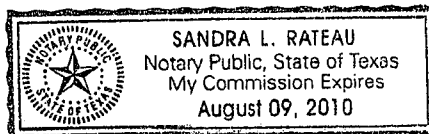
§

COUNTY OF Dallas

§

This instrument was acknowledged before me on Sept 21st, 2009, by Leon Dagerman, as Owner, on behalf of PDL Design, Inc.

[Signature]
Notary Public,
State of TX





SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Regent Center II
Subcontractor: PDL Floor Designs
Supplier #: 1007613
Address: 2545 Golden Bear Drive
Carrollton, TX 75006
Phone: 972-733-3006
Remittance Address: OPUS West Construction Corporation
Attn: Accounts Payable
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

Project Number: 10839
Date of Application: 1/20/09
Application Number: 1
Period From: 1/10/09 Period To: 1/30/09

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$14,134.00
OPUS APPROVED CHANGE ORDER thru # 1		\$1,439.58
CONTRACT AMOUNT TO DATE TOTAL		\$15,573.58

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

\$ 15,573.58
\$ 1557.35
\$ 0
\$ 1557.35
\$ 15,573.58

\$ 14,016.23
\$ 14,016.23

SUBCONTRACTOR:

PDL Floor Designs

Supplier #: 1007613

BY:

DATE:

[Signature]
1/20/09

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				
10839.01-F10-18531.00-S	Int Finish Allowance 1 - Subcontract	\$15,573.58			I + G	A / H		G - K
	Total	\$15,573.58						
		H	I	G	A	I	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
-----------	--------------	------	---------

Invoice

PDL Designs, Ltd.
2545 Golden Bear Drive
Carrollton TX 75006
972-733-3006 972-733-3182

I-40093

Job #

34878

Contract #

Customer PO

Date

12/18/2008

Sales Person1

Marla

Sales Person2

Acct # 3369
Sold To: 972 480-9787 Fax 972 669-2216

OPUS WEST CONSTRUCTION CORP
15455 N. DALLAS PARKWAY
STE 450
ADDISON, TX 75001

Ship To:

REGENT CENTER / DE VRY INSTITUTE -
REVISED OPTION 2 - FINAL REVISED
FINISHES
4800 REGENT BLVD.
IRVING, TX 75063
Contact: MISSY MONIER - 972-392-8821

Type	Quantity	Product Description Labor Description	Color / Item Number Room	Price	Total
Carpet					
Materials	325 SqYd	BOLYU / FLATWEAVE 30 OZ	FWV53 BARKCLOTH	\$29.69792	\$9,603.68
Labor	310 SqYd	CPT Glue			
TRIM				\$3.21	\$224.70
Labor	70 LnFt	EDGES FOR RUGS			
Carpet					
Materials	65 SqYd	BLOYU / ECHOES 36 OZ	EC113 TWO x TWO	\$35.04875	\$2,262.12
Labor	60 SqYd	CPT Glue			
Carpet				\$19.23	\$480.75
Labor	25 Each	STAIR LABOR			
Carpet				\$1.60	\$80.00
Labor	50 LnFt	BORDER LABOR			
Carpet					
Materials	20 SqYd	BOLYU / FLATWEAVE 30 OZ	FWV53 BARKCLOTH - 4"	\$27.38792	\$997.76
Labor	520 LnFt				
Base					
Materials	520 LnFt	DALLAS CARPET BINDING CARPET BASE	COLOR BINDING	\$0.032175	\$16.73
VCT					
Materials	90 SqFt	MANNINGTON ESSENTIALS DF	129 PUTTY	\$1.678675	\$151.08
Labor	90 SqFt	VCT			
Base					
Materials	240 LnFt	4" RUBBER COVE CHART 3	DC29 MOON ROCK	\$1.422075	\$333.70
Labor	220 LnFt	BASE			

Continuation For: OPUS WEST CONSTRUCTION CORP, Invoice # I-40093

Type	Quantity	Product Description Labor Description	Color / Item Number Room	Price	Total
------	----------	--	-----------------------------	-------	-------

Information

Totals

Grand Total	\$14,150.52
Payments	
Balance	\$14,150.52

Terms

Due Date

12/18/2008

This invoice excludes the following unless noted otherwise: All Moisture Tests, Floor Prep, Overtime, Mopping and Waxing, Demo, Vacuuming, Furniture Moving including Appliances Computer Equipment, Modulers and Vending Machines.

Invoice

PDL Designs, Ltd.
2545 Golden Bear Drive
Carrollton TX 75006
972-733-3006 972-733-3182

I-40422

Job #

34878

Contract #

Customer PO

Date

1/16/2009

Sales Person1

Marla

Sales Person2

Acct # 3369
Sold To: 972 480-9787 Fax 972 669-2216

OPUS WEST CONSTRUCTION CORP
15455 N. DALLAS PARKWAY
STE 450
ADDISON, TX 75001

Ship To:

REGENT CENTER / DE VRY INSTITUTE -
REVISED OPTION 2 - FINAL REVISED
FINISHES

4800 REGENT BLVD.

IRVING, TX 75063

Contact: MISSY MONIER - 972-392-8821

Type	Quantity	Product Description Labor Description	Color / Item Number Room	Price	Total
Base					
Materials	720LnFt	4" RUBBER COVE CHART 3	DC29 MOON ROCK	\$1.425375	\$992.67
Labor	660LnFt				
VCT					
Materials	270SqFt	MANNINGTON ESSENTIALS DF	129 PUTTY	\$1.68115	\$446.91
Labor	250SqFt				

Information

Totals

Grand Total

\$1,439.57

Payments

Balance

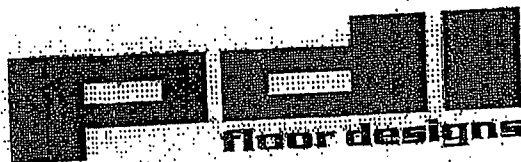
\$1,439.57

Terms

Due Date

1/16/2009

This invoice excludes the following unless noted otherwise: All Moisture Tests, Floor Prep, Overtime, Mopping and Waxing, Demo, Vacuuming, Furniture Moving including Appliances Computer Equipment, Modularity and Vending Machines.



2545 Golden Bear Drive - Carrollton, TX
Phone 972-733-3006, Fax 972-733-3182

facsimile transmittal

To: Heather Fax: _____
From: Marla Hinesworth Date: 1/28/09
Re: Billing Pages: 1 2 3 4 5 (Including Cover)
Attn: _____

Urgent For review Please comment Please reply Please recycle

Original to follow by mail.

IF you have any further questions or did not receive the entire fax, please feel free to contact me at 972.733.3006

THANK YOU

UNCONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

Project: Regent Center II

Job No.: 10839

The undersigned has been paid and has received a progress payment in the sum of \$ 14,016.22 for all labor, services, equipment or material furnished to the jobsite or to OPUS WEST CONSTRUCTION CORP

(Person with whom undersigned contracted)

on the job of TEXAS DESERT LIMITED PARTNERSHIP

(Owner)

located at 4790 Regent Blvd, Irving, Texas 75063

(Job Description)

and does hereby release any mechanic's lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position that the undersigned has on the above referenced project to the following extent. This release covers a progress payment for all labor, services, equipment or materials furnished to the jobsite or to

OPUS WEST CONSTRUCTION CORP through 1/31/2009

(Person with whom undersigned contracted)

(Date)

only, and does not cover any retentions, pending modifications and changes or items furnished after that date. The undersigned warrants that he wither has already paid or will use the monies he receives from this progress payment to promptly pay in full all of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

4/27/09
(Date)

PDL Design Ltd.

(Company Name)

[Signature]
(Signature)

[Signature]
(Title)

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it, even if you have not been paid. If you have not been paid, use a conditional release form.



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Regent Center II
Subcontractor: PDL Floor Designs
Supplier #: 1007613
Address: 2545 Golden Bear Drive
Carrollton, TX 75006
Phone: 972-733-3006

Project Number: 10839
Date of Application: 3/25/09
Application Number: 2
Period From: 3/1/09 Period To: 3/25/09

Remittance Address : OPUS West Construction Corporation
Attn : Accounts Payable
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$14,134.00
OPUS APPROVED CHANGE ORDER thru # 2		1724.58
CONTRACT AMOUNT TO DATE TOTAL		15858.58

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

\$ 15858.58
\$ 1585.85
\$ 14,272.73
\$ 256.58
\$ 1585.85
\$ 15858.58

SUBCONTRACTOR:

PDL Floor Designs

Supplier #: 1007613

BY:

DATE:

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				
10839.01-F10-18531.00-S	Int Finish Allowance 1 - Subcontract	\$15,573.58			I+G	A/H		G-K
	Total	\$15,573.58						
		H	I	G	A	J	K	E

Entered By :

Accounting

Date

Approved By :

Project Manager

Date

SHADED AREA FOR OPUS ACCOUNTING USE ONLY





SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Two Addison Circle Spec Office
Subcontractor: PDL Floor Designs
Supplier #: 1007613
Address: 2545 Golden Bear Drive
Carrollton, TX 75006
972-733-3006
Phone :

Project Number: 10593
Date of Application: 5/7/09
Application Number: 3
Period From: 5/1/09 Period To: 5/31/09

Remittance Address : OPUS West Construction Corporation
Attn : Accounts Payable
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

"Retainage"

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$24,063.00
OPUS APPROVED CHANGE ORDER thru # 2		\$1,928.00
CONTRACT AMOUNT TO DATE TOTAL		\$25,991.00

APPLICATION INFORMATION

A Total Completed & Stored to Date \$ 25,991.00
B Less Retainage 10 % \$ 2,599.10
C Total Earned less Retainage (A - B) \$ 23,391.90
D Less Previous Billings (previous req's line C) \$ 0
E Current Payment Due (C - D) \$ 23,391.90
F Balance to Finish, Plus Retainage (H - A + B) \$ 0
G Current Gross Amount Completed This Period \$ 25,991.00

SUBCONTRACTOR:

PDL Floor Designs

Supplier #: 1007613

BY:

DATE:

5/7/09 [Signature]

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				
10593.01-F10-09650.00-S	Resilient Flooring - Subcontract	\$2,785.00	2785	0	2785	100	0	
10593.01-F10-09680.00-S	Carpet - Subcontract	\$23,206.00	23206	0	23206	100	0	
	Total	\$25,991.00						25991.00
		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	Q/L Exp
-----------	---------------	------	---------

Invoice

PDI Designs, Ltd.
2545 Golden Bear Drive
Carrollton TX 75006
972-733-3006 972-733-3182

I-40815

Job #

34878

Contract #

Customer PO

Date

2/20/2009

Sales Person1

Marla

Sales Person2

Acct # 3369
Sold To: 972 480-9787 Fax 972 669-2216

OPUS WEST CONSTRUCTION CORP
15455 N. DALLAS PARKWAY
STE 450
ADDISON, TX 75001

Ship To:

REGENT CENTER / DE VRY INSTITUTE -
REVISED OPTION 2 - FINAL REVISED
FINISHES

4800 REGENT BLVD.

IRVING, TX 75063

Contact: MISSY MONIER - 972-392-8821

Type	Quantity	Product Description Labor Description	Color / Item Number Room	Price	Total
Floor Prep				\$47.50	\$285.00
Labor	6 Each	MATERIAL AND LABOR			

Information

1/12/09 Floor Prep Signed by
Rudy

Totals

Grand Total	\$285.00
Payments	
Balance	\$285.00

256.50

Terms

Due Date

2/20/2009

This invoice excludes the following unless noted otherwise: All Moisture Tests, Floor Prep, Overtime, Mopping and Waxing, Demo, Vacuuming, Furniture Moving including Appliances Computer Equipment, Modulares and Vending Machines.

34878

CONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENT

Project: Regent Center II
Job No.: 10839

On receipt by the undersigned of a check from
OPUS WEST CONSTRUCTION CORP
(Maker of Check)
in the sum of 1557.32
(Amount of Check)
payable to PDL Design Ltd.
(Payee or Payees of Check)

and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position that the undersigned has on the job of OPUS WEST CONSTRUCTION CORP
(Owner)
located at 4800 Regent Blvd. Irving, TX 75063
(Job Description)

to the following extent. This release covers the final payment to the undersigned for all labor, services, equipment or materials furnished to the jobsite or to OPUS WEST CONSTRUCTION CORP
(Person with whom undersigned contracted))

except for disputed claims in the amount of \$ 0. Before any recipient of this document relies on it, the person should verify evidence of payment to the undersigned.
The undersigned warrants that he either has already paid or will use the monies he receives from this payment to promptly pay in full all of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

4/22/09
(Date)
PDL Design Ltd.
(Company Name)
[Signature]
(Signature)
Owner
(Title)



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Regent Center II
Subcontractor: PDL Floor Designs
Supplier #: 1007613
Address: 2545 Golden Bear Drive
Carrollton, TX 75006
Phone: 972-733-3006
Remittance Address: OPUS West Construction Corporation
Attn: Accounts Payable
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

Project Number: 10839
Date of Application: 6/22/09
Application Number: 3
Period From: 6/1/09 Period To: 6/22/09

Retainage

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$14,134.00
OPUS APPROVED CHANGE ORDER # 1 thru #		1724
CONTRACT AMOUNT TO DATE TOTAL		15858.58

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

\$ 15,858.58
\$ 1,585.85
\$ 14,272.73
\$ 1,557.36
\$ 15,858.58

SUBCONTRACTOR:

PDL Floor Designs

Supplier #: 1007613

BY:

DATE:

M. H. H. H. H.
6/22/09

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				
10839.01-F10-18531.00-S	Int Finish Allowance 1 - Subcontract	15858.58	14301.22	1557.36	15858.58	100	0	1557.36
	Total	15858.58	14301.22		15858.58	100	0	1557.36
		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

AFFIDAVIT FOR MECHANIC'S AND MATERIALMAN'S LIEN

COUNTY OF DALLAS *
 *
STATE OF TEXAS *

A. Claimant: PDL DESIGNS LTD.

Address: 2545 Golden Bear Drive, Carrollton, Tx. 75006

claims a mechanics' or materialman's lien on the real property and improvement in the City of Dallas, County of Texas, located at

B. The legal description of the property is Being 15725 Dallas Pkwy, Addison, Texas 75001; more particularly described on Exhibit A attached hereto and incorporated herein by reference, together with all buildings, improvements and fixtures located thereon, and all rights, ways, privileges and appurtenances pertaining thereto.

C. The following persons have an ownership interest in the property or are reputed to have a property interest in said Property:

OPUS WEST LP
STE 450
15455 DALLAS PKWY STE 450
ADDISON, TEXAS 750016759

D. Said claim is for the sum of \$26,037.92 plus interest at the contract rate or the legal rate, whichever is higher from April 9, 2009, which is due and unpaid to claimant (after deducting any just credits and offsets, if any) for labor, services, equipment and/or materials furnished by claimant. See attached contracts, invoices or other supporting documents.

E. The following is a record of the month in which the work was done and/or materials furnished for which payment is sought:

<u>Month/Year</u>	<u>Material, labor or services furnished</u>
April 2009	Floor Covering and Installation

F. Claimant was employed to furnish the labor and materials by Opus West Construction Corp., whose address is 15455 N. Dallas Pkwy, Suite 450, Addison, Texas 75001, who furnished the same to 4800 Regent Blvd, Irving, Texas 75063

G. If this claim remains unpaid, the owner may be personally liable and the owner's property may be subjected to a lien unless:

(1) The owner withholds payments from the contractor for payment of the claim;

or

(2) The claim is otherwise paid or settled.

Dated and sworn to this 22th day of June, 2009 at Dallas, Texas.

Signature and Acknowledgment of Corporation

PDL DESIGNS, LTD.

By:


Signature

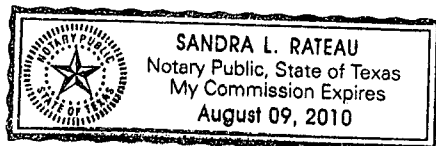
Leon Dagerman
Print Name

Its: GENERAL PARTNER

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on the 22th day of June, 2009 by Leon Dagerman, General Partner of PDL Designs, Ltd. on behalf of said corporation.

SEAL:



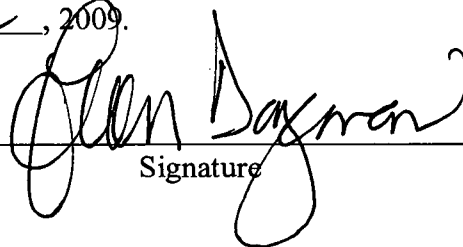

Notary Public

Sandra L. Rateau
Printed Name

Certificate of Delivery

I, LEON DAGERMAN, hereby certify that by and through my attorney I forwarded this day a true and correct copy of the foregoing to Affidavit by mailing a true and correct copy of same by Certified or Registered U.S. mail, postage prepaid, to the owner and general contractor, Opus West Construction Corp., whose address is 15455 N. Dallas Pkwy, Suite 450, Addison, Texas 75001.

So certified this the ~~22~~²³ day of June, 2009.



Signature

After recording, please return to:

Michael L. Hoffman
Michael L. Hoffman, P.C.
17950 Preston Road, Suite 1080
Dallas, Tx. 75252

BTS



OPUS West Construction Corporation
SUBCONTRACT CHANGE ORDER

Change Order Date: 03/31/2009

Change Order #: 2

To Subcontract Agreement dated: 12/23/2008

Carpet and VCT

CON-10593.00-36

09650/09680

TO: PDL Floor Designs
2545 Golden Bear Drive
Carrollton, TX 75006

PROJECT: Two Addison Circle Spec Office
15725 North Dallas Parkway
Addison, TX 75001

CHANGE DETAILS

Item	Description	Amount
1	Remove and replace with new carpet insert in second floor elevator lobby. Includes carpet pad	\$1,618.00
		<u>\$1,618.00</u>

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
10593.01-F10-09650.00-S	\$2,785.00	\$0.00	\$2,785.00
10593.01-F10-09680.00-S	\$21,588.00	\$1,618.00	\$23,206.00
	<u>\$24,373.00</u>	<u>\$1,618.00</u>	<u>\$25,991.00</u>

Original Contract Amount.....	\$24,063.00
Previously Approved Change Orders.....	\$310.00
Amount this Change Order.....	\$1,618.00
Contract Amount to Date.....	\$25,991.00

ACKNOWLEDGEMENT

Please sign and return all original copies

PDL Floor Designs

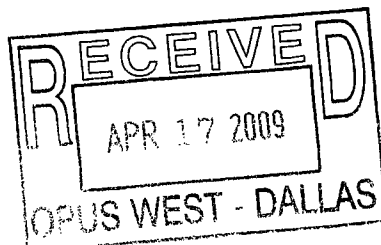
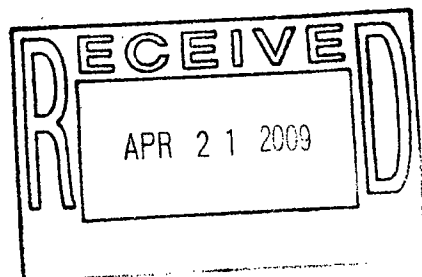
Maria Harkoswartz 4/14/09
Printed Name Date

OPUS West Construction Corporation

Brian Dotolo 4/15/09
Printed Name Date

Reference this change order number on all Application for Payment documents.

The work covered by this Subcontract Change Order will be performed under the same terms and conditions as those in the Subcontract Agreement. Subcor this Subcontract Change Order is inclusive of all Subcontractor's claims for additional compensation for work heretofore authorized or performed beyond the Subcontract Agreement as amended this date. No other claims will be accepted by Contractor.



CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

Project:

Two Addison Circle Spec Office

Job No.:

10593

On receipt by the undersigned of a check from

Opus West Construction
(Maker of Check)

in the sum of

Twenty-one thousand nine hundred thirty five & 71/100 \$21,935.72
(Amount of Check)

payable to

PDL Designs
(Payee or Payees of Check)

and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position that the undersigned has on the job of

Opus West Construction
(Owner)

located at

15725 N. Dallas Pkwy
(Job Description)

to the following extent. This release covers a progress payment for all labor, services, equipment or materials furnished to the jobsite or to

Opus West Corp.
(Person with whom undersigned contracted)

through

3/31/09
(Date)

only, and does not cover any retentions, pending modifications and changes or items furnished after that date. Before any receipt of this document relies on it, the person should verify evidence of payment to the undersigned.

The undersigned warrants that he either has already paid or will use the monies he receives from this payment to promptly pay in full all of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

5/26/09
(Date)

PDL Designs
(Company Name)

For PDL Designs
(Signature)

Owner
(Title)

35548

CONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENTProject: Two Addison Circle Phase IJob No.: 10593On receipt by the undersigned of a check from
Opus West Construction Corp

(Maker of Check)

in the sum of \$2,599.10

(Amount of Check)

payable to PDL Design LTD

(Payee or Payees of Check)

and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position that the undersigned has on the job of

Opus West LP

(Owner)

located at

14404 1/2 Hillcroft Street Houston TX 77085

(Job Description)

to the following extent. This release covers the final payment to the undersigned for all labor, services, equipment or materials furnished to the jobsite or to

Opus West Construction Corp

(Person with whom undersigned contracted))

except for disputed claims in the amount of \$ _____. Before any recipient of this document relies on it, the person should verify evidence of payment to the undersigned.

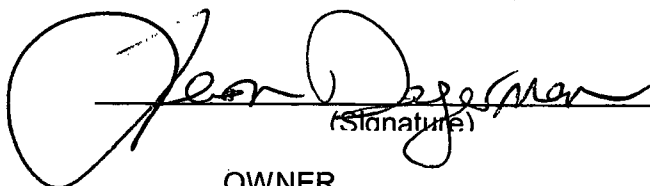
The undersigned warrants that he either has already paid or will use the monies he receives from this payment to promptly pay in full all of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

June 11, 2009

(Date)

PDL Design LTD

(Company Name)



(Signature)

OWNER

(Title)



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Two Addison Circle Spec Office
Subcontractor: PDL Floor Designs
Supplier #: 1007613
Address: 2545 Golden Bear Drive
Carrollton, TX 75006
Phone : 972-733-3006
Remittance Address : Opus West Construction Corporation
Attn : Accounts Payable
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

Project Number: 10593
Date of Application: 3/25/09
Application Number: 1
Period From: 3/1/09 Period To: 3/25/09

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$24,063.00
OPUS APPROVED CHANGE ORDER thru # 1		\$310.00
CONTRACT AMOUNT TO DATE TOTAL		\$24,373.00

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

\$ 24,373.00
\$ 2,437.22
\$ 21,934.78
\$ 0
\$ 21,934.78
\$ 2,437.22
\$ 24,372.00

SUBCONTRACTOR:

PDL Floor Designs

Supplier #: 1007613

BY:

DATE:

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				
10593.01-F10-09650.00-S	Resilient Flooring - Subcontract	\$2,785.00		2785	2785	100	2785	2506.50
10593.01-F10-09680.00-S	Carpet - Subcontract	\$21,588.00		21588	21588	100	21588	19429.20
	Total	\$24,373.00						
		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
-----------	--------------	------	---------

PDL Designs, Ltd.
 2545 Golden Bear Drive
 Carrollton TX 75006
 972-733-3006 972-733-3182

Invoice

I-40820

Job #

35548

Contract #

Customer PO

10593.00

Date

2/20/2009

Sales Person1

Marla

Sales Person2

Acct # 3369
 Sold To: 972 480-9787 Fax 972 669-2216

Ship To:

OPUS WEST CONSTRUCTION CORP
 15455 N. DALLAS PARKWAY
 STE 450
 ADDISON, TX 75001

TWO ADDISON CIRCLE - REVISED 12/11/08
 15725 DALLAS PKWY
 ADDISON, TX 75001
 Contact: BRIAN

Type	Quantity	Product Description Labor Description	Color / Item Number Room	Price	Total
Carpet					
<i>Materials</i>	331 SqYd	MONTERREY - CABO 51071 SUPER LOC BACKING	00152 MEDANO BEACH	\$50.81	\$16,541.61
<i>Labor</i>	245.25 SqYd	CPT Glue			
Adhesive					
<i>Materials</i>	7 Each	B-19 GREEN BOND	4GAL - 48 - 60YDS	\$37.41	\$261.85
Carpet					
<i>Materials</i>	31 SqYd	CONSTANTINE / FINE WEAVE	C22P15 DUTCH	\$53.71	\$1,632.80
<i>Labor</i>	21 SqYd	CPT Glue			
Floor Prep					
<i>Labor</i>	6.75 Each	MATERIAL AND LABOR		\$44.87	\$302.87
VCT					
<i>Materials</i>	1215 SqFt	ARMSTRONG IMPERIAL TEXTURE	51803 PEARL WHITE	\$1.44	\$1,603.37
<i>Labor</i>	896.25 SqFt	VCT			
Base					
<i>Materials</i>	30 SqYd	TO MATCH MAIN CPT 1		\$48.67	\$2,204.68
<i>Labor</i>	753 LnFt				
Base					
<i>Materials</i>	600 LnFt	4" RUBBER BASE	178 PEWTER	\$1.27	\$683.26
<i>Labor</i>	397.5 LnFt	BASE			

Information

Totals

Grand Total	\$23,230.45
Payments	
Balance	\$23,230.45

Terms

Due Date

2/20/2009

This invoice excludes the following unless noted otherwise: All Moisture Tests, Floor Prep, Overtime, Mopping and Waxing, Demo, Vacuuming, Furniture Moving including Appliances Computer Equipment, Modulers and Vending Machines.

PDL Designs, Ltd.
 2545 Golden Bear Drive
 Carrollton TX 75006
 972-733-3006 972-733-3182

Invoice

I-41204

Job #

35548

Contract #

Customer PO

10593.00

Date

3/19/2009

Sales Person1

Marla

Sales Person2

Acct # 3369
 Sold To: 972 480-9787 Fax 972 669-2216

Ship To:

OPUS WEST CONSTRUCTION CORP
 15455 N. DALLAS PARKWAY
 STE 450
 ADDISON, TX 75001

TWO ADDISON CIRCLE - REVISED 12/11/08
 15725 DALLAS PKWY
 ADDISON, TX 75001
 Contact: BRIAN

Type	Quantity	Product Description Labor Description	Color / Item Number Room	Price	Total
Carpet					
				\$3.21	\$262.42
Labor	81.75 SqYd	CPT Glue			
Carpet					
				\$3.21	\$22.47
Labor	7 SqYd	CPT Glue			
Floor Prep					
				\$44.87	\$100.96
Labor	2.25 Each	MATERIAL AND LABOR			
VCT					
		ARMSTRONG		\$0.46	\$137.43
Labor	298.75 SqFt	VCT			
Base					
				\$1.03	\$258.53
Labor	251 LnFt				
Base					
				\$0.38	\$50.35
Labor	132.5 LnFt	BASE			
VCT					
		ARMSTRONG IMPERIAL TEXTURE	51803 PEARL WHITE	\$1.72	\$309.66
Materials	180 SqFt				
Labor	180 SqFt	VCT			

Information

Totals

Grand Total	\$1,141.82
Payments	
Balance	\$1,141.82

Terms

Due Date

3/19/2009

This invoice excludes the following unless noted otherwise: All Moisture Tests, Floor Prep, Overtime, Mopping and Waxing, Demo, Vacuuming, Furniture Moving including Appliances Computer Equipment, Modulares and Vending Machines.



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Two Addison Circle Spec Office
Subcontractor: PDL Floor Designs
Supplier #: 1007613
Address: 2545 Golden Bear Drive
Carrollton, TX 75006
Phone: 972-733-3006
Remittance Address: OPUS West Construction Corporation
Attn: Accounts Payable
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

Project Number: 10593
Date of Application: 5/7/09
Application Number: 2
Period From: 5/1/09 Period To: 5/31/09

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$24,063.00
OPUS APPROVED CHANGE ORDER thru # 2		\$1,928.00
CONTRACT AMOUNT TO DATE TOTAL		\$25,991.00

APPLICATION INFORMATION

A Total Completed & Stored to Date \$ 25,991.00
B Less Retainage 10 % \$ 2599.10
C Total Earned less Retainage (A - B) \$ 23,391.90
D Less Previous Billings (previous req's line C) \$ 21,934.78
E Current Payment Due (C - D) \$ 1457.12
F Balance to Finish, Plus Retainage (H - A + B) \$ 2599.10
G Current Gross Amount Completed This Period \$ 1618.00

SUBCONTRACTOR: PDL Floor Designs Supplier #: 1007613
BY: [Signature]
DATE: 5/7/09

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				
10593.01-F10-09650.00-S	Resilient Flooring - Subcontract	\$2,785.00	2785.00		2785.00	100	0.00	0.00
10593.01-F10-09680.00-S	Carpet - Subcontract	\$23,206.00	21588.00	1618.00	23206.00	100	161.80	1456.20
	Total	\$25,991.00	25991.00	1618.00	25991.00	100	161.80	1456.20
		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

Invoice

PDL Designs, Ltd.
2545 Golden Bear Drive
Carrollton TX 75006
972-733-3006 972-733-3182

I-41700

Job #

35548

Contract #

Customer PO

10593.00

Date

5/5/2009

Sales Person1

Marla

Sales Person2

Acct # 3369
Sold To: 972 480-9787 Fax 972 669-2216

Ship To:

OPUS WEST CONSTRUCTION CORP
15455 N. DALLAS PARKWAY
STE 450
ADDISON, TX 75001

TWO ADDISON CIRCLE - REVISED 12/11/08
15725 DALLAS PKWY
ADDISON, TX 75001
Contact: BRIAN

Type	Quantity	Product Description Labor Description	Color / Item Number Room	Price	Total
Removal					
				\$2.50	\$70.00
Labor	28 SqYd	Demo Cpt Glue Down			
Carpet					
Materials	29.16 SqYd	ATLAS- ROUND N ROUND-12.6"	RD06 ORANGE PEEL	\$50.66	\$1,477.37
Labor	29.16 SqYd	CPT Stretch Berber			
Pad					
				\$2.25	\$67.50
Labor	30 SqYd	HARTS PROVIDE DOUBLE STICK PAD			

Information

Totals

Grand Total	\$1,614.88
Payments	
Balance	\$1,614.88

Terms

Due Date

5/5/2009

This invoice excludes the following unless noted otherwise: All Moisture Tests, Floor Prep, Overtime, Mopping and Waxing, Demo, Vacuuming, Furniture Moving including Appliances Computer Equipment, Modulers and Vending Machines.

CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

Project: Two Addison Circle

Job No.: 10593

On receipt by the undersigned of a check from

Opus West Construction Corporation

(Maker of Check)

in the sum of

One thousand - four hundred - forty seven & 12/100 \$ 1,457.12

(Amount of Check)

payable to

PDL Floor Designs

(Payee or Payees of Check)

and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for persons in the undersigned's position that the undersigned has on the job of

Opus West Construction Corporation

(Owner)

located at

15725 N. Dallas Pkwy

(Job Description)

to the following extent. This release covers a progress payment for all labor, services, equipment or materials furnished to the jobsite or to

Opus West Construction Corporation

through

(Person with whom undersigned contracted)

(Date)

only, and does not cover any retentions, pending modifications and changes or items furnished after that date. Before any recipient of this document relies on it, the person should verify evidence of payment to the undersigned.

The undersigned warrants that he either has already paid or will use the monies he receives from this payment to promptly pay in full all of his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

5/7/09
(Date)

PDL Floor Designs

(Company Name)

[Signature]
(Signature)

Owner
(Title)