

Estimate and Certification for Payment

PROJECT: Katy Flewellen Road Improvements (Katy Gaston to Pin Oak)

P.O. No. 47563

OWNER Fort Bend County
Address: 1124 Blume Rd.
Rosenberg, Texas 77471

ATTN: Louis E. Hood, P.E.

Estimate No: 4
Invoice No: 201008-113
Start Date: 04-05-2010
Current Contract Completion Date: 04-30-2011
Estimate Cut Off Date: 08-30-2010
Date of Estimate: 08-30-2010

Initial Contract Time	<u>390</u>	days
Current Approved Extensions ±	<u>000</u>	days
Previous Approved Extensions ±	<u>000</u>	days
Total Contract Time	<u>390</u>	days
Spent Days	<u>147</u>	days
Days Remaining	<u>243</u>	days
Rain Days to Date	<u>046</u>	days

A. Contract Amount to Date:

1. Contract Price:		<u>\$3,845,927.25</u>
2. Approved Change Orders:	<u> </u>	<u> </u>
	<u> </u>	<u> </u>
	<u> </u>	<u> </u>
Total Changes to Date:	<u> </u> + or -	<u>\$0.00</u>
	Total Contract Amount:	<u>\$3,845,927.25</u>

B. Earnings to Date:

1. Previous Work Completed:	<u> </u>	Previous Earnings:	<u>\$1,433,050.86</u>
2. Work Completed this Period:	<u> </u>	Earnings This Period:	<u>\$536,416.70</u>
3. Materials on Site:	<u> </u>		<u>\$80,807.10</u>
		Total Earnings:	<u>\$1,969,467.56</u>

C. Reductions:

1. Retainage:	<u>10%</u>	of	<u>\$1,969,467.56</u>	<u>\$196,946.76</u>
			Total Payments Due:	<u>\$1,772,520.80</u>
			Less Previous Payments:	<u>\$1,289,745.77</u>
			Total Amount Due Contractor This Estimate:	<u>\$482,775.03</u>

The undersigned Contractor certifies that to the best of his knowledge, information, and belief that the Work has been completed in accordance with the Plans and Specifications and the current payment shown on this Application for Payment is now due.

Prepared By: Stephen L. Maynard - V.P.
Contractor: Durwood Greene Construction Co.

Date: 08-26-10

The foregoing estimate of work completed is true and correct to the best of my knowledge and belief.

Approved by: [Signature]
Project Representative:

Date: 9/1/2010

Approved by: Louis E. Hood
Engineer:

Date: 9/7/2010

CONTRACTOR: Durwood Greene Construction Co.
P. O. Box 1338
Stafford, Texas 77497-1338

OWNER: Fort Bend County Engineering
1124 Blume Road
Rosenberg, Texas 77471

DATE: 30-Aug-10
INVOICE NO.: 201008-113
JOB NO.: 1647
EST. NO.: 4

ENGINEER: C P & Y, Inc.
2925 Briarpark, Suite 850
Houston, Texas 77042

PROJECT: Katy Flewellen Road Improvements
Fort Bend County Mobility Improvement Project
in Fort Bend County, Texas

ITEM	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT PRICE	CONTRACT AMOUNT	COMPLETED TO DATE QUANTITY	COMPLETED TO DATE AMOUNT	COMPLETE LAST ESTIMATE QUANTITY	COMPLETE LAST ESTIMATE AMOUNT	COMPLETE THIS ESTIMATE QUANTITY	COMPLETE THIS ESTIMATE AMOUNT
GENERAL ITEMS											
1	PROJECT IDENTIFICATION SIGN	EA	2.00	700.00	1,400.00	2.00	1,400.00	2.00	1,400.00	0.00	0.00
2	REMOVING OLD CONCRETE	SY	981.00	4.00	3,924.00	981.00	3,924.00	981.00	3,924.00	0.00	0.00
3	REM & DISP OF EXIST ASPH SURF & BASE MATL	SY	20,504.00	2.00	41,008.00	3,800.00	7,600.00	3,800.00	7,600.00	0.00	0.00
4	REMOVE EXISTING FENCING (WOOD & METAL)	LF	3,380.00	2.50	8,450.00	3,380.00	8,450.00	3,380.00	8,450.00	0.00	0.00
5	REMOVE & RELOCATE TRAFFIC & ROADWAY SIGNS	EA	22.00	350.00	7,700.00	12.00	4,200.00	12.00	4,200.00	0.00	0.00
					SUBTOTAL - GENERAL ITEMS		25,574.00		25,574.00		0.00
WATERLINE ITEMS											
6	REMOVE & SALVAGE EXIST FIRE HYDRANT	EA	1.00	250.00	250.00	0.00	0.00	0.00	0.00	0.00	0.00
7	12" X 6" TAPPING SLEEVE & VALVE WITH BOX	EA	1.00	4,500.00	4,500.00	0.00	0.00	0.00	0.00	0.00	0.00
8	6" FIRE HYDRANT LEAD	LF	15.00	30.00	450.00	0.00	0.00	0.00	0.00	0.00	0.00
9	3/4" TO 1" DIA. TAPS & COPPER SERVICE W/ METER BOX, LONG SIDI	EA	10.00	1,000.00	10,000.00	2.00	2,000.00	0.00	0.00	2.00	2,000.00
10	RELOCATE & REINSTALL 5/8" TO 2" METER WITH NEW BOX	EA	4.00	250.00	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00
11	CUT, PLUG & ABANDON EXIST 12" DIA. WATERLINE	EA	1.00	800.00	800.00	0.00	0.00	0.00	0.00	0.00	0.00
12	12" DIA. WATERLING BY OPEN CUT	LF	100.00	32.00	3,200.00	0.00	0.00	0.00	0.00	0.00	0.00
13	12" DIA. WET CONNECTION	EA	4.00	500.00	2,000.00	0.00	0.00	0.00	0.00	0.00	0.00
					SUBTOTAL - WATERLINE ITEMS		22,200.00		0.00		2,000.00
SANITARY SEWER ITEMS											
14	SAN SWR SERVICE RECONNECT >5' OF SEWER INCL STACK	LF	250.00	25.00	6,250.00	0.00	0.00	0.00	0.00	0.00	0.00
					SUBTOTAL - SANITARY SEWER ITEMS		6,250.00		0.00		0.00
STORM SEWER ITEMS											
15	TRENCH SAFETY SYSTEM (5' TO 10')	LF	4,206.00	1.00	4,206.00	4,206.00	4,206.00	4,206.00	4,206.00	0.00	0.00
16	TRENCH SAFETY SYSTEM (10' TO 15')	LF	4,362.00	1.00	4,362.00	3,237.00	3,237.00	3,237.00	3,237.00	0.00	0.00
17	TRENCH SAFETY SYSTEM (15' TO 20')	LF	175.00	10.00	1,750.00	175.00	1,750.00	175.00	1,750.00	0.00	0.00

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INVOICE NO.: 201008-113
JOB NO.: 1647
EST. NO.: 4

ENGINEER: C P & Y, Inc.
2925 Briarpark, Suite 850
Houston, Texas 77042

PROJECT: Katy Flewellen Road Improvements
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in Fort Bend County, Texas

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18	WELL POINTING	LF	1,865.00	17.00	31,705.00	0.00	0.00	0.00	0.00	0.00	0.00
19	CHANNEL EXCAVATION	CY	13,480.00	3.00	40,440.00	4,800.00	14,400.00	4,800.00	14,400.00	0.00	0.00
20	STANDARD MANHOLE (UP TO 15' DEPTH)	EA	7.00	3,600.00	25,200.00	6.00	21,600.00	6.00	21,600.00	0.00	0.00
21	STANDARD MANHOLE (GREATER THAN 15' DEPTH)	EA	1.00	6,000.00	6,000.00	1.00	6,000.00	1.00	6,000.00	0.00	0.00
22	TYPE 'A' INLET	EA	3.00	1,500.00	4,500.00	3.00	4,500.00	3.00	4,500.00	0.00	0.00
23	TYPE 'E' INLET	EA	7.00	1,550.00	10,850.00	5.00	7,750.00	5.00	7,750.00	0.00	0.00
24	INLET (COMPL) (TY C)	EA	28.00	2,400.00	67,200.00	14.00	33,600.00	14.00	33,600.00	0.00	0.00
25	INLET (COMPL) (TY C) (MODIFIED)	EA	6.00	14,000.00	84,000.00	6.00	84,000.00	6.00	84,000.00	0.00	0.00
26	24" RCP DRIVEWAY CULVERT	LF	713.00	NO BID	NO BID	0.00	0.00	0.00	0.00	0.00	0.00
27	24" RCP STORM SEWER	LF	1,457.00	NO BID	NO BID	0.00	0.00	0.00	0.00	0.00	0.00
28	30" RCP STORM SEWER	LF	495.00	NO BID	NO BID	0.00	0.00	0.00	0.00	0.00	0.00
29	36" RCP STORM SEWER	LF	2,885.00	NO BID	NO BID	0.00	0.00	0.00	0.00	0.00	0.00
30	42" RCP STORM SEWER	LF	1,159.00	85.00	98,515.00	1,159.00	98,515.00	1,159.00	98,515.00	0.00	0.00
31	48" RCP STORM SEWER (CLASS V)	LF	1,699.00	100.00	169,900.00	1,699.00	169,900.00	1,699.00	169,900.00	0.00	0.00
32	60" CGMP	LF	235.00	150.00	35,250.00	235.00	35,250.00	235.00	35,250.00	0.00	0.00
33	3' X 2' RCB SEWER	LF	20.00	135.00	2,700.00	20.00	2,700.00	20.00	2,700.00	0.00	0.00
34	S.E.T. TYPE II 24" AT 3:1 SLOPE	EA	33.00	750.00	24,750.00	21.00	15,750.00	21.00	15,750.00	0.00	0.00
35	REM & DISP OF EXIST CONC OR METAL PIPE, ALL SIZES	LF	2,850.00	5.00	14,250.00	2,150.00	10,750.00	2,150.00	10,750.00	0.00	0.00
36	ADJUSTING INLETS	EA	2.00	700.00	1,400.00	2.00	1,400.00	2.00	1,400.00	0.00	0.00
37	TIMBER BENTS (60")	EA	2.00	2,300.00	4,600.00	2.00	4,600.00	2.00	4,600.00	0.00	0.00
SUBTOTAL - STORM SEWER ITEMS					631,578.00		519,908.00		519,908.00		0.00
PAVEMENT ITEMS											
38	ROADWAY EXCAVATION	CY	14,277.00	2.75	39,261.75	7,100.00	19,525.00	7,100.00	19,525.00	0.00	0.00
39	BORROW	CY	11,940.00	5.00	59,700.00	11,940.00	59,700.00	11,940.00	59,700.00	0.00	0.00
40	LIME - FLY ASH STABILIZED SUBGRADE (6")	SY	45,032.00	1.50	67,548.00	15,000.00	22,500.00	15,000.00	22,500.00	0.00	0.00

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41	LIME	TON	410.00	140.00	57,400.00	122.66	17,172.40	122.66	17,172.40	0.00	0.00
42	FLY ASH	TON	820.00	55.00	45,100.00	301.10	16,560.50	301.10	16,560.50	0.00	0.00
43	HMA BASE COURSE (7")	TON	798.00	53.00	42,294.00	0.00	0.00	0.00	0.00	0.00	0.00
44	PRIME COAT	GAL	520.00	2.50	1,300.00	0.00	0.00	0.00	0.00	0.00	0.00
45	HMAC SURFACE (2.5")	TON	273.00	64.00	17,472.00	0.00	0.00	0.00	0.00	0.00	0.00
46	REINFORCED CONCRETE SLOPE PAVING (5")	SY	2,835.00	44.00	124,740.00	280.00	12,320.00	280.00	12,320.00	0.00	0.00
47	REINFORCED CONCRETE SLOPE PAVING (8")	SY	81.00	55.00	4,455.00	0.00	0.00	0.00	0.00	0.00	0.00
48	REINFORCED CONCRETE PAVEMENT (8")	SY	38,300.00	28.00	1,072,400.00	13,400.00	375,200.00	6,100.00	170,800.00	7,300.00	204,400.00
49	SIDEWALKS (4.5")	SY	256.00	30.00	7,680.00	35.00	1,050.00	0.00	0.00	35.00	1,050.00
50	WHEELCHAIR RAMPS (TYPE I)	EA	8.00	750.00	6,000.00	4.00	3,000.00	0.00	0.00	4.00	3,000.00
51	REINFORCED CONCRETE DRIVEWAYS (7")	SY	1,950.00	32.00	62,400.00	420.00	13,440.00	0.00	0.00	420.00	13,440.00
52	CONCRETE CURB	LF	24,013.00	2.00	48,026.00	7,700.00	15,400.00	0.00	0.00	7,700.00	15,400.00
53	CONCRETE MEDIAN (MEDIAN NOSES)	SY	353.00	30.00	10,590.00	0.00	0.00	0.00	0.00	0.00	0.00
54	COLORING CONCRETE MEDIAN/SIDEWALKS (BLACK/RED)	SY	384.00	15.00	5,760.00	0.00	0.00	0.00	0.00	0.00	0.00
55	FLEX BEAM GUARD RAIL, INCL MOW STRIP	LF	300.00	32.00	9,600.00	0.00	0.00	0.00	0.00	0.00	0.00
56	FLEX BEAM GUARD RAIL TURNDOWN	EA	8.00	850.00	6,800.00	0.00	0.00	0.00	0.00	0.00	0.00
SUBTOTAL - PAVEMENT ITEMS					1,688,526.75		555,867.90		318,577.90		237,290.00
SIGN & PAVEMENT MARKING ITEMS											
57	4" WHITE STRIPE, TYPE I	LF	5,220.00	0.50	2,610.00	0.00	0.00	0.00	0.00	0.00	0.00
58	8" WHITE STRIPE, TYPE I	LF	2,112.00	1.00	2,112.00	0.00	0.00	0.00	0.00	0.00	0.00
59	12" WHITE STRIPE, TYPE I	LF	507.00	3.50	1,774.50	0.00	0.00	0.00	0.00	0.00	0.00
60	24" WHITE STRIPE, TYPE I	LF	145.00	7.00	1,015.00	0.00	0.00	0.00	0.00	0.00	0.00
61	4" YELLOW STRIPE, TYPE I	LF	1,510.00	0.50	755.00	0.00	0.00	0.00	0.00	0.00	0.00
62	24" YELLOW STRIPE, TYPE I	LF	190.00	7.00	1,330.00	0.00	0.00	0.00	0.00	0.00	0.00

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						QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
63	ARROW, TYPE I	EA	6.00	170.00	1,020.00	0.00	0.00	0.00	0.00	0.00	0.00
64	WORD "ONLY", TYPE I	EA	6.00	170.00	1,020.00	0.00	0.00	0.00	0.00	0.00	0.00
65	RAISED PAVEMENT MRKRS, TYPE II-A-A	EA	172.00	4.00	688.00	0.00	0.00	0.00	0.00	0.00	0.00
66	RAISED PAVEMENT MRKRS, TYPE II-C-R	EA	770.00	4.00	3,080.00	0.00	0.00	0.00	0.00	0.00	0.00
67	TRAFFIC BUTTONS, YELLOW	EA	96.00	4.00	384.00	0.00	0.00	0.00	0.00	0.00	0.00
68	TRAFFIC BUTTONS, WHITE	EA	424.00	4.00	1,696.00	0.00	0.00	0.00	0.00	0.00	0.00
69	YELLOW PAINTED CURB	LF	1,034.00	1.50	1,551.00	0.00	0.00	0.00	0.00	0.00	0.00
70	ALUMINUM SIGNS	EA	5.00	300.00	1,500.00	0.00	0.00	0.00	0.00	0.00	0.00
SUBTOTAL - SIGN & PAVEMENT MARKING ITEMS							0.00		0.00		0.00
TRAFFIC CONTROL ITEMS											
71	WK ZN PAV MRKG (4") (NON-REMOV)	LF	36,186.00	0.50	18,093.00	15,200.00	7,600.00	15,200.00	7,600.00	0.00	0.00
72	WK ZN PAV MRKG (24") (NON-REMOV)	LF	124.00	7.00	868.00	124.00	868.00	42.00	294.00	82.00	574.00
73	TEMPORARY RAISED PAV MRKRS	EA	610.00	3.40	2,074.00	610.00	2,074.00	0.00	0.00	610.00	2,074.00
74	TRAFFIC CONTROL	MO	16.00	1,700.00	27,200.00	4.00	6,800.00	3.00	5,100.00	1.00	1,700.00
75	TEMPORARY HMAC PAVEMENT	TON	595.00	64.00	38,080.00	639.79	40,946.56	594.59	38,053.76	45.20	2,892.80
76	TEMPORARY HMAC BASE (BLACK BASE)	TON	2,377.00	55.00	130,735.00	2,257.60	124,168.00	1,906.44	104,854.20	351.16	19,313.80
77	TEMPORARY 24" RCP CULVERT	LF	792.00	35.00	27,720.00	792.00	27,720.00	792.00	27,720.00	0.00	0.00
78	TEMPORARY LOW PROFILE CTB (FURNISH/INSALL/REMOVE)	LF	500.00	20.00	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00
79	TEMPORARY LOW PROFILE CTB (MOVE/RESET)	LF	500.00	7.00	3,500.00	0.00	0.00	0.00	0.00	0.00	0.00
80	REMOVE 4" PAVEMENT MARKINGS	LF	10,748.00	0.50	5,374.00	2,830.00	1,415.00	2,830.00	1,415.00	0.00	0.00
SUBTOTAL - TRAFFIC CONTROL ITEMS							211,591.56		185,036.96		26,554.60
SWPPP ITEMS											
81	EROSION & SEDIMENTATION CONTROL	LS	1.00	3,000.00	3,000.00	0.50	1,500.00	0.45	1,350.00	0.05	150.00
82	SODDING FOR EROSION CONTROL & STABILIZATION	SY	3,500.00	3.00	10,500.00	0.00	0.00	0.00	0.00	0.00	0.00
83	HYDROMULCH SEEDING	AC	10.10	1,200.00	12,120.00	4.00	4,800.00	0.00	0.00	4.00	4,800.00

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84	RIPRAP (GRADATION NO. 1)	SY	135.00	45.00	6,075.00	135.00	6,075.00	135.00	6,075.00	0.00	0.00
85	INLET PROTECTION BARRIER (STAGE I INLETS)	EA	52.00	60.00	3,120.00	26.00	1,560.00	22.00	1,320.00	4.00	240.00
86	REINFORCED FILTER FABRIC BARRIER	LF	1,900.00	1.50	2,850.00	1,020.00	1,530.00	500.00	750.00	520.00	780.00
87	STABILIZED CONSTRUCTION ACCESS (TYPE I ROCK)	SY	267.00	7.00	1,869.00	267.00	1,869.00	267.00	1,869.00	0.00	0.00
88	GRAVEL BAG INLET PROTECTION BARRIER (STAGE II INLETS)	LF	330.00	6.00	1,980.00	165.00	990.00	0.00	0.00	165.00	990.00
SUBTOTAL - SWPPP ITEMS					41,514.00		18,324.00		11,364.00		6,960.00
BRIDGE ITEMS											
89	PRESTR CONC PIL (16 IN SQ)	LF	2,072.00	55.00	113,960.00	1,036.00	56,980.00	1,036.00	56,980.00	0.00	0.00
90	CL C CONC (ABUT)	CY	101.00	700.00	70,700.00	50.50	35,350.00	25.25	17,675.00	25.25	17,675.00
91	CL C CONC (BENT)	CY	78.80	1,000.00	78,800.00	54.76	54,760.00	54.76	54,760.00	0.00	0.00
92	CL S CONC (BRIDGE SDWLK)	CY	88.20	220.00	19,404.00	0.00	0.00	0.00	0.00	0.00	0.00
93	CL S CONC (APPR SLAB)	CY	91.80	400.00	36,720.00	0.00	0.00	0.00	0.00	0.00	0.00
94	REINF CONC SLAB	SF	16,640.00	9.00	149,760.00	4,000.00	36,000.00	0.00	0.00	4,000.00	36,000.00
95	PRESTR CONC GIRDER (TX40)	LF	2,068.00	120.00	248,160.00	1,034.00	124,080.00	0.00	0.00	1,034.00	124,080.00
96	CONC SURF TREAT (CLASS I)	SY	1,806.00	3.00	5,418.00	0.00	0.00	0.00	0.00	0.00	0.00
97	RIPRAP (STONE COMMON) (DRY) (6 IN)	CY	202.00	50.00	10,100.00	101.00	5,050.00	0.00	0.00	101.00	5,050.00
98	RAIL (TY C203)	LF	580.00	65.00	37,700.00	0.00	0.00	0.00	0.00	0.00	0.00
99	RAIL (TY T203)	LF	580.00	50.00	29,000.00	0.00	0.00	0.00	0.00	0.00	0.00
100	SEALED EXPANSION JOINT (4 IN) (SEL-A)	LF	100.70	100.00	10,070.00	0.00	0.00	0.00	0.00	0.00	0.00
101	REMOV STR (BRIDGE 0-99 FT LENGTH)	EA	1.00	20,000.00	20,000.00	0.00	0.00	0.00	0.00	0.00	0.00
SUBTOTAL - SWPPP ITEMS					829,792.00		312,220.00		129,415.00		182,805.00
EXTRA ITEMS											
102	OFF-DUTY UNIFORMED LOCAL LAW OFFICERS	HR	200.00	35.00	7,000.00	0.00	0.00	0.00	0.00	0.00	0.00
SUBTOTAL - EXTRA ITEMS					7,000.00		0.00		0.00		0.00

CONTRACTOR: Durwood Greene Construction Co.
P. O. Box 1338
Stafford, Texas 77497-1338

OWNER: Fort Bend County Engineering
1124 Blume Road
Rosenberg, Texas 77471

DATE: 30-Aug-10
INVOICE NO.: 201008-113
JOB NO.: 1647
EST. NO.: 4

ENGINEER: C P & Y, Inc.
2925 Briarpark, Suite 850
Houston, Texas 77042

PROJECT: Katy Flewellen Road Improvements
Fort Bend County Mobility Improvement Project
in Fort Bend County, Texas

ITEM	DESCRIPTION ALTERNATE ITEMS	UNIT	CONTRACT QUANTITY	UNIT PRICE	CONTRACT AMOUNT	COMPLETED TO DATE		COMPLETE LAST ESTIMATE		COMPLETE THIS ESTIMATE	
						QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
103	HDPE PIPE (24") DRIVEWAY CULVERT	LF	713.00	50.00	35,650.00	494.00	24,700.00	494.00	24,700.00	0.00	0.00
104	HDPE PIPE (24")	LF	1,457.00	40.00	58,280.00	1,000.00	40,000.00	1,000.00	40,000.00	0.00	0.00
105	HDPE PIPE (30")	LF	495.00	40.00	19,800.00	495.00	19,800.00	495.00	19,800.00	0.00	0.00
106	HDPE PIPE (36")	LF	2,885.00	55.00	158,675.00	2,885.00	158,675.00	2,885.00	158,675.00	0.00	0.00
SUBTOTAL - ALTERNATE ITEMS							243,175.00		243,175.00		0.00
MATERIAL ON HAND											
95A	PRESTR CONC GIRDER (TX40)	LF	2,068.00	78.15	161,614.20	1,034.00	80,807.10	0.00	0.00	1,034.00	80,807.10
SUBTOTAL - EXTRA ITEMS							80,807.10		0.00		80,807.10
GRAND TOTAL							1,969,467.56		1,433,050.86		536,416.70

SUMMARY

Total Amount Earned To Date	1,969,467.56	1,433,050.86	536,416.70
Less 10% Retention	(196,946.76)	(143,305.09)	(53,641.67)
Net Amount Due After Retention	1,772,520.80	1,289,745.77	482,775.03
Less Previous Estimates	1,289,745.77	1,289,745.77	0.00
Net Amount Due	482,775.03	0.00	482,775.03

Engineer Approval: _____ Date: _____

PARTIAL/FINAL WAIVER OF LIEN

THE STATE OF TEXAS |

COUNTY OF FORT BEND |

The undersigned contracted by Fort Bend County, Texas to furnish labor and materials in connection with certain improvements to real property located in the Fort Bend County, Texas and owned by Fort Bend County, Texas which improvements are described as follows:

Katy Flewellen Road Improvements from Katy Gaston to Pin Oak
in Fort Bend County, Texas

in consideration of Pay Estimate No. 4 in the amount of Four Hundred Eighty Two Thousand Seven Hundred Seventy Five and 03/100 DOLLARS (\$ 482,775.03) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned does hereby waive and release any mechanics' lien or materialmen's lien or claims of lien that the undersigned has or hereafter has on the above-mentioned real property on account of any labor performed or materials furnished or to be furnished or labor performed and materials furnished by the undersigned pursuant to the above-mentioned contract or any constitutional lien that the undersigned may have.

Undersigned hereby guarantees that all bills for labor performed and/or materials furnished in the erection and construction of such improvements on the Property have been fully paid and satisfied and Undersigned does further guarantee that if for any reason a lien or liens are filed for material or labor against said Property arising out of any bills for material or labor in connection with the erection or construction of said improvements thereon, Undersigned will obtain a settlement of such lien or liens and a proper release thereof shall be obtained.

Durwood Greene Construction Co.

CONTRACTOR

By: _____

Stephen W. Maynard
Stephen W. Maynard
Vice President

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 26th day of August, 2010, to certify which witness my hand and seal of office.

Matthew W. Downing
NOTARY PUBLIC in and for the State of TEXAS
My Commission Expires: 10-26-10

