

**STATEMENT OF CONTRACTOR TO OWNER AND ESCROWEE**

Draw Request No.  4  for Payment under Attorneys' Title Guaranty Fund, Inc.

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

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

**Contractor:**  STONEY CREEK HOSPITALITY / SC DEVELOPMENT CORP

Covers period from  1/1/2015  to  12/31/2015

The undersigned  JAMES H. THOMPSON

certifies that he is  PRESIDENT/OWNER

(Nature of interest in or position with contracting company)

of  STONEY CREEK HOSPITALITY / SC DEVELOPMENT CORP

under Contract with  STONEY CREEK INVESTORS of BROKEN ARROW, LLC

Owner(s), for  DEVELOPMENT & DESIGN

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 4	DRAW 5	DRAW 6	Total Drawn	Total Remaining
<b>GENERAL DEVELOPMENT</b>						
<b>101-ARCHITECTURAL &amp; ENGINEERING</b>						
<b>DESIGN</b>						
Mike Hughes Architects	600,000.00				477,025.50	122,974.50
R.L. Shears Company	75,000.00		18,044.72		29,644.72	45,355.28
<b>SITE ENGINEERING</b>						
Cowan Group Engineering	152,500.00	33,685.25	14,774.15		206,885.04	(54,385.04)
<b>TESTING</b>						
GFAC Engineering	10,450.00				10,450.00	
<b>STRUCTURAL</b>						
Mettemeyer Engineering						
<b>MECHANICAL</b>						

CONTRACTOR WORK/MATERIALS	CONTRACTED BUDGET	DRAW 4	DRAW 5	DRAW 6	Total Drawn	Total Remaining
ELECTRICAL						
PERMITS						
MISC.						
103 - LEGAL						
Nyemaster Law Firm						
MISC.						
104 - TRAVEL & MISC.						
SC Development Corp.						
<b>TOTAL - DEVELOPMENT COSTS</b>	<b>837,950.00</b>	<b>33,685.25</b>	<b>32,818.87</b>		<b>724,005.26</b>	<b>113,944.74</b>
<b>TOTAL:</b>	<b>837,950.00</b>	<b>33,685.25</b>	<b>32,818.87</b>		<b>724,005.26</b>	<b>113,944.74</b>
<b>DATE:</b>	<b>03/10/15</b>	<b>11/04/15</b>	<b>11/24/15</b>			

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 24th day of November 20 15.

By:

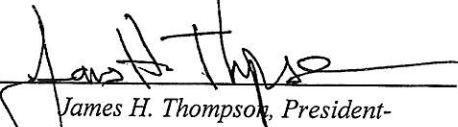
  
D. Kevin McCarty, Executive V.P. / CDO  
Stoney Creek Hospitality

#### 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 24th day of November 20 15.

By:

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



# Cowan Group Engineering, LLC

7100 N. Classen, Suite 500  
Oklahoma City, OK 73116-7747  
Tel: 405-463-3369 Fax: 405-463-3381  
jeff@cowangroup.co  
www.cowangroup.co

## Invoice

Invoice Date: Nov 10, 2015  
Invoice Num: 2152  
Billing Through: Oct 31, 2015

Mr. Jim Thompson  
Stoney Creek Hospitality  
5291 Stoney Creek Court  
Johnston, IA 50131

**WE HAVE MOVED!**  
Our new address is:  
Cowan Group Engineering, LLC  
7100 N. Classen, Suite 500  
Oklahoma City, OK 73116-7747

**01-Stoney Creek - Sketch Plan (14-256:01) - Managed by (KDS)**

Project (14-256:01) Total Amount Due:           \$0.00

**02-Stoney Creek - Survey & Preliminary Plat (14-256:02) - Managed by (KDS)**

Project (14-256:02) Total Amount Due:           \$0.00

**03-Stoney Creek - Drainage Plan & Report (14-256:03) - Managed by (KDS)**

Project (14-256:03) Total Amount Due:           \$0.00

**04-Stoney Creek - Grading, Paving, & Drainage Plan (14-256:04) - Managed by (KDS)**

Project (14-256:04) Total Amount Due:           \$0.00

**05-Stoney Creek-Water, Sanitary & Storm Sewer Plan (14-256:05) - Managed by (KDS)**

**Professional Services:**

**Classification**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Senior Project Manager	0.00	\$145.00	\$0.00
Project Manager II	0.00	\$128.00	\$0.00
Engineering Tech	0.00	\$80.00	\$0.00
<b>Total Services:</b>			<u>          \$0.00</u>

Project (14-256:05) Total Amount Due:           \$0.00

**06-Stoney Creek - Erosion Control Plans & Details (14-256:06) - Managed by (KDS)**

Project (14-256:06) Total Amount Due:           \$0.00

**07-Stoney Creek - Final Platting (14-256:07) - Managed by (KDS)**

**Professional Services:**

**Classification**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Project Manager II	2.820000	\$128.00	\$361.45
Engineer Tech II/Surveyor	2.200000	\$80.00	\$175.71
Engineering Tech	0.630000	\$80.00	\$50.20
Clerical	0.630000	\$57.00	\$35.77
<b>Total Services:</b>			<u>          \$623.13</u>

**Reimbursable Expenses:**

**Description**

	<b>Units</b>	<b>Amount</b>
Mileage	10.30	\$5.87
<b>Total Expenses:</b>		<u>          \$5.87</u>

Project (14-256:07) Total Amount Due:           \$629.00

**08-Stoney Creek-Additional On-Site Infrastruct Imp (14-256:08) - Managed by (KDS)**

**Landscape Architects**

**Stoney Creek Hotel and Conference Center  
Broken Arrow, Oklahoma**

Billing Period: September - October 2015

Invoice # 795

Invoice Date: 11/05/2015

Bill To: Stoney Creek Hospitality  
ATTN: Mr. Kevin McCarty  
5291 Stoney Creek Court  
Johnston, Iowa 50113

**Basic Service**

	Contract Amount	Earned Amount	Less Previous Invoices	Total this Invoice
Detailed Landscape Plan (Permit Set)	\$4,100.00	\$4,100.00	\$4,100.00	\$0.00
Schematic Design, Design Development, Constr. Doc:	\$54,750.00	\$25,500.00	\$17,500.00	\$8,000.00
Bidding Phase Services	\$2,950.00	\$0.00		
Construction Phase Services	\$13,200.00	\$0.00		
	<b>\$75,000.00</b>	<b>\$29,600.00</b>	<b>\$21,600.00</b>	<b>\$8,000.00</b>

**Reimbursable Expenses**

Description	Quantity	Unit Price	Total this Invoice
Printing and Plotting			
8.5x11 B&W		\$1.00	\$0.00
11x17 B&W		\$0.35	\$0.00
22x34 B&W	0	\$2.50	\$0.00
Mileage	Site Visits and Meetings	\$0.57	\$0.00
Permitting Application Fee		\$100.00	\$0.00
Shipping	Fed Ex		\$0.00
			<b>\$0.00</b>

<b>TOTAL AMOUNT TO DATE</b>	\$29,600.00
<b>TOTAL AMOUNT THIS INVOICE</b>	<b>\$8,000.00</b>
Total Previously Billed	\$21,600.00
Total Amount to Date	\$29,600.00
<b>Contract Amount</b>	<b>\$75,000.00</b>
Fee Amount Remaining	\$45,400.00
Subtotal Basic Services	\$8,000.00
Subtotal Reimbursable Expenses	\$0.00
<b>TOTAL DUE THIS INVOICE</b>	<b>\$8,000.00</b>

**Landscape Architects**

**Stoney Creek Hotel and Conference Center  
Broken Arrow, Oklahoma**

Billing Period: August 2015  
Invoice # 785  
Invoice Date: 09/30/2015

Bill To: Stoney Creek Hospitality  
ATTN: Mr. Kevin McCarty  
5291 Stoney Creek Court  
Johnston, Iowa 50113

**Basic Service**

	Contract Amount	Earned Amount	Less Previous Invoices	Total this Invoice
Detailed Landscape Plan (Permit Set)	\$4,100.00	\$4,100.00	\$4,100.00	\$0.00
Schematic Design, Design Development, Constr. Doc:	\$54,750.00	\$17,500.00	\$7,500.00	\$10,000.00
Bidding Phase Services	\$2,950.00	\$0.00		
Construction Phase Services	\$13,200.00	\$0.00		
	<b>\$75,000.00</b>	<b>\$21,600.00</b>	<b>\$11,600.00</b>	<b>\$10,000.00</b>

**Reimbursable Expenses**

	Description	Quantity	Unit Price	Total this Invoice
Printing and Plotting	8.5x11 B&W		\$1.00	\$0.00
	11x17 B&W	4	\$0.35	\$1.40
	22x34 B&W	0	\$2.50	\$0.00
Mileage	Site Visits and Meetings	76	\$0.57	\$43.32
Shipping	Fed Ex			\$0.00
				<b>\$44.72</b>

<b>TOTAL AMOUNT TO DATE</b>	\$21,600.00
<b>TOTAL AMOUNT THIS INVOICE</b>	<b>\$10,000.00</b>
Total Previously Billed	\$11,600.00
Total Amount to Date	\$21,600.00
<b>Contract Amount</b>	<b>\$75,000.00</b>
Fee Amount Remaining	\$53,400.00

Subtotal Basic Services	\$10,000.00
Subtotal Reimbursable Expenses	\$44.72
<b>TOTAL DUE THIS INVOICE</b>	<b>\$10,044.72</b>



# APPLICATION AND CERTIFICATE FOR PAYMENT

PROJECT: Stoney Creek (SC-15001)  
 OWNER: Stoney Creek Hospitality Corp., LLC  
 COMMUNITY: Broken Arrow, OK

ENGINEER: Cowan Group Engineering, LLC  
 CONTRACTOR: Tri-Star Construction, LLC  
 APPLICATION DATE: 11/9/2015 APPLICATION NO: SC-15001-01  
 PERIOD FROM: 10/5/2015 TO: 11/1/2015

**CHANGE ORDER SUMMARY**

CHANGE ORDERS APPROVED IN PREVIOUS MONTHS BY OWNER

CHANGE ORDER NUMBER	APPROVED DATE	ADDITION \$	DEDUCTION \$
1	11/20/2015	\$ 580,000.00	
2	11/20/2015	\$ 72,649.04	
Subtotals		\$ 652,649.04	\$ -

Net change by Change Orders: \$ 652,649.04

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

ORIGINAL CONTRACT SUM	\$ 1,815,033.50
NET CHANGE BY CHANGE ORDERS	\$ 652,649.04
CONTRACT SUM TO DATE	\$ 2,467,682.54
TOTAL WORK COMPLETED TO DATE	\$ 2,077,630.59
RETAINAGE 5 %	\$ 103,881.53
TOTAL EARNED LESS RETAINAGE	\$ 1,973,749.06
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 1,665,892.30
CURRENT PAYMENT DUE	\$ 307,856.76

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 him for work for which previous Certificates for Payment were issued and payment received from the Owner, and that the current payment shown herein is now due.

CONTRACTOR: [Signature]  
 By: \_\_\_\_\_ Date: 11-23-15

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 \$ 307,856.76.

INSPECTOR: [Signature]  
 Signature \_\_\_\_\_ Date 11-20-15

PROJECT MANAGER: [Signature]  
 Signature Dorothy D. Schulz Date 11-23-15

OWNER: [Signature]  
 Signature \_\_\_\_\_ Date 11-24-15