

REVIEWED
 By H.Preston at 10:08 am, Sep 08, 2023

ALA Type Document
 Application and Certification for Payment

TO (OWNER): Beachwood Independent board of
 50 Beachwood Road
 Lexington, KY 41017

PROJECT: Beachwood Phase 6
 45 Beachwood Rd
 Ft. Mitchell, KY

APPLICATION NO: 17
 PERIOD TO: 9/11/2023

DISTRIBUTION
 TO:
 - OWNER
 - CONSTRUCTION
 - MANAGER
 - ARCHITECT
 - CONTRACTOR

FROM (CONTRACTOR): Rising Sun Developing Company
 2555 Palumbo Drive #110
 Lexington, KY 40509

ARCHITECTS
 PROJECT NO:

CONTRACT FOR: Bp#202 general trades
 VIA ARCHITECT:
 VIA CONSTRUCTION MANAGER: Codell Construction

CONTRACT DATE: 5/17/2022

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM \$ 4,814,592.00
2. Net Change by Change Orders \$ 134,160.24
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 4,948,752.24
4. TOTAL COMPLETED AND STORED TO DATE \$ 3,371,154.05
5. RETAINAGE:
 - a. 5.00 % of Completed Work \$ 247,437.61
 - b. 0.00 % of Stored Material \$ 0.00
 Total retainage (Line 5a + 5b) \$ 247,437.61
6. TOTAL EARNED LESS RETAINAGE \$ 3,123,716.44
 (Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 3,042,667.34
 (Line 6 from prior Certificate)
8. CURRENT PAYMENT DUE \$ 81,049.10
9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 1,825,035.80
 (Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	134,160.24	0.00
Total approved this Month	0.00	0.00
TOTALS	134,160.24	0.00
NET CHANGES by Change Order	134,160.24	

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: Rising Sun Developing Company
 2555 Palumbo Drive #110
 Lexington, KY 40509

By: *[Signature]* Date: 9.7.23

Shand Carpenter
 State of: KY
 County of: Fayette
 Subscribed and Sworn to before me this

Notary Public: *[Signature]*

My Commission Expires: Jan 8, 25

CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the data comprising the above application, the Construction Manager and Architect certify to the best of their knowledge, information and belief the Work has progressed and that 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: \$ 810,491.10

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

CONSTRUCTION MANAGER: *[Signature]* Date: 9/15/23

ARCHITECT: *[Signature]* Date: 9/11/23

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



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CONTRACT FOR: Bp#202 general trades
VIA CONSTRUCTION MANAGER: Codell Construction
VIA ARCHITECT:
CONTRACT DATE: 5/17/2022

ITEM	DESCRIPTION	SCHEDULE VALUE	PREVIOUS APPLICATIONS	COMPLETED THIS PERIOD	STORED MATERIAL	COMPLETED STORED	%	BALANCE	RETAINAGE
1	building demo	408,000.00	408,000.00	0.00	0.00	408,000.00	100.00	0.00	20,400.00
2	temporary shoring	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00	0.00	250.00
3	provide filler for floor transition	2,500.00	0.00	0.00	0.00	0.00	0.00	2,500.00	0.00
4	weather protection at demo areas	5,000.00	4,950.00	0.00	0.00	4,950.00	99.00	50.00	247.50
5	saw cut conc. walls	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00	0.00	50.00
6	remove concrete sub base	6,400.00	6,400.00	0.00	0.00	6,400.00	100.00	0.00	320.00
7	remove asphalt	6,000.00	3,000.00	0.00	0.00	3,000.00	50.00	3,000.00	150.00
8	remove walk	3,000.00	2,550.00	0.00	0.00	2,550.00	85.00	450.00	127.50
9	remove fence	2,500.00	0.00	0.00	0.00	0.00	0.00	2,500.00	0.00
10	remove landscape	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00	0.00	150.00
11	remove courtyard pavement	4,000.00	0.00	0.00	0.00	0.00	0.00	4,000.00	0.00
13	remove curb	1,800.00	1,800.00	0.00	0.00	1,800.00	100.00	0.00	90.00
14	footer labor	257,000.00	257,000.00	0.00	0.00	257,000.00	100.00	0.00	12,850.00
15	pier labor	14,000.00	14,000.00	0.00	0.00	14,000.00	100.00	0.00	700.00
16	retaining wall labor	427,000.00	427,000.00	0.00	0.00	427,000.00	100.00	0.00	21,350.00
17	sidewalk labor	39,780.00	0.00	0.00	0.00	0.00	0.00	39,780.00	0.00
18	floor slab placement	298,588.00	297,122.12	0.00	0.00	297,122.12	99.51	1,465.88	14,856.11
19	underpinning labor	14,400.00	14,400.00	0.00	0.00	14,400.00	100.00	0.00	720.00
20	form materials	42,000.00	42,000.00	0.00	0.00	42,000.00	100.00	0.00	2,100.00
21	concrete pumping	18,000.00	17,820.00	0.00	0.00	17,820.00	99.00	180.00	891.00
22	grout for base plates mat.	4,875.00	4,875.00	0.00	0.00	4,875.00	100.00	0.00	243.75

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23	grout for base plate labor	9,750.00	9,750.00	0.00	0.00	9,750.00	100.00	0.00	487.50
24	decorative metal railing labor	200,000.00	0.00	0.00	0.00	0.00	0.00	200,000.00	0.00
25	decorative metal labor	37,081.00	0.00	0.00	0.00	0.00	0.00	37,081.00	0.00
26	column cover labor	8,900.00	0.00	0.00	0.00	0.00	0.00	8,900.00	0.00
27	wood material	42,000.00	0.00	6,300.00	0.00	6,300.00	15.00	35,700.00	315.00
28	wood blocking labor	24,300.00	0.00	486.00	0.00	486.00	2.00	23,814.00	24.30
29	sheet waterproofing Labor	41,212.50	41,212.50	0.00	0.00	41,212.50	100.00	0.00	2,060.63
30	geofoam labor	32,000.00	32,000.00	0.00	0.00	32,000.00	100.00	0.00	1,600.00
31	expansion control labor	3,600.00	0.00	0.00	0.00	0.00	0.00	3,600.00	0.00
32	sprayfoam mat.	12,400.00	0.00	0.00	0.00	0.00	0.00	12,400.00	0.00
33	sprayfoam labor	16,100.00	0.00	0.00	0.00	0.00	0.00	16,100.00	0.00
34	pre-finished break metal to match lap siding mat	300.00	0.00	0.00	0.00	0.00	0.00	300.00	0.00
35	siding labor	250.00	0.00	0.00	0.00	0.00	0.00	250.00	0.00
36	door frame labor	65,000.00	55,250.00	6,500.00	0.00	61,750.00	95.00	3,250.00	3,087.50
37	door and hardware labor	88,000.00	0.00	0.00	0.00	0.00	0.00	88,000.00	0.00
38	access door labor	2,900.00	0.00	0.00	0.00	0.00	0.00	2,900.00	0.00
39	colling door mat	10,889.00	0.00	0.00	0.00	0.00	0.00	10,889.00	0.00
40	colling door labor	6,000.00	0.00	0.00	0.00	0.00	0.00	6,000.00	0.00
41	sound control doors and windows	153,104.00	0.00	38,276.00	0.00	38,276.00	25.00	114,828.00	1,913.80
42	overhead folding door labor	8,650.00	0.00	0.00	0.00	0.00	0.00	8,650.00	0.00
43	wood flooring mat	13,000.00	0.00	0.00	0.00	0.00	0.00	13,000.00	0.00

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44	wood flooring labor	7,000.00	0.00	0.00	0.00	0.00	0.00	7,000.00	0.00
45	stage flooring system	48,000.00	0.00	0.00	0.00	0.00	0.00	48,000.00	0.00
46	hardwood flooring trim at media center worktable	2,000.00	0.00	0.00	0.00	0.00	0.00	2,000.00	0.00
47	trim labor	750.00	0.00	0.00	0.00	0.00	0.00	750.00	0.00
48	cornice labor	44,000.00	0.00	0.00	0.00	0.00	0.00	44,000.00	0.00
49	visula display surfaces	12,800.00	0.00	0.00	0.00	0.00	0.00	12,800.00	0.00
50	plaque labor	350.00	0.00	0.00	0.00	0.00	0.00	350.00	0.00
51	dim. letters labor	7,400.00	0.00	0.00	0.00	0.00	0.00	7,400.00	0.00
52	panel signage labor	12,000.00	0.00	0.00	0.00	0.00	0.00	12,000.00	0.00
53	toilet compartment labor	18,400.00	0.00	0.00	0.00	0.00	0.00	18,400.00	0.00
54	cubeicle labor	14,600.00	0.00	0.00	0.00	0.00	0.00	14,600.00	0.00
55	operable partitions labor	9,000.00	0.00	0.00	0.00	0.00	0.00	9,000.00	0.00
56	wall protection labor	4,400.00	0.00	0.00	0.00	0.00	0.00	4,400.00	0.00
57	toilet acc labor	12,408.00	0.00	0.00	0.00	0.00	0.00	12,408.00	0.00
58	fire ext. cabinet labor	1,200.00	0.00	0.00	0.00	0.00	0.00	1,200.00	0.00
59	remove and re-install cupola	21,266.00	10,633.00	0.00	0.00	10,633.00	50.00	10,633.00	531.65
60	hoisting for cupola	10,000.00	5,000.00	0.00	0.00	5,000.00	50.00	5,000.00	250.00
61	post and panel sign labor	950.00	0.00	0.00	0.00	0.00	0.00	950.00	0.00
62	stage rigging install	298,327.00	11,933.08	0.00	0.00	11,933.08	4.00	286,393.92	596.65
63	wall pad mat	1,000.00	0.00	0.00	0.00	0.00	0.00	1,000.00	0.00
64	wall pad labor	850.00	0.00	0.00	0.00	0.00	0.00	850.00	0.00

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65	wheel chair lift labor	7,000.00	350.00	0.00	0.00	350.00	5.00	6,650.00	17.50
66	termite control	1,300.00	1,300.00	0.00	0.00	1,300.00	100.00	0.00	65.00
67	undercut slab 3'	98,000.00	98,000.00	0.00	0.00	98,000.00	100.00	0.00	4,900.00
68	undercut footers	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00	0.00	1,250.00
69	stone fill labor	42,000.00	42,000.00	0.00	0.00	42,000.00	100.00	0.00	2,100.00
70	lean under footers labor	54,250.00	54,250.00	0.00	0.00	54,250.00	100.00	0.00	2,712.50
71	asphalt paving heavy	47,502.00	0.00	0.00	0.00	0.00	0.00	47,502.00	0.00
72	asphalt paving light	22,532.00	0.00	0.00	0.00	0.00	0.00	22,532.00	0.00
73	decorative fence and gate mat	9,750.00	0.00	0.00	0.00	0.00	0.00	9,750.00	0.00
74	decorative fence and gate labor	4,900.00	0.00	0.00	0.00	0.00	0.00	4,900.00	0.00
75	sod labor	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00	0.00	75.00
76	sod mat	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00	0.00	50.00
77	striping and arrow	4,100.00	0.00	0.00	0.00	0.00	0.00	4,100.00	0.00
78	10" area drain mat	650.00	650.00	0.00	0.00	650.00	100.00	0.00	32.50
79	10" area drain labor	1,200.00	1,200.00	0.00	0.00	1,200.00	100.00	0.00	60.00
80	6" pvc mat	980.00	980.00	0.00	0.00	980.00	100.00	0.00	49.00
81	6" pvc labor	3,500.00	3,500.00	0.00	0.00	3,500.00	100.00	0.00	175.00
82	8" pvc mat	2,512.00	2,512.00	0.00	0.00	2,512.00	100.00	0.00	125.60
83	8" pvc labor	5,600.00	5,600.00	0.00	0.00	5,600.00	100.00	0.00	280.00
84	downspout boot mat	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00	0.00	150.00
85	downspout boot labor	3,000.00	0.00	0.00	0.00	0.00	0.00	3,000.00	0.00

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86	fitings mat	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00	0.00	50.00
87	4" perimeter drain mat	2,520.00	2,520.00	0.00	0.00	2,520.00	100.00	0.00	126.00
88	4" perimeter drain labor	6,800.00	6,800.00	0.00	0.00	6,800.00	100.00	0.00	340.00
89	allowance #1	28,000.00	15,100.00	12,900.00 ✓	0.00	28,000.00	100.00	0.00	1,400.00
90	allowance #1 stone fill	59,130.00	59,130.00	0.00	0.00	59,130.00	100.00	0.00	2,956.50
91	allowance #2	6,600.00	0.00	0.00	0.00	0.00	0.00	6,600.00	0.00
92	access stairs	20,000.00	20,000.00	0.00	0.00	20,000.00	100.00	0.00	1,000.00
93	safety cables	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00	0.00	250.00
94	shoring design	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00	0.00	400.00
95	site surveying	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00	0.00	125.00
96	bmp	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00	0.00	250.00
97	silt fence	650.00	650.00	0.00	0.00	650.00	100.00	0.00	32.50
98	construction fence	8,250.00	8,250.00	0.00	0.00	8,250.00	100.00	0.00	412.50
99	concrete wash pit	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00	0.00	125.00
101	temp enclosures	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00	0.00	125.00
102	temporary facilities	22,000.00	17,160.00	4,440.00	0.00	17,600.00	80.00	4,400.00	880.00
103	site trailer	7,200.00	7,200.00	0.00	0.00	7,200.00	100.00	0.00	360.00
104	rain board	11,050.00	0.00	0.00	0.00	0.00	0.00	11,050.00	0.00
105	clean drain structures and piping	5,000.00	0.00	0.00	0.00	0.00	0.00	5,000.00	0.00
106	interim cleaning	15,200.00	0.00	0.00	0.00	0.00	0.00	15,200.00	0.00
107	final cleaning	36,000.00	0.00	0.00	0.00	0.00	0.00	36,000.00	0.00

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129	demo	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00	0.00	125.00
130	site work	7,500.00	7,500.00	0.00	0.00	7,500.00	100.00	0.00	375.00
131	concrete labor	88,000.00	88,000.00	0.00	0.00	88,000.00	100.00	0.00	4,400.00
132	geofoam blocks labor	26,000.00	26,000.00	0.00	0.00	26,000.00	100.00	0.00	1,300.00
133	waterproofing labor	4,920.00	4,920.00	0.00	0.00	4,920.00	100.00	0.00	246.00
134	flagpole labor	2,600.00	0.00	0.00	0.00	0.00	0.00	2,600.00	0.00
135	bronze statue	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00	0.00	500.00
136	12" pipe mat.	1,560.00	1,560.00	0.00	0.00	1,560.00	100.00	0.00	78.00
137	12" pipe labor	5,600.00	5,600.00	0.00	0.00	5,600.00	100.00	0.00	280.00
138	8" hdpe mat	251.20	251.20	0.00	0.00	251.20	100.00	0.00	12.56
139	8" hdpe labor	600.00	600.00	0.00	0.00	600.00	100.00	0.00	30.00
140	8" trench drain mat	9,471.80	9,471.80	0.00	0.00	9,471.80	100.00	0.00	0.00
141	8" trench drain labor	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00	0.00	200.00
142	catch basin mat	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00	0.00	50.00
143	catch basin labor	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00	0.00	50.00
144	asphalt paving	23,822.00	23,822.00	0.00	0.00	23,822.00	100.00	0.00	1,191.10
145	fence mat	74,000.00	74,000.00	0.00	0.00	74,000.00	100.00	0.00	3,700.00
146	fence labor	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00	0.00	750.00
147	silt fence	550.00	550.00	0.00	0.00	550.00	100.00	0.00	27.50
148	inlet protection	750.00	750.00	0.00	0.00	750.00	100.00	0.00	37.50
149	sod	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00	0.00	50.00

ALA Type Document
Application and Certification for Payment

TO (OWNER): Beachwood Independent board of
50 Beachwood Road
Lexington, KY 41017

PROJECT: Beachwood Phase 6
45 Beachwood Rd
Ft. Mitchell, KY

APPLICATION NO: 17
PERIOD TO: 9/1/2023

DISTRIBUTION
TO:
OWNER
CONSTRUCTION
MANAGER
ARCHITECT
CONTRACTOR

FROM (CONTRACTOR): Rising Sun Developing Company
2555 Palumbo Drive #110
Lexington, KY 40509

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: Bp#202 general trades

VIA CONSTRUCTION MANAGER: Codell Construction
VIA ARCHITECT:

CONTRACT DATE: 5/17/2022

ITEM	DESCRIPTION	SCHEDULE VALUE	PREVIOUS APPLICATIONS	COMPLETED THIS PERIOD	STORED MATERIAL	COMPLETED STORED	%	BALANCE	RETAINAGE
150	signage mat	28,930.00	0.00	0.00	0.00	0.00	0.00	28,930.00	0.00
151	signage labor	13,204.50	0.00	0.00	0.00	0.00	0.00	13,204.50	0.00
152	fiberglass columns	7,455.00	0.00	0.00	0.00	0.00	0.00	7,455.00	0.00
153	202-1 -- Additional Tile / Asbestos	5,152.00	5,152.00	0.00	0.00	5,152.00	100.00	0.00	257.60
154	202-2 -- 60 min Rating L107	5,045.44	1,261.36	0.00	0.00	1,261.36	25.00	3,784.08	63.07
155	202-3 ---60 Min Rating on PED doors	5,466.04	1,366.51	0.00	0.00	1,366.51	25.00	4,099.53	68.33
156	202-4 -- door 202A	3,127.65	0.00	0.00	0.00	0.00	0.00	3,127.65	0.00
157	202-5-- RFI #25 Response	5,951.25	5,951.25	0.00	0.00	5,951.25	100.00	0.00	297.56
158	202-6 -- MidAisle Rails and Painted Steel V Stainless	12,902.40	0.00	0.00	0.00	0.00	0.00	12,902.40	0.00
159	202-7--- ACM Material In Boiler	5,025.50	5,025.50	0.00	0.00	5,025.50	100.00	0.00	251.28
160	202-4--Reconcile (Wrong Amount entered)	0.30	0.30	0.00	0.00	0.30	100.00	0.00	0.02
161	202-8 -- Added Demo Claim #6	23,988.80	23,988.80	0.00	0.00	23,988.80	100.00	0.00	1,199.44
162	202-9 -- Pave and Door Pulls	60,699.76	56,729.53	0.00	0.00	56,729.53	93.46	3,970.23	2,836.48
163	202-10-- decorative Rail	6,801.10	0.00	6,801.10	0.00	6,801.10	100.00	0.00	340.06
REPORT TOTALS		\$4,948,752.24	\$3,290,104.95	\$61,049.10	\$0.00	\$3,371,154.05	68.12	\$1,577,598.19	\$168,084.14

PARTIAL WAIVER AND RELEASE OF CLAIMS FOR PAYMENT

(use for all tiers)

STATE OF Kentucky
COUNTY OF Fayette
TO WHOM IT MAY CONCERN:

WHEREAS, the undersigned ("Undersigned") has been employed by Beechwood Independent Schools Board of Education ("OWNER", "CONTRACTOR", or "CONSTRUCTION MANAGER") to furnish and install Bd Package 202 General Trades for project known as Beechwood Independent Schools Phase 5B: Addition and Renovation ("PROJECT") of which Beechwood Independent Board of Education is the owner ("OWNER") and on which Codell Construction Company is also a ("CONTRACTOR" or "CONSTRUCTION MANAGER").

The Undersigned, for and in consideration of Eighty-one thousand, forty-nine dollars and ten cents (\$ 81,049.10) Dollars, and in consideration of such sum and other good and valuable considerations, UPON RECEIPT, do(as) for its heirs, executors, and administrators, hereby waive and release the Owner, the Contractor, the Contractor's Surety, the Construction Manager, the Construction Manager's surety, and each of their insurers, parents, subsidiaries, related entities, affiliates, members, past and present officers, directors, heirs, and administrators, from any and all suits, debts, demands, torts, charges, causes of action and claims for payment, including claims under the laws or statutes of the municipality, state or federal government relating to payment bonds, the Miller Act, or other act or statute including prompt payment statutes, or bonds relating to the Project, and in addition all lien, or claim of, or right to, lien, under municipal, state, or federal laws or statutes, relating to mechanics' liens, with respect to and on said above-described Project, and the improvements thereon, and on the material relating to mechanics' liens, payment bonds, the Miller Act or other law, act, or statute, with respect to and on said above-described premises, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other consideration due or to become due from the Owner, on account of, arising out of or relating in any way to the labor, services, material, fixtures, equipment, apparatus or machinery furnished by the Undersigned, on the above-described Project from the beginning of time through the date indicated below, including extras.* The undersigned certifies, warrants, and guarantees that all work it has performed on the Project has been performed in accordance with its contract documents on the Project.

Date: September 7, 2023

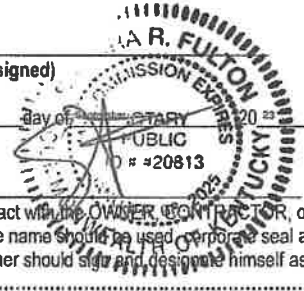
Name of Company Rising Sun Developing Company

Signature: [Handwritten Signature]

(Undersigned)

Subscribed and sworn before me this seventh day of September 2023

Printed Name: Scott Connell



Title of Person Signing: Estimator

Notary Signature and Seal:

NOTE: *Extras include but are not limited to changes, both oral and written, to the contract, and Claims as defined in the Undersigned's contract with the OWNER, CONTRACTOR, or CONSTRUCTION MANAGER. All waivers and releases must be for the full amount paid. If waiver and release is for a corporation, corporate name should be used, corporate seal affixed and title of officer signing waiver and release should be set forth: if waiver and release is for a partnership, the partnership name should be used, partner should sign and designate himself as partner,

STATE OF Kentucky
COUNTY OF Fayette
TO WHOM IT MAY CONCERN:

CONTRACTOR'S AFFIDAVIT

THE Undersigned, being duly sworn, deposes and says that (s)he Scott Connell the Estimator of Rising Sun Developing Company ("Company name and Undersigned"), who is the contractor for the Bd Package 202 General Trades work on the project ("Project") located at 54 Beechwood Road, Ft. Mitchell, KY 41017 owned by Beechwood Independent Board of Education ("Owner") and on which Codell Construction Company is a ("Contractor" or "Construction Manager").

That it has received payment of \$ 3,342,667.34 prior to this payment.

That all waivers and releases are true, correct, and genuine and delivered unconditionally and that there is no claim either legal or equitable to defeat the validity of said waivers or releases. That the following are the names of all parties who have furnished material, equipment, services, or labor for said work and all parties having contracts or subcontracts for specific portions of said work or for material entering into the construction thereof and the amount due or to become due each and that the items mentioned include all labor, equipment, services, and material required to complete said work according to plans and specifications. The Undersigned agrees to indemnify, defend, and hold harmless the Owner, Contractor, Contractor's surety, Construction Manager, Construction Manager's surety from any and all claims for alleged payment made by the Undersigned suppliers or subcontractors pertaining to the project whether or not listed below.

Table with 6 columns: NAMES, TYPE /SCOPE WORK, CONTRACT PRICE, AMOUNT PREVIOUSLY PAID, THIS PAYMENT, BALANCE DUE. Includes a row for 'TOTAL LABOR, EQUIPMENT, SERVICES, & MATERIAL TO COMPLETE'.

That there are no other contracts for said work outstanding, and that there is nothing due or to become due to any person for material, labor, or other work of any kind done or to be done upon or in connection with said work other than above stated.

Date: September 7, 2023 Name of Company Rising Sun Developing Company (Undersigned)
Signature: [Handwritten Signature] Printed Name: Scott Connell Title: Estimator
Subscribed and sworn before me this seventh day of August, 2023 Notary Signature and Seal:

