

**VISION 2025  
CITY OF BROKEN ARROW**

**STONE CREEK HOSPITALITY CORPORATION  
HOTEL AND CONFERENCE CENTER**

**EARTH CHANGE PROJECT: SC-15001  
TRI-STAR CONSTRUCTION, LLC  
PAY REQUEST NO. 7**

**UTILITIES PROJECT: SC-15002  
DAVIS H. ELLIOT CONSTRUCTION CO., INC.  
PAY REQUEST NO. 1**

**FEBRUARY 08, 2016**

Prepared By:

**COWAN GROUP ENGINEERING, LLC**

5416 S. YALE, SUITE 210  
TULSA, OKLAHOMA 74135  
918.949.6171 (O)  
918.949.6174 (F)  
CA NO. 6414 EXP. 06/30/16



**STATEMENT OF CONTRACTOR TO OWNER AND ESCROWEE**

Draw Request No. 7 for Payment under Attorneys' Title Guaranty Fund, Inc.

**Project:** STONE CREEK HOTEL & CONFERENCE CENTER BROKEN ARROW

**Owner(s):** STONE CREEK INVESTORS of BROKEN ARROW, LLC

**Contractor:** STONE CREEK HOSPITALITY / SCI BUILDERS INC

Covers period from 1/1/2015 to \_\_\_\_\_

The undersigned JAMES H. THOMPSON

certifies that he is PRESIDENT/OWNER

(Nature of interest in or position with contracting company)

of STONE CREEK HOSPITALITY / SCI BUILDERS INC

under Contract with STONE CREEK INVESTORS of BROKEN ARROW, LLC

Owner(s), for GENERAL CONSTRUCTION

That, for the purpose of this work, the following orders have been placed and the following parties contracted with, and these are the only parties who have been contracted with and/or who have furnished materials or provided labor under the aforementioned Contract for said project: That the amounts of such orders or contracts are as stated below and that there are due and to become due these parties respectively the amounts set opposite their names for materials or labor or both, and the undersigned warrants that the amounts due these parties respectively (see Column No. 6) represents materials and/or labor incorporated into the project at this date:

1	2	3	4	5	6	7
CONTRACTOR WORK/MATERIALS	CONTRACTED BUDGET	DRAW 7	DRAW 8	DRAW 9	Total Drawn	Total Remaining
<b>CONSTRUCTION COSTS</b>						
<b>201- SITEWORK</b>						
<b>GRADING/DIRT WORK</b>						
Tri-Star Construction LLC	1,815,033.50	140,912.07			2,263,749.74	(448,716.24)
<b>SITE UTILITIES</b>						
Davis H Elliot Construction	728,215.00	69,713.85			69,713.85	658,501.15
<b>PARKING LOT-ASPHALT</b>						
<b>SITE EXTRAS</b>						


CONTRACTOR WORK/MATERIALS	CONTRACTED BUDGET	DRAW 7	DRAW 8	DRAW 9	Total Drawn	Total Remaining
201-CONCRETE						
FOUNDATIONS						
FLATWORK						
CURB & GUTTER						
SIDEWALKS						
210-MATERIALS						
CONF CENTER-STEEL						
214-STRUCTURAL						
215-MECHANICAL						
216-ELECTRICAL						
PARKING LOT-LIGHTS						

CONTRACTOR WORK/MATERIALS	CONTRACTED BUDGET	DRAW 7	DRAW 8	DRAW 9	Total Drawn	Total Remaining
EXTERIOR SIGNAGE						
CONF CTR-TECHNOLOGY						
217-LANDSCAPING						
TOTAL - CONSTRUCTION COSTS	2,543,248.50	210,625.92			2,333,463.59	209,784.91
TOTAL:	2,543,248.50	210,625.92			2,333,463.59	209,784.91
DATE:		02/07/16				

The undersigned certifies further that this statement is made to Escrow and to said Owner for the purpose of procuring from same payment in accordance with the terms of said Contract and the ATTORNEYS' TITLE GUARANTY FUND, INC. Construction Loan Escrow and Disbursing Agreement, and is a True and Complete Statement of all Parties contracted with and of all Parties furnishing labor and/or materials, and of all amounts paid, due and to become due them.

Signed this 7th day of February 20 16

By:

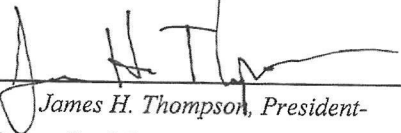
  
D. Kevin McCarty, Executive VP / CDO  
Stoney Creek Hospitality

**OWNER'S APPROVAL OF REQUESTED DISBURSEMENT**

The undersigned Owner(s), or his designated architect or inspector, certifies that he has inspected the progress of the construction and that the work covered by this Request for Payment has been completed and the materials put in place in accordance with the plans, specifications and Construction Contract, that all amounts shown herein as due and owing to the named subcontractors and that he hereby approves the requested disbursement under the terms of Construction Loan Escrow and Disbursing Agreement No. \_\_\_\_\_.

Signed this 7th day of February 20 16

By:

  
James H. Thompson, President  
Stoney Creek Investors of Broken Arrow LLC

## APPLICATION AND CERTIFICATE FOR PAYMENT

PROJECT: Stoney Creek Hotel and Conference Center  
 OWNER: Stoney Creek Hospitality Corp.  
 COMMUNITY: Broken Arrow, OK

ENGINEER: Cowan Group Engineering, LLC  
 CONTRACTOR: Stoney Creek Hospitality Corp.  
 APPLICATION DATE: 2/3/2016 APPLICATION NO.: 7  
 PERIOD FROM: PERIOD TO: 1/26/2016

**CHANGE ORDER SUMMARY**

CHANGE ORDERS APPROVED IN PREVIOUS MONTHS BY OWNER			
CHANGE ORDER	APPROVED DATE	ADDITION \$	DEDUCTION \$
1	10/20/2015	\$ 206,473.33	\$ -
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
Subtotals		\$ 206,473.33	\$ -
Net change by Change Orders:			\$ 206,473.33

Application is made for Payment, as shown below, in connection with Contract. The present status of the account for this Contract is as follows:

1	ORIGINAL CONTRACT SUM (Construction Budget)	\$ 4,475,000.00
2	Net Change by Change Orders	\$ 206,473.33
3	CONTRACT SUM TO DATE	\$ 4,681,473.33
4	TOTAL COMPLETE & STORED TO DATE (Total Column G on G703)	\$ 2,481,428.96
5	RETAINAGE (5%):	\$ 124,071.45
6	TOTAL EARNED LESS RETAINAGE (Line 4 less line 5 Total)	\$ 2,357,357.51
7	LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 of prior Certificates)	\$ 2,146,731.59
8	LESS SCHC PRIVATE FUNDING	\$ -
9	CURRENT PAYMENT DUE	\$ 210,625.92
	BALANCE TO FINISH, Plus Retainage (Line 3 less Line 6)	\$ 2,324,115.82

The undersigned Contractor certifies that the work covered by the 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 the current payment shown herein is now due.

**OWNER CONTRACTOR:**

By:  \_\_\_\_\_  
 Signature

Date: 2-9-16

In accordance with the Contract Documents, based upon on-site observations and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED \$ 210,625.92.

**ENGINEER:**

By:  \_\_\_\_\_  
 Signature

Date: 08 FEB 20 16

SCHC

G703

Item No.	Description of Work	Schedule Value	WORK COMPLETED		Materials Presently Stored	Total Completed and Stored to Date	%	Balance to Finish	Retainage
			From Previous Application	This Period					
1	Earth Change (Tri-Star)	\$ 2,549,500.64	\$ 2,259,717.46	\$ 148,328.50	\$ -	\$ 2,408,045.96	94%	\$ 141,454.68	\$ 120,402.30
2	Utilities (Davis H. Elliot Const.)	\$ 728,215.00	\$ -	\$ 73,383.00	\$ -	\$ 73,383.00	10%	\$ 654,832.00	\$ 3,669.15
3	Uncommitted Balance	\$ 1,403,757.69	\$ -	\$ -	\$ -	\$ -	0%	\$ 1,403,757.69	\$ -
		\$ 4,681,473.33	\$ 2,259,717.46	\$ 221,711.50	\$ -	\$ 2,481,428.96	53%	\$ 2,200,044.37	\$ 124,071.45

## **SUPPORTING DOCUMENTATION**

LETTER OF EXPLANATION

	Vision Funding	Private Funding
Earth Change (Tri-Star)	Original Contract	
	\$	1,815,033.50
Tri-Star Change Order #1	Excess Rock Excavation (Base Bid Item 3)	
	\$	580,000.00
Tri-Star Change Order #2	Additional Excavation for Site Revisions & Hotel Revisions	
	\$	36,720.00
Tri-Star Change Order #2	Add'l Excavation for Site Revisions (funded with SCHC private sources)	
	\$	-
Tri-Star Change Order #3	Building Pads Conduit	
	\$	81,818.10
	Subtotals	
	\$	2,513,571.60
<b>Tri-Star Construction</b>	<b>Total Contract</b>	<b>\$</b>
		<b>2,549,500.64</b>

Utilities (Davis H. Elliot Const.)	Original Contract	\$	683,020.50
DHEC Change Order #1	Add Water Bore from EC Project & Revise Water Line "C" per Site Rev	\$	45,194.50
		\$	-
		\$	-
<b>Davis H. Elliot Construction Co.</b>	<b>Total Contract</b>	<b>\$</b>	<b>728,215.00</b>

<b>Vision Funding Totals</b>			
Tri-Star Construction	Earth Change Project	\$	2,549,500.64
Davis H. Elliot Construction Co.	Utilities Project	\$	728,215.00
	Total Committed Funding	\$	3,277,715.64
Uncommitted Balance		\$	1,403,757.69
	<b>Total Vision Funding</b>	<b>\$</b>	<b>4,681,473.33</b>

	Amount Owed	Payment Less 5% Ret
<b>Stoney Creek Hospitality Corp.</b>		
Private Funding Payments		
	Tri-Star Change Order #2 (Partial)	\$
		35,929.04
		\$
		25,151.49
	<b>Total private payments</b>	<b>\$</b>
		<b>35,929.04</b>
		<b>\$</b>
		<b>25,151.49</b>