Waiver of Lien for Partial Payments

TO WHOM IT MAY CONCERN:

The undersigned, being duly sworn, deposes and says that he is Project Accountant of Fiore & Sons, Inc., the Contractor for the Pelican Lake Ranch Project Work on the project located at Platteville CO, owned by Beebe Farm Draw Auth Metropolitan District ("the Owner"). That the total amount of the Work performed by the undersigned and approved for payment to date is $1,181,395.18, and the undersigned acknowledges that upon receipt of this partial payment, the Contractor has been paid for the Work performed and approved for payment to date the total Agreement Price.

That the undersigned, for and in consideration of the sum of _____ Dollars ($ 116,359.71) in hand paid by Beebe Draw Authority, receipt whereof before the signing and sealing of these presents is hereby acknowledged, does hereby acknowledge receipt of this partial payment due Contractor for Work performed or material furnished in connection with the Pelican Lake Ranch Project Improvements.

And the undersigned, for and in consideration of the sum aforesaid, and other good and valuable consideration, does hereby waive and relinquish all right, which Contractor can or may have at this date, to file any lien, mechanics', materialmen's or otherwise, against said above property for or by reason of any work performed, or material furnished in connection with the construction of said Project, with the distinct understanding that this waiver shall not be construed as covering any right to file any such lien for work performed or material to be hereafter furnished if such work performed or material furnished hereafter be not on account of the aforesaid mentioned sum. In addition, the undersigned hereby waives and releases any claims against the Owner and its officers or agents in any manner related to or connected with the construction of the Project or the performance of the Work.

The undersigned hereby warrants and represents to the Owner that all suppliers of labor and material to the undersigned on the project have been paid amounts due to date and hereby agrees to indemnify and hold harmless the Owner for any costs incurred due to claims threatened or initiated by such suppliers, including attorneys' fees.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of September, 2014 .

Fiore & Sons, Inc.
(Company Name)

By:
Name: Tim Dougherty
Title: Project Manager

STATE OF COLORADO)
) ss.
COUNTY OF Adams)

Subscribed and sworn to before me this 5th day of Augus, 20 14, by Tim Dougherty as Project Manager of Fiore & Sons, Inc.

Witness my hand and official seal.

My Commission expires: 8/7/2016

MICHELLE L SHEETS
NOTARY PUBLIC
STATE OF COLORADO
Notary ID 20124043273
My Commission Expires 08/07/2016

(SEAL)

Notary Public

TO OWNER: **Beebe Farm Draw Authority**
Pelican Lake Ranch

ATTN: **Mark Volle Tamarack Consulting**

FROM SUBCONTRACTOR: **Fiore & Sons, Inc.**
730 W. 62nd Ave.
Denver, CO 80216

VIA ARCHITECT:

CONTRACT FOR: Earthwork/Utilities

Application 6

Period to: 8/29/2014

CONTRACT DATE: 3/5/2014

X	CONTRACTOR

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

1.	**ORIGINAL CONTRACT SUM**		$ 1,043,897.02
2.	**Net change by Change Orders**		$ 137,498.16
3.	**CONTRACT SUM TO DATE**(Line 1 +2)		$ 1,181,395.18
4.	**TOTAL COMPLETED & STORED TO DATE** (Column G on G703)		$ 1,181,395.18
5.	**RETAINAGE:**		
	a. 5% % of Completed Work (Columns D+E on G703)	$ 59,069.76	
	b. % of Stored Material (Column F on G703)		
	Total Retainage (Line 5a + 5b or Total in Column 1 of G703)		$ 59,069.76
6.	**TOTAL EARNED LESS RETAINAGE** (Line 4 less Line 5 Total)		$ 1,122,325.42
7.	**LESS PREVIOUS CERTIFICATES FOR PMT.** (Line 6 from prior Certificate)		$ 1,005,965.71
	CURRENT PAYMENT DUE		$ 116,359.71
9.	**BALANCE TO FINISH, INCL. RETAINAGE** (Line 3 less Line 6)	$ 59,069.76	

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total Changes approved previously		
Total approved this month		
TOTALS		
NET CHANGES by Change Order	$	137,498.16

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: _____ Date: 9/5/2014

State of Colorado
County of Adams
Subscribed and sworn to before me this 5th day of September

MICHELLE L SHEETS
NOTARY PUBLIC
STATE OF COLORADO
Notary ID 20124043273
My Commission Expires 08/07/2016

Notary Public: Michelle L. Sheets
My Commission expires: 8/7/2016

ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED..... $

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT:

By: _____ Date: _____

Pay Application

Beebe Draw Farms Authorily
141 Union Blvd Ste 150
Lakewood CO 80228

Send to Fiore & Sons, Inc.
730 W 62nd Ave
Denver CO 80216
303-429-8893
303-429-3035 fax
Attention: Michelle Sheets

Subcontract No.: 1402012
Project: Pelican Lake Ranch Project
Taxes: Exempt
P.M.: Tim Dougherty

Pay Request: 6
Billing Thru: 08/29/14
Invoice No.: 1402013.05

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	CONTRACT	PREVIOUS QTY	PREVIOUS PERIOD	QTY THIS PERIOD	TOTAL $ THIS PERIOD	TOTAL QTY TO DATE	TOTAL $ TO DATE	%Complete
1	Mobilization	1	LS	$ 37,326.00	$ 37,326.00	1	$ 37,326.00		$ -	1	$ 37,326.00	100%
2	Permits	1	LS	$ 4,957.00	$ 4,957.00	1	$ 4,957.00		$ -	1	$ 4,957.00	100%
4	Signs	18	EA	$ 619.61	$ 11,152.98	18	$ 11,152.98		$ -	18	$ 11,152.98	100%
5	Barrier (T3RL)	1	EA	$ 941.80	$ 941.80	1	$ 941.80		$ -	1	$ 941.80	100%
6	Subgrade Prep	22077	SY	$ 1.92	$ 42,387.84	22077	$ 42,387.84		$ -	22077	$ 42,387.84	100%
7	18" RCP	92	LF	$ 52.50	$ 4,830.00	92	$ 4,830.00		$ -	92	$ 4,830.00	100%
8	24" RCP	220	LF	$ 72.62	$ 15,976.40	220	$ 15,976.40		$ -	220	$ 15,976.40	100%
9	Onsite Cut	15311	CY	$ 4.20	$ 64,306.20	15311	$ 64,306.20		$ -	15311	$ 64,306.20	100%
10	Onsite Fill	15311	C Y	$ 4.00	$ 61,244.00	15311	$ 61,244.00		$ -	15311	$ 61,244.00	100%
14	8" PVC	6330	LF	$ 31.56	$ 199,774.80	6330	$ 199,774.80		$ -	6330	$ 199,774.80	100%
15	6" DIP	119	LF	$ 26.75	$ 3,183.25	119	$ 3,183.25		$ -	119	$ 3,183.25	100%
16	FH Assembly	9	EA	$ 2,628.58	$ 23,657.22	9	$ 23,657.22		$ -	9	$ 23,657.22	100%
17	8" Gate Valve	29	EA	$ 1,015.16	$ 29,439.64	29	$ 29,439.64		$ -	29	$ 29,439.64	100%
18	6" Gate Valve	6	EA	$ 975.15	$ 5,850.90	6	$ 5,850.90		$ -	6	$ 5,850.90	100%
19	11.25° Bend	4	EA	$ 300.15	$ 1,200.60	4	$ 1,200.60		$ -	4	$ 1,200.60	100%
20	22.5° Bend w/ KB	2	EA	$ 308.78	$ 617.56	2	$ 617.56		$ -	2	$ 617.56	100%
23	8" Plug w/ Blowoff	1	EA	$ 2,959.04	$ 2,959.04	1	$ 2,959.04		$ -	1	$ 2,959.04	100%
24	8x8x8" Tee	2	EA	$ 460.10	$ 920.20	2	$ 920.20		$ -	2	$ 920.20	100%
25	8" Cross	2	EA	$ 540.11	$ 1,080.22	2	$ 1,080.22		$ -	2	$ 1,080.22	100%
26	8x8x6" Tee	6	EA	$ 385.12	$ 2,310.72	6	$ 2,310.72		$ -	6	$ 2,310.72	100%
27	8x6" Reducer	3	EA	$ 189.09	$ 567.27	3	$ 567.27		$ -	3	$ 567.27	100%
28	3/4" Service	36	EA	$ 1,430.02	$ 51,480.72	36	$ 51,480.72		$ -	36	$ 51,480.72	100%
29	Gas line potholes	4	EA	$ 582.14	$ 2,328.56	4	$ 2,328.56		$ -	4	$ 2,328.56	100%
30	Silt Fence	10776	LF	$ 1.14	$ 12,284.64	10776	$ 12,284.64		$ -	10776	$ 12,284.64	100%
31	Seeding	5	AC	$ 1,549.86	$ 7,749.30	5	$ 7,749.30		$ -	5	$ 7,749.30	100%
32	Vehicle Tracking Control	1	EA	$ 2,811.26	$ 2,811.26	1	$ 2,811.26		$ -	1	$ 2,811.26	100%
35	3" AC Pavement	22077	SY	$ 12.18	$ 268,897.86	18178	$ 221,408.04	3899	$ 47,489.82	22077	$ 268,897.86	100%
36	6" Aggregate Base	4676	CY	$ 36.54	$ 170,861.04	3750	$ 137,025.00	926	$ 33,836.04	4676	$ 170,861.04	100%
37	8" Wet Tap into 14" Waterline	1	EA	$ 6,502.10	$ 6,502.10	1	$ 6,502.10		$ -	1	$ 6,502.10	100%
38	Concrete Washout Area	1	EA	$ 1,239.49	$ 1,239.49	1	$ 1,239.49		$ -	1	$ 1,239.49	100%
39	Temporary Gravel Turn Around	127	CY	$ 39.83	$ 5,058.41	127	$ 5,058.41		$ -	127	$ 5,058.41	100%
40	CO#1 (Add) Dry Utility Sleeves	1	LS	$ 24,168.00	$ 24,168.00	1	$ 24,168.00		$ -	1	$ 24,168.00	100%
41	CO#2 (Add) 8" PVC	625	LF	$ 31.56	$ 19,725.00	625	$ 19,725.00		$ -	625	$ 19,725.00	100%
42	CO#3 (Delete) 14" Tapping Saddle	-1	LS	$ 6,324.15	$ (6,324.15)	-1	$ (6,324.15)		$ -	-1	$ (6,324.15)	100%
43	CO#3 (Add) 12" Tapping Saddle	1	LS	$ 3,800.03	$ 3,800.03	1	$ 3,800.03		$ -	1	$ 3,800.03	100%
44	CO#3 (Add) Re-Stock Fee (14" Tapping Saddle)	1	LS	$ 1,290.00	$ 1,290.00	1	$ 1,290.00		$ -	1	$ 1,290.00	100%
47	CO#3 (Add) 8" Gate Valve	2	EA	$ 1,015.16	$ 2,030.32	2	$ 2,030.32		$ -	2	$ 2,030.32	100%
45	CO#4 (Add) Silt Fence	3981	LF	$ 1.14	$ 4,538.34	3981	$ 4,538.34		$ -	3981	$ 4,538.34	100%
46	CO#5 (Add) Swale Re-grading	1	LS	$ 3,001.86	$ 3,001.86	1	$ 3,001.86		$ -	1	$ 3,001.86	100%
48	CO#6 (Deduct) Concrete Washout Area	-1	EA	$ 1,239.49	$ (1,239.49)	-1	$ (1,239.49)		$ -	-1	$ (1,239.49)	100%

Pay Application

Beebe Draw Farms Authority
141 Union Blvd Ste 150
Lakewood CO 80228

Send to Flore & Sons, Inc.
730 W 62nd Ave
Denver CO 80216
303-429-8893
303-429-3035 fax
Attention: Michelle Sheets

Subcontract No.: 1402012
Project: Pelican Lake Ranch Project
Taxes: Exempt
P.M.: Tim Dougherty

Pay Request: 6
Billing Thru: 08/29/14
Invoice No.: 1402013.05

49	COR#5 Addt'l Pond Grading	1	EA	$ 11,077.71	$ 11,077.71	1	$ 11,077.71		$ -	1	$ 11,077.71	100%
50	COR#7 Addt'l Swale/Ditch	1	EA	$ 8,163.57	$ 8,163.57	1	$ 8,163.57		$ -	1	$ 8,163.57	100%
51	COR#8 Addt'l Sediment Removal & Rip Rap	1	EA	$ 21,144.29	$ 21,144.29	1	$ 21,144.29		$ -	1	$ 21,144.29	100%
52	COR#10 Lower Water Srv & Extend RCP	1	EA	$ 4,964.63	$ 4,964.63	1	$ 4,964.63		$ -	1	$ 4,964.63	100%
53	COR#12 (Add) Seeding & Mulching	5.5	AC	$ 1,549.86	$ 8,524.23		$ -	5.5	$ 8,524.23	5.5	$ 8,524.23	100%
54	COR#13 (Add) Seeding & Mulching	4.3	AC	$ 1,549.86	$ 6,664.40		$ -	4.3	$ 6,664.40	4.3	$ 6,664.40	100%
55	COR#14 Final Onsite Cut/Fill	6376	CY	$ 2.75	$ 17,534.00		$ -	6376	$ 17,534.00	6376	$ 17,534.00	100%
56	COR#15 Additional Silt Fence and BMP Repairs	1	LS	$ 1,965.30	$ 1,965.30		$ -	1	$ 1,965.30	1	$ 1,965.30	100%
57	COR#16 Rip Rap Rundown Repairs	1	LS	$ 6,470.12	$ 6,470.12		$ -	1	$ 6,470.12	1	$ 6,470.12	100%

CONTRACT TOTAL $ **1,181,395.18**

PREVIOUS $ 1,058,911.27
PREVIOUS RETAINAGE $ 52,945.56
PREVIOUS PAYMENT $ 1,005,965.71

TOTAL THIS EST. $ **122,483.91**

TOTAL TO DATE $ 1,181,395.18

TOTAL APPROVED TO DATE $ 1,181,395.18
RETAINAGE $ 59,069.76
TOTAL LESS RETAINAGE $ 1,122,325.42
LESS PREVIOUS PAYMENTS $ 1,005,965.71
TOTAL DUE THIS PERIOD $ **116,359.71**
RETENTION THIS PERIOD $ 6,124.20