

72434956-10

03-03-08

## **HelmsRoark**

February 28, 2008

Mr. Philip Wilkes  
Senior Lending Officer  
Community Bank & Trust  
3680 West Main Street  
Dothan, AL 36305

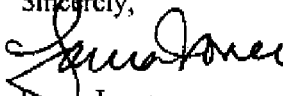
Dear Mr. Wilkes:

Enclosed please find our first draw request for the development in Saraland. I usually submit these requests by e-mail or fax on the first of the month. Please let me know if I should submit them directly to you or to another contact and if you prefer a different method, so that I can adjust accordingly.

Checking Account No. 1714201

Please withdraw the Letter of Credit fee of \$6,000.00 after you have made the deposit into our account.

Sincerely,



Laura Jones  
Assistant to Bill Helms

cc: Bill Helms

Helms Roark, Inc.  
Real Estate Development  
P.O. Box 1149 (36101)  
121 Coosa Street, Suite 200  
Montgomery, AL 36104  
(334) 264-1102  
FAX (334) 264-6681

**Courtney & Morris Appraisals, Inc.**

3201 Dauphin St. Suite C  
Mobile, AL 36606  
Phone (251) 476-8545  
Fax (251) 471-9945

**Invoice**

DATE	INVOICE #
2/18/2008	14111

BILL TO
Mr. Phillip Wilkes Community Bank & Trust 3680 West Main Street Dothan, AL 36305

COUNTY	CITY	APP. NO.	STATE
Mobile	Saraland	3	Alabama

DESCRIPTION	
Appraisal Services Rendered -  Re: Near Intersection of I58 (Industrial Pkwy.) and I-65, Saraland, Alabama (14.31 Acres - Proposed Out-Parcels of Gateway Centre)	3,500.00
<b>Total</b>	<b>\$3,500.00</b>

TAX ID #63-0732932

**SOUTHERN EARTH SCIENCES, INC.**  
**P O BOX 160745**  
**MOBILE, AL 36616**  
**251-344-7711**

## Invoice

**TO: HELMS ROARK, INC REAL ESTATE DEVELOPMENT**  
**P.O. BOX 1149**  
**MONTGOMERY, AL 36101**

**ATTN: BILL HELMS**  
**DATE: January 31, 2008**  
**SES JOB NO: M-08-064**  
**INVOICE NO: 1801041**

**FOR SERVICES RENDERED: SARALAND COMMERCIAL DEVELOPMENT**

<b>GEOTECHNICAL SERVICES</b>	<b>\$1,850.00</b>
<b>TOTAL AMOUNT DUE</b>	<b>\$1,850.00</b>

ALL CHARGES ARE DUE AND PAYABLE 15 DAYS FOLLOWING DATE OF THIS INVOICE, UNLESS OTHERWISE  
ARRANGED. A PERIODIC RATE OF 1.5 PERCENT MONTHLY, AS A FINANCE CHARGE, WILL BE ADDED ON BALANCES  
OVER 30 DAYS. THIS IS AN ANNUAL PERCENTAGE RATE OF 18 PERCENT.

Gateway Centre  
Saraland, AL

Closing Draw  
02/22/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	CLOSING DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$2,600,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,600,000.00</b>
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$0.00	\$1,382,777.30	\$1,382,777.30	\$25,000.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$0.00	\$0.00	\$834,000.00
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$0.00	\$31,864.44	\$31,864.44	\$18,135.56
Soils Test	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00
Wetland Study	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$0.00	\$0.00	\$0.00	\$22,000.00
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$0.00	\$3,500.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$0.00	\$2,071.30	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$0.00	\$3,986.00	\$3,986.00	\$14.00
Appraisal	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
Developer Overhead	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
LC Fee	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00
Construction Loan Fee	\$12,500.00	\$0.00	\$12,500.00	\$12,500.00	\$0.00
Wetland Mitigation Bank	\$13,440.00	\$0.00	\$5,720.00	\$6,720.00	\$8,720.00
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$0.00	\$0.00	\$0.00	\$120,000.00
Miscellaneous/Contingency	\$20,782.00	\$0.00	\$0.00	\$0.00	\$20,782.00
<b>TOTAL FUNDS USED</b>	<b>\$2,600,000.00</b>	<b>\$0.00</b>	<b>\$1,443,419.04</b>	<b>\$1,443,419.04</b>	<b>\$1,156,580.96</b>

Requested and approved this \_\_\_\_\_ day of February 22, 2008

Gateway Centre, LLC

By: (INFORMATIONAL PURPOSE ONLY)

Its: \_\_\_\_\_

Gateway Centre  
February-08  
Disbursement Schedule

Payee	Category	Amount	Paid
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PER LOAN CLOSING STATEMENT

AMOUNT OF DRAW

\$0.00

**Gateway Centre  
February-08  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
Reimbursement to R.H. Property Ventures, Inc.	Land	\$25,000.00	
	Survey (Topo & Boundary)	\$9,151.36	
	Wetland Study	\$1,548.65	
	Wetland Mitigation	\$6,014.77	
	Engineering	\$3,285.22	
Reimbursement to Helms Roark, Inc.	Engineering	\$5,437.50	
	Wetland Mitigation	\$542.00	
	Wetland Mitigation	\$1,790.00	
	Miscellaneous/Contingency	\$94.53	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Courtnay & Morris Appraisals, Inc.	Appraisal	\$3,500.00	
Draft to CB&T	LC Fee	\$6,000.00	
Pittman et. al.	LC Fee	\$16,000.00	
Southern Earth Sciences, Inc.	Soils Tests	\$1,850.00	
<b>AMOUNT OF DRAW</b>		<b>\$87,714.03</b>	

Gateway Centre  
Saraland, AL

First Draw  
02/28/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO:	
DESCRIPTION	BUDGET	Draws	FIRST DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,800,000.00	\$0.00	\$0.00	\$0.00	\$2,800,000.00
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$2,800,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,800,000.00</b>
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,382,777.30	\$25,000.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$0.00	\$0.00	\$834,000.00
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$31,864.44	\$8,722.72	\$40,587.16	\$9,412.84
Soils Test	\$2,000.00	\$0.00	\$1,850.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$0.00	\$1,548.65	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$0.00	\$9,151.36	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$0.00	\$3,500.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$0.00	\$7,500.00	\$7,500.00	\$42,500.00
L.C Fee	\$35,000.00	\$0.00	\$22,000.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$6,720.00	\$8,346.77	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$0.00	\$0.00	\$0.00	\$120,000.00
Miscellaneous/Contingency	\$20,722.00	\$0.00	\$94.53	\$94.53	\$20,627.47
<b>TOTAL FUNDS USED</b>	<b>\$2,800,000.00</b>	<b>\$1,443,418.04</b>	<b>\$87,714.03</b>	<b>\$1,531,133.07</b>	<b>\$1,068,866.93</b>

Requested and approved this 28th day of February 28, 2008

Gateway Centre, LLC

By: William A. Hall

Its: Manager

**Gateway Centre  
May-08  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Gulf States Engineering	Engineering	\$3,258.70	
Street Wiatt	Miscellaneous	\$1,000.00	
CB&T	Interest	\$18,614.49	
<b>AMOUNT OF DRAW</b>		<b>\$30,373.19</b>	



Gateway Centre  
Saraland, AL

May Draw  
05/08/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO DATE (incl. current)	
DESCRIPTION	BUDGET	Draws	MAY DRAW		BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$0.00	\$0.00	\$834,000.00
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$40,587.16	\$3,258.70	\$43,845.86	\$6,154.14
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$7,500.00	\$7,500.00	\$15,000.00	\$35,000.00
LC Fee	\$35,000.00	\$22,000.00	\$0.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$0.00	\$18,614.49	\$18,614.49	\$101,385.51
Miscellaneous/Contingency	\$20,722.00	\$94.53	\$1,000.00	\$1,094.53	\$19,627.47
TOTAL FUNDS USED	\$2,600,000.00	\$1,531,133.07	\$30,373.19	\$1,561,506.26	\$1,038,493.74

Requested and approved this 13th day of May, 2008

Gateway Centre, LLC

By: [Signature]

Its: [Signature]

Gateway Centre  
Saraland, AL

May Draw  
05/08/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO- DATE (incl. current)	
DESCRIPTION	BUDGET	Draws	MAY DRAW		BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$0.00	\$0.00	\$834,000.00
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$90,000.00	\$40,567.16	\$3,258.70	\$43,845.86	\$6,154.14
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.66	\$0.00	\$1,548.66	(\$48.66)
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$7,500.00	\$7,500.00	\$15,000.00	\$35,000.00
L.C. Fee	\$35,000.00	\$22,000.00	\$0.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$0.00	\$0.00	\$0.00	\$120,000.00
Miscellaneous/Contingency	\$20,722.00	\$94.53	\$1,000.00	\$1,094.53	\$19,627.47
TOTAL FUNDS USED	\$2,600,000.00	\$1,531,133.07	\$11,758.70	\$1,542,891.77	\$1,057,108.23

Requested and approved this 5th day of May, 2008

Gateway Centre, LLC

By: Will McNeil

Its: Manager

**Gateway Centre  
May-08  
Disbursement Schedule**

Payee	Category	Amount	Paid
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Gulf States Engineering	Engineering	\$3,258.70	
AMOUNT OF DRAW		<u>\$10,758.70</u>	



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
3/10/2008	A07052.10

**BILL TO**

Helms Roark, Inc.  
121 Coosa Street #200  
Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT	
	Net 30	4/9/2008	01 Feb 08 to 29 Feb 08	A07052-HR Comm Design	
ITEM	DESCRIPTION		QTY	RATE	AMOUNT
Engineer	Change Order T&M Charges for Feb 20th-February 29th Engineer Labor		1	3,258.70	3,258.70
Thank you for your business.				Total	\$3,258.70



**GSE**  
GULF STATE ENGINEERING  
Creating Solutions  
www.GSEeng.com

**Mobile**  
4110 Moffett Road  
Mobile, AL 36618  
Phone: (251) 460-4646  
Fax: (251) 460-4649

**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

## Time and Expense Report

**Client:** Helms Roark, Inc.  
121 Coosa St. Suite 200

**Project #:** **A07052**

Printed on 3/10/2008

**Montgomery** **AL** 36104  
**Bill** **Helms**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08

TEDATE	PROJECTID
2/20/2008 to 2/29/2008	A07052: to A07052:SURVEY

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
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**Project Phase:** A07052 **Change Order**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08

**Have not invoiced**

### Services:

2/20/2008	davisg	Civil Engineering & Design	2.50	\$100.00	\$250.00
2/22/2008	davisg	Civil Engineering & Design	2.50	\$100.00	\$250.00
2/25/2008	davisg	Civil Engineering & Design	4.00	\$100.00	\$400.00
2/26/2008	ClarkC	Civil Engineering & Design	6.00	\$75.00	\$450.00
2/26/2008	davisg	Civil Engineering & Design	2.50	\$100.00	\$250.00
2/27/2008	davisg	Civil Engineering & Design	4.00	\$100.00	\$400.00
2/28/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
2/28/2008	davisg	Civil Engineering & Design	2.50	\$100.00	\$250.00
2/29/2008	davisg	Civil Engineering & Design	2.00	\$100.00	\$200.00
2/29/2008	davisg	Civil Engineering & Design	2.50	\$100.00	\$250.00
2/29/2008	Shockley'I'	work for George	4.00	\$55.00	\$220.00

**Total Services**

**33.50**

**\$3,020.00**

### Expenses:

2/29/2008	PrintMgr	Plot B Size	4.00	\$0.75	\$3.00
2/29/2008	PrintMgr	Plot D Size	77.00	\$3.00	\$231.00
2/29/2008	PrintMgr	Plot Letter	47.00	\$0.10	\$4.70

**Total Expenses**

**128.00**

**\$238.70**

Contract Amount	Contract Type	Status
\$ 12,290.00	Hourly	NA

**Total: \$3,258.70**

CHECK  
REQUEST

DATE REQUESTED

4/23/08

DATE  
NEEDED

PAYEE

Helm's Roan K

CHECK AMOUNT

7,500<sup>00</sup>

DRAWN ON A/C OF

Gateway Center

EXPLANATION

Development Fee

G/L A/C #

Check #

Date

REQUESTED BY:

Gateway Centre  
Saraland, AL

May Draw  
06/02/08

ALJ/622  
06/03/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	JUNE DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$0.00	\$0.00	\$834,000.00
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$60,000.00	\$43,845.88	\$6,451.26	\$50,287.12	(\$297.12)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$15,000.00	\$7,500.00	\$22,500.00	\$27,500.00
LC Fee	\$35,000.00	\$22,000.00	\$0.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$18,614.49	\$0.00	\$18,614.49	\$101,385.51
Miscellaneous/Contingency	\$20,722.00	\$4,989.53	\$2,294.25	\$7,283.78	\$13,438.22
TOTAL FUNDS USED	\$2,600,000.00	\$1,565,401.26	\$16,245.51	\$1,581,646.77	\$1,018,353.23

Requested and approved this 2nd day of June, 2008

Gateway Centre, LLC

By: *Michael*

Its: *Manager*

**Gateway Centre  
June-08  
Disbursement Schedule**

Payee	Category	Amount	Paid
Streeter Wiatt	Miscellaneous	\$1,000.00	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Gulf States Engineering	Engineering	\$6,451.26	
Gulf Coast Sweeping Service	Miscellaneous	\$332.75	
Ballard Signs	Miscellaneous	\$381.50	
Reimbursement to Limestone Partners, LLC	Miscellaneous	\$580.00	
<b>AMOUNT OF DRAW</b>		<b>\$16,245.51</b>	





# Invoice

DATE	INVOICE #
5/1/2008	14894

BILL TO:

Helms Roark, Inc.  
PO Box 1149  
Montgomery, AL 36101

P.O. NUMBER	TERMS	PROJECT
-------------	-------	---------

DUE ON REC...

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	8'x8' 1s Vinyl - 2 OUTLOTS; FOR SALE or LEASE	350.00	350.00
	ORDERED BY LAURA JONES FOR GATEWAY CENTRE IN SARALAND, AL		
	Sales Tax	9.00%	31.50

Prompt Payment is Appreciated. Finance Charge of 1.5% per month will be applied to any past due balances. Minimum charge is \$1.00.

**TOTAL** \$381.50

Gulf Coast  
Sweeping  
Service

FAX #  
334-264-6681

DIVISION OF WILSON ENTERPRISES, INC.  
3722 SWANSEA DRIVE  
MOBILE, ALABAMA 36608  
(205) 344-0225

DATE

5/7/08

LEROY McENTIRE

HELMS ROARK, Inc

P.O. Box 1149

MINTJOMERY, ALA 36104

FOR SERVICE CALL:

334-481-0512

DATE	ARTICLE AND DESCRIPTION	PRICE
	Put up 8x8 Sign	
	in Garland on	
5/7	Post 158. Put up	275.00
	on top of Hill by	
	Billboard Facing	
	Walmart	
	3 4x4 12' Post	87.75
	Painted Post.	
	Looks Good	
	Thank You	
	251-689-6131	
		<del>332.75</del>

332.75



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
4/8/2008	A07052.11

<b>BILL TO</b>
Helms Roark, Inc. 121 Coosa Street #200 Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	5/8/2008	01 Mar 08 to 31 Mar 08	A07052-HR Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	Change Order for Time past 2/19/08 Engineer Labor- March T&M Charges	1	6,451.26	6,451.26
Thank you for your business.			<b>Total</b>	\$6,451.26

**GSE**

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www.GSEeng.com

**Mobile**  
4110 Moffett Road  
Mobile, AL 36618  
Phone: (251) 460-4646  
Fax: (251) 460-4649

**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

**Time and Expense Report**

**Client:** Helms Roark, Inc.  
121 Coosa St. Suite 200

**Project #:** **A07052**

**Printed on** 4/7/2008

**Montgomery** **AL** **36104**  
**Bill** **Helms**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08

**Last billed:** 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

TEDATE	PROJECTID
3/1/2008 to 3/31/2008	A07052.CO#1 to A07052.C

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
------	-------------	-------------	-------------	------	----------

**Project Phase:** A07052 **Change Order**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08

**Last billed:** 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

**Services:**

3/3/2008	ShockleyT	contours and alignment	3.00	\$55.00	\$165.00
3/3/2008	ShockleyT	Waiting on project information	2.50	\$55.00	\$137.50
3/4/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
3/4/2008	HansonL	Drafting	1.00	\$55.00	\$55.00
3/5/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
3/5/2008	HansonL	Drafting	3.00	\$55.00	\$165.00
3/5/2008	ShockleyT	creating xsections, typicals and markups	6.50	\$55.00	\$357.50
3/6/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
3/6/2008	ShockleyT	road xsections	0.50	\$55.00	\$27.50
3/7/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
3/10/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
3/11/2008	davisg	Civil Engineering & Design	1.50	\$100.00	\$150.00
3/11/2008	ShockleyT	creating x-sects and p/p sheets	1.50	\$55.00	\$82.50
3/12/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
3/13/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
3/14/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
3/15/2008	davisg	Civil Engineering & Design	2.00	\$100.00	\$200.00
3/17/2008	davisg	Civil Engineering & Design	2.50	\$100.00	\$250.00
3/18/2008	davisg	Civil Engineering & Design	2.50	\$100.00	\$250.00
3/18/2008	ShockleyT	printing set, updating bases and corrections	3.00	\$55.00	\$165.00
3/19/2008	davisg	Civil Engineering & Design	5.00	\$100.00	\$500.00
3/19/2008	hilburnd	Drafting	1.00	\$55.00	\$55.00
3/19/2008	ShockleyT	revisions for permitting submittal	7.00	\$55.00	\$385.00
3/20/2008	davisg	Civil Engineering & Design	4.50	\$100.00	\$450.00



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4110 Moffett Road  
Mobile, AL 36618  
Phone: (251) 460-4646  
Fax: (251) 460-4649

**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

## Time and Expense Report

**Client:** Helms Roark, Inc.  
121 Coosa St. Suite 200

**Project #:** **A07052**

Printed on 4/7/2008

**Montgomery** **AL** **36104**  
**Bill** **Helms**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08

Last billed: 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

DATE	PROJECTID
3/1/2008 to 3/31/2008	A07052:CO#1 to A07052:C

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
3/21/2008	davisg	Civil Engineering & Design	3.00	\$100.00	\$300.00
3/21/2008	ShockleyT	site plan drawings	7.50	\$55.00	\$412.50
3/24/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
3/24/2008	ShockleyT	site package	2.50	\$55.00	\$137.50
3/26/2008	davisg	Civil Engineering & Design	3.00	\$100.00	\$300.00
3/27/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
3/28/2008	davisg	Civil Engineering & Design	1.50	\$100.00	\$150.00
3/31/2008	davisg	Civil Engineering & Design	2.00	\$100.00	\$200.00
<b>Total Services</b>			<b>74.00</b>		<b>\$5,645.00</b>
<b>Expenses:</b>					
3/1/2008	davisg	Misc. Travel Expenses	1.00	\$8.91	\$8.91
3/19/2008	davisg	Misc.- City of Mobile	1.00	\$220.00	\$220.00
3/31/2008	PrintMgr	Plot B Size	15.00	\$0.75	\$11.25
3/31/2008	PrintMgr	Plot D Size	185.00	\$3.00	\$555.00
3/31/2008	PrintMgr	Plot Letter	111.00	\$0.10	\$11.10
<b>Total Expenses</b>			<b>313.00</b>		<b>\$806.26</b>

Contract Amount	Contract Type	Status
\$ 12,290.00	Hourly	NA

**Total:** **\$6,451.26**

LIMESTONE PARTNERS L.L.C. 381 9/97  
418 SCOTT STREET  
334-284-1102  
MONTOMERY, AL 36104-4263

1408

61-08/620  
BRANCH 48381

DATE May 28, 2008

PAY  
TO THE  
ORDER OF

ADEM

\$ 580.00

Five hundred & Eighty & 00/100

DOLLARS

SouthTrust  
Bank  
Montgomery, AL

FOR

Permit - for Gateway Centre

Will Abel

⑈001408⑈ -⑈062000080⑈ 60 729 498⑈

Gateway Centre  
Saraland, AL

July Draw  
07/01/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	JULY DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$0.00	\$0.00	\$834,000.00
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$50,297.12	\$5,936.41	\$56,233.53	(\$6,233.53)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.85	\$0.00	\$1,548.85	(\$48.85)
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$22,500.00	\$7,500.00	\$30,000.00	\$20,000.00
LC Fee	\$35,000.00	\$22,000.00	\$0.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,600.00	\$12,500.00	\$0.00	\$12,500.00	\$100.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$18,614.49	\$0.00	\$18,614.49	\$101,385.51
Miscellaneous/Contingency	\$20,722.00	\$7,283.78	\$2,730.50	\$10,014.28	\$10,707.72
TOTAL FUNDS USED	\$2,600,000.00	\$1,561,646.77	\$16,166.91	\$1,587,813.68	\$1,002,186.32

Requested and approved this 15<sup>th</sup> day of July, 2008

Gateway Centre, LLC

By: Will McEl

Its: manojan

**Gateway Centre  
July-08  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
Streeter Wiatt	Miscellaneous	\$1,000.00	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Gulf States Engineering	Engineering	\$5,936.41	
Alabama Graphics	Miscellaneous	\$5.50	
The Cone Company, Inc.	Miscellaneous	\$1,725.00	
<b>AMOUNT OF DRAW</b>		<b>\$16,166.91</b>	





## ALABAMA GRAPHICS

2801 5th Ave. So.  
Birmingham, AL 35233

350 East Jeff Davis Ave.  
Montgomery, AL 36104

(205) 252-8505 phone  
(205) 252-8510 fax  
(800) 292-3808 Toll Free

(334) 263-0529 phone  
(334) 264-7568 fax  
(800) 463-5610 Toll Free

[www.algraphics.com](http://www.algraphics.com)

*Statement*

Page: 1

Statement Date: 05/31/2008

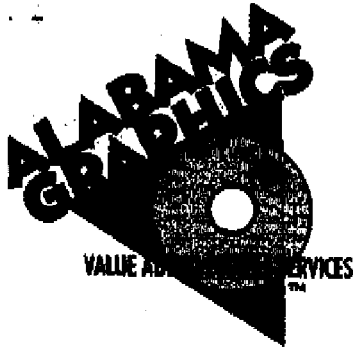
HELMS-ROARK CO.  
121 COOSA STREET  
SUITE 200  
MONTGOMERY, AL 36104

Customer Number: 02-ROAR  
REMIT ALL PAYMENTS TO THE  
BIRMINGHAM ADDRESS

Date	Reference	Description	PO Number	Charge	Credit	Balance
05/13/2008	1484459-IN	SARALAND/LAURA JONES	SARALAND	5.50		5.50

Total: 5.50

Current	30 Days	60 Days	90 Days	120 Days	Balance Due
5.50	0.00	0.00	0.00	0.00	5.50



# INVOICE

## ALABAMA GRAPHICS

INVOICE NO.  
1484459-IN

2801 FIFTH AVENUE SOUTH  
BIRMINGHAM, AL 35233

350 EAST JEFF DAVIS AVENUE  
MONTGOMERY, AL 36104

205.252.8506 PHONE  
205.252.8510 FAX  
800.292.3806 TOLL FREE

334.263.0529 PHONE  
334.264.7568 FAX  
800.463.5610 TOLL FREE

www.algraphics.com

SOLD  
TO

HELMS-ROARK CO.  
121 COOSA STREET  
SUITE 200  
MONTGOMERY, AL 36104

SHIP  
TO

HELMS-ROARK CO.  
100 COMMERCE STREET  
SUITE 401  
MONTGOMERY, AL 36104

02-ROAR	SARALAND			5/13/2008	NET 30	5/13/2008
99MT						

1.00	1.00	0	99-BM	9800 BLACKPRINT MINIMUM CHARGE	5.0000 50	5.00
			WILL PICK UP			

Terms: A finance charge of 1 1/2% per month (APR 18%) will be charged on balances over 30 days.

SARALAND/LAURA JONES

Order Received in Good Condition By:

SALE AMOUNT	5.00
MISC. CHARGES	
SALES TAX	0.50
FREIGHT	0.00
TOTAL	5.50

Remit ALL Payments To The Birmingham Address

The Cone Company, Inc.  
P. O. Box 230549  
Montgomery, AL 36123-0549

# INVOICE

	Gateway Centre, LLC
	1690
	06/11/2008
	Cathy McGalliard
1 of 1	

Gateway Centre, LLC  
PO Box 1148  
Montgomery, AL 36101

	1,725.00
	Invoice#22948
	41149228

Thank You

Please detach and return with payment

Customer: Gateway Centre, LLC

22948	04/28/2008	New business	Policy #41149228 04/28/2008-04/28/2009 Capitol Indemnity Corp Right of Way Bond - Right of Way Bond	1,725.00
				1,725.00
				Thank You

The Cone Company, Inc.  
P. O. Box 230549  
Montgomery, AL 36123-0549

(334)272-4791

06/11/2008



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4648 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
5/9/2008	A07052.12

BILL TO
Helm's Roark, Inc. 121 Coosa Street #200 Montgomery, AL 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	6/8/2008	01 Apr 08 to 30 Apr 08	A07052-HR Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	Engineering services for proposed commercial site on Highway 158 in Saraland Engineer Labor- April T&M Charges	1	5,936.41	5,936.41
Thank you for your business.			<b>Total</b>	<b>\$5,936.41</b>



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4110 Moffett Road  
Mobile, AL 36618  
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Fax: (251) 460-4649

**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

## Time and Expense Report

**Client:** Helms Roark, Inc.  
121 Coosa St. Suite 200

**Project #:** **A07052**

**Printed on** 5/8/2008

**Montgomery** **AL** 36104  
**Bill** **Helms**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08  
Last billed: 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

TEO DATE	PROJECT ID
4/1/2008 to 4/30/2008	A07052: to A07057: PILING

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
------	-------------	-------------	-------------	------	----------

**Project Phase:** A07052 **Change Order**

**Contract Amount:** \$ 12,290.00

**Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08

Last billed: 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

### Services:

4/1/2008	davisg	Civil Engineering & Design	1.50	\$100.00	\$150.00
4/1/2008	ShockleyT	alta lot 1	1.00	\$55.00	\$55.00
4/2/2008	davisg	Civil Engineering & Design	2.00	\$100.00	\$200.00
4/2/2008	ShockleyT	finalizing ALTA	2.50	\$55.00	\$137.50
4/3/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
4/3/2008	ShockleyT	PRINTING AND MAILING ORIGINALS	1.50	\$55.00	\$82.50
4/4/2008	davisg	Civil Engineering & Design	1.50	\$100.00	\$150.00
4/4/2008	ShockleyT	revisions for ALDOT and xsections	3.50	\$55.00	\$192.50
4/7/2008	davisg	Civil Engineering & Design	1.50	\$100.00	\$150.00
4/7/2008	ShockleyT	creating xsection sheets and minor revisions	1.50	\$55.00	\$82.50
4/8/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
4/9/2008	davisg	Civil Engineering & Design	4.50	\$100.00	\$450.00
4/9/2008	ShockleyT	drafting on landscape plan	0.50	\$55.00	\$27.50
4/9/2008	ShockleyT	meeting with GD and Conference Call with client re: landsc	1.50	\$55.00	\$82.50
4/10/2008	davisg	Civil Engineering & Design	3.00	\$100.00	\$300.00
4/10/2008	ShockleyT	landscape plan	8.00	\$55.00	\$440.00
4/11/2008	davisg	Civil Engineering & Design	3.00	\$100.00	\$300.00
4/11/2008	ShockleyT	Site Plan Submittal	9.50	\$55.00	\$522.50
4/14/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
4/14/2008	ShockleyT	site plan submittal - printing, delivering	3.50	\$55.00	\$192.50
4/15/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
4/16/2008	davisg	Civil Engineering & Design	0.75	\$100.00	\$75.00
4/17/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
4/21/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00



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**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

## Time and Expense Report

**Client:** Helms Roark, Inc.  
121 Coosa St. Suite 200

**Project #:**

**A07052**

Printed on 5/8/2008

Montgomery

AL 36104

Bill

Helms

**Contract Amount:** \$ 12,290.00

**Contract Type:** # Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08

Last billed: 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

EDATE	PROJECTID
4/1/2008 to 4/30/2008	A07052: to A07097: PILING

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
4/22/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
4/22/2008	FountainB	Drafting	6.00	\$55.00	\$330.00
4/24/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
4/25/2008	davisg	Civil Engineering & Design	0.50	\$100.00	\$50.00
4/30/2008	ClarkC	Civil Engineering & Design	4.00	\$75.00	\$300.00
4/30/2008	davisg	Civil Engineering & Design	1.00	\$100.00	\$100.00
<b>Total Services</b>			<b>68.25</b>		<b>\$4,970.00</b>

Contract Amount	Contract Type	Status	Total:
\$ 12,290.00	Hourly	NA	<b>\$4,970.00</b>

**Project Phase:** A07052 Commercial Design

**Contract Amount:** \$ 32,520.00

**Contract Type:** # Hourly

**P/O #:**

**Memo:** Commercial Design of Proposed commercial site on Highway 158 in Saraland, AL

Last billed: 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

### Services:

4/2/2008	LaforceM	Project Administration	0.50	\$32.00	\$16.00
4/3/2008	LaforceM	Project Administration	0.50	\$32.00	\$16.00
<b>Total Services</b>			<b>1.00</b>		<b>\$32.00</b>

### Expenses:

4/3/2008	LaforceM	Mileage	12.00	\$0.41	\$4.86
4/3/2008	LaforceM	Shipping	1.00	\$0.00	\$0.00
4/11/2008	LaforceM	Shipping	1.00	\$0.00	\$0.00
<b>Total Expenses</b>			<b>14.00</b>		<b>\$4.86</b>

Contract Amount	Contract Type	Status	Total:
\$ 32,520.00	Hourly	NA	<b>\$36.86</b>



**GSE**  
GULF STATES ENGINEERING  
Creating Solutions  
www.GSEeng.com

**Mobile**  
4110 Moffett Road  
Mobile, AL 36618  
Phone: (251) 460-4646  
Fax: (251) 460-4649

**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

## Time and Expense Report

**Client:** Helms Roark, Inc.  
121 Coosa St, Suite 200

**Project #:** **A07052**

Printed on 5/8/2008

Montgomery AL 36104  
Bill Helms

**Contract Amount:** \$ 0.00 **Contract Type: #:** Hourly **P/O #:**  
**Memo:** Platting services for Proposed commercial site on Highway 158 in Saraland, AL  
Last billed: 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

EDATE	PROJECTID
4/1/2008 to 4/30/2008	A07052: to A07097:PILING

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
------	-------------	-------------	-------------	------	----------

**Project Phase:** A07052 **Platting Services**

**Contract Amount:** \$ 0.00 **Contract Type: #:** Hourly **P/O #:**  
**Memo:** Platting services for Proposed commercial site on Highway 158 in Saraland, AL  
Last billed: 3/10/08 for Feb20th-29th 08 T&M Charges (A07052.09)

### Expenses:

4/30/2008	PrintMgr	Plot B Size	3.00	\$0.75	\$2.25
4/30/2008	PrintMgr	Plot C Size	2.00	\$1.50	\$3.00
4/30/2008	PrintMgr	Plot D Size	305.00	\$3.00	\$915.00
4/30/2008	PrintMgr	Plot E Size	1.00	\$5.00	\$5.00
4/30/2008	PrintMgr	Plot Letter	43.00	\$0.10	\$4.30
<b>Total Expenses</b>			<b>354.00</b>		<b>\$929.55</b>

Contract Amount	Contract Type	Status
\$ 0.00	Hourly	NA

**Total:** **\$929.55**



**ENCO CONSTRUCTION COMPANY, INC.**  
COMMERCIAL AND INDUSTRIAL

DAN M. (KINN) PITTMAN  
PRESIDENT

SIDNEY GOOCHER  
VICE PRESIDENT

July 25, 2008

Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

Project: Site Work - Saraland, AL

Attn: Bill Helms

PAY REQUEST NO. 001

Gulf Equipment Corporation (see breakdown)	\$270,535.88
James R. Fincher Timber Company (by phone) (will send copy of invoice when received)	7,500.00
Southern Earth Science, Inc. (email) (will send copy of invoice when received)	1,587.00
	<u>\$279,622.88</u>
Enco Construction Co., Inc. (2-1/2% minus 10%)	<u>6,291.51</u>
TOTAL .....	\$285,914.39

P.O. BOX 310029  
ENTERPRISE, AL 36631-0029

733 PITTMAN STREET  
ENTERPRISE, AL 36630

FAX  
334-393-4565

PHONE  
334-347-8448

OVER 50 YEARS OF BUILDING QUALITY RELATIONSHIPS



# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF PAGES

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT: Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO: 001  
PERIOD TO: 07/25/08  
PROJECT NOS:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Enco Construction Co., Inc.  
Post Office Box 310029  
CONTRACT FOR: Enterprise, AL 36331

VIA ARCHITECT:

CONTRACT DATE:

## 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 ..... \$ 1,673,904.03
2. Net change by Change Orders ..... \$
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$ 1,673,904.03
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 317,682.66  
(Column G on G703)
5. RETAINAGE:
  - a. 10 % of Completed Work ..... \$ 31,768.27  
(Columns D + E on G703)
  - b. % of Stored Material ..... \$  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or  
Total in Column I of G703) ..... \$ 31,768.27
6. TOTAL EARNED LESS RETAINAGE ..... \$ 285,914.39  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$
8. CURRENT PAYMENT DUE ..... \$ 285,914.39
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) ..... \$ 1,387,989.64

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

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: *[Signature]*

Date: 7/31/08

State of: Alabama

County of: Coffee

Subscribed and sworn to before me this day of

Notary Public: *Cheryl W. Harbeck*  
My Commission expires: 06/03/09

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By:

Date:

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.



AIA DOCUMENT G702 • APPLICATION AND CERTIFICATE FOR PAYMENT • 1992 EDITION • AIA® • ©1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20005-5292 • WARNING: Unauthorized photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.

G702-1992

CAUTION: You should use an original AIA document which has this printed on it.

## Continuation Sheet

AIA Document G702, Application and Certificate for payment,  
containing Contractor's signed Certification, is attached.

Page: 2

Application No.: 2008-4-001  
Application Date: 7/31/2008  
Period To: 7/31/2008  
Architect's Project No.:

A Phase	B Description	C Scheduled Value	D —Work Completed—		F Materials Stored	G Total Comp & Stored	H Pct Comp	I Balance to Finish	J Retainage Amount
			Previous	This Period					
002	SITE WORK	1,673,904.03	0.00	317,682.66	0.00	317,682.66	18.98	1,356,221.37	31,768.27
Final Total		1,673,904.03	0.00	317,682.66	0.00	317,682.66	18.98	1,356,221.37	31,768.27

**GULF EQUIPMENT CORPORATION**  
**5535 BUSINESS PARKWAY, THEODORE, ALABAMA 36582**

Job #: 08-RMC-114  
 Job Name: Gateway Centre  
 Engineer: Gulf States Engineering

Estimate Number: 1  
 Date: Through 7/25/2008

Item	Description	Quantity	Unit	Unit Price	Amount	Subtotal	Subtotal	Subtotal	Subtotal
1	Clearing & Grubbing	12.43	AC	\$5,600.00	69,608.00		\$0.00	12.43	\$69,608.00
2	Silt Fence	4500	LF	\$5.60	25,200.00		\$0.00	3890.00	\$21,280.00
3	Construction Entrance	2	EA	\$2,900.00	5,800.00		\$0.00	1.00	\$2,900.00
4	Remove Existing 42" Headwell	1	EA	\$430.00	430.00		\$0.00		\$0.00
5	Strip Topsoil	10945	CY	\$3.40	37,213.00		\$0.00	10945.00	\$37,213.00
6	Unclassified Excavation	22430	CY	\$4.30	96,449.00		\$0.00	14580.00	\$62,694.00
7	Borrow	0	CYTEM	\$9.40	0.00		\$0.00		\$0.00
8	Load Material For Seland	2680	CY	\$2.50	6,700.00		\$0.00		\$0.00
9	Subgrade Processing	10350	SY	\$1.00	10,350.00		\$0.00		\$0.00
10	1' Improved Subgrade	10350	SY	\$5.60	57,960.00		\$0.00		\$0.00
11	6" Aggregate Base	10350	SY	\$16.70	172,845.00		\$0.00		\$0.00
12	1.5" Black Base	10350	SY	\$9.71	100,498.50		\$0.00		\$0.00
13	Tack Coat	2070	GAL	\$3.40	7,038.00		\$0.00		\$0.00
14	1.5" Wearing Surface	10350	SY	\$10.28	106,398.00		\$0.00		\$0.00
15	Curb & Gutter	3400	LF	\$13.70	46,580.00		\$0.00		\$0.00
16	18" HDPE	1500	LF	\$27.80	41,700.00		\$0.00		\$0.00
17	24" HDPE	40	LF	\$35.00	1,400.00		\$0.00		\$0.00
18	30" HDPE	100	LF	\$45.00	4,500.00		\$0.00		\$0.00
19	36" HDPE	180	LF	\$59.00	10,620.00		\$0.00		\$0.00
20	18" Headwell	2	EA	\$512.00	1,024.00		\$0.00		\$0.00
21	30" Headwell	1	EA	\$750.00	750.00		\$0.00		\$0.00
22	36" Headwell	2	EA	\$1,040.00	2,080.00		\$0.00		\$0.00
23	Stand Pipe Outlet Control With Orifice	1	EA	\$3,900.00	3,900.00		\$0.00		\$0.00
24	S Type 1-Wing Inlet 0'-6" Depth	5	EA	\$3,450.00	17,250.00		\$0.00		\$0.00
25	S Type 2-Wing Inlet 0'-6" Depth	3	EA	\$3,730.00	11,190.00		\$0.00		\$0.00
26	Junction Box 12'-14" Depth	1	EA	\$3,561.00	3,561.00		\$0.00		\$0.00
27	Junction Box 8'-10" Depth	1	EA	\$2,560.00	2,560.00		\$0.00		\$0.00
28	Yard Inlet 0'-6" Depth	1	EA	\$1,730.00	1,730.00		\$0.00		\$0.00
29	EJW 7510 0'-6"	2	EA	\$3,535.00	7,110.00		\$0.00		\$0.00
30	Concrete Flume	130	SY	\$72.50	9,425.00		\$0.00		\$0.00
31	Inlet Protection	13	EA	\$278.00	3,614.00		\$0.00		\$0.00
32	Rip Rap with Fabric	360	SY	\$71.00	25,560.00		\$0.00		\$0.00
33	Topsoil 4" Thick	2800	CY	\$6.70	18,760.00		\$0.00		\$0.00
34	Temporary Grassing	2	AC	\$1,500.00	3,000.00		\$0.00		\$0.00
35	Engineering Controls	1	LS	\$5,334.00	5,334.00		\$0.00	0.50	\$2,667.00
36	Mobilization	1	LS	\$23,277.62	23,277.62		\$0.00	0.50	\$11,638.81
37	Fine Grading	77440	SY	\$0.68	46,464.00		\$0.00		\$0.00
38	8"x8" TV&S	1	EA	\$4,645.00	4,645.00		\$0.00		\$0.00
39	Double Check Assembly Fire Water	1	LS	\$13,555.60	13,555.60		\$0.00		\$0.00
40	2" Water Service	20	EA	\$859.76	17,195.20		\$0.00		\$0.00
41	2" Lateral	3	EA	\$64.00	192.00		\$0.00		\$0.00

**GULF EQUIPMENT CORPORATION**  
5535 BUSINESS PARKWAY, THEODORE, ALABAMA 36582

Job #: 06-RMC-114  
Job Name: Gateway Centre  
Engineer: Gulf States Engineering

Estimate Number: 1  
Date: Through 7/25/2008

Item	Description	Quantity	Unit	Price	Amount	Subtotal	Subtotal	Subtotal	Subtotal
42	6" Fireline	1780	LF	\$20.50	36,490.00		\$0.00	\$0.00	\$0.00
43	10" Fireline	300	LF	\$31.20	9,360.00		\$0.00	\$0.00	\$0.00
44	10" Gate Valve	2	EA	\$1,520.60	3,041.20		\$0.00	\$0.00	\$0.00
45	Directional Drill Waterline	200	LF	\$102.50	20,500.00		\$0.00	\$0.00	\$0.00
46	Fire Hydrant Assembly	7	EA	\$3,175.00	22,225.00		\$0.00	\$0.00	\$0.00
47	Fittings	1	LS	\$5,000.00	5,000.00		\$0.00	\$0.00	\$0.00
48	Water Testing	1	LS	\$700.00	700.00		\$0.00	\$0.00	\$0.00
✓ 49	4" Sanitary Sewer 0'-8' Depth	45	LF	\$13.20	594.00		\$0.00	\$0.00	\$0.00
✓ 50	4" Sanitary Sewer 8'-8' Depth	165	LF	\$15.50	2,557.50		\$0.00	\$0.00	\$0.00
51	8" Sanitary Sewer 0'-8' Depth	190	LF	\$21.70	4,123.00		\$0.00	190.00	\$4,123.00
52	8" Sanitary Sewer 8'-8' Depth	100	LF	\$26.10	2,610.00		\$0.00	100.00	\$2,610.00
53	8" Sanitary Sewer 8'-10' Depth	228	LF	\$30.60	6,976.80		\$0.00	228.00	\$6,976.80
54	8" Sanitary Sewer 10'-12' Depth	192	LF	\$37.80	7,257.60		\$0.00	192.00	\$7,257.60
55	8" Sanitary Sewer 12'-14' Depth	100	LF	\$48.40	4,840.00		\$0.00	100.00	\$4,840.00
56	8" Sanitary Sewer 14'-16' Depth	140	LF	\$71.50	10,010.00		\$0.00	140.00	\$10,010.00
57	Clean Out	12	EA	\$266.70	3,200.40		\$0.00	12.00	\$3,200.40
58	Brass Clean Out	1	EA	\$389.00	389.00		\$0.00		\$0.00
59	Sewer Laterals 4" LATERALS	280	LF	\$26.70	7,476.00		\$0.00	280.00	\$7,476.00
60	Manhole Tie In	1	EA	\$1,167.00	1,167.00		\$0.00		\$0.00
61	Manhole 0'-8' Depth	2	EA	\$2,168.00	4,336.00		\$0.00	2.00	\$4,336.00
62	Manhole 8'-16' Depth NOT ON PLANS	2	EA	\$2,668.00	5,336.00		\$0.00		\$0.00
63	Manhole 10'-12' Depth	1	EA	\$3,224.00	3,224.00		\$0.00	1.00	\$3,224.00
64	Doghouse Manhole 12'-14' Depth	1	EA	\$3,779.00	3,779.00		\$0.00	1.00	\$3,779.00
65	Manhole 14'-16' Depth	1	EA	\$4,620.00	4,620.00		\$0.00	1.00	\$4,620.00
66	Sewer Testing	1	LS	\$700.00	700.00		\$0.00	0.50	\$350.00
East Parcel					0.00		\$0.00		\$0.00
1	Clearing & Grubbing	2	AC	\$5,600.00	11,200.00		\$0.00	2.00	\$11,200.00
2	Silt Fence	1400	LF	\$3.60	7,840.00		\$0.00		\$0.00
3	Construction Entrance	1	EA	\$2,900.00	2,900.00		\$0.00		\$0.00
4	Strip Topsoil	815	CY	\$3.40	2,771.00		\$0.00	815.00	\$2,771.00
5	Unclassified Excavation	3845	CY	\$3.30	13,457.50		\$0.00		\$0.00
6	24" HDPE	80	LF	\$35.00	2,800.00		\$0.00		\$0.00
7	36" HDPE	120	LF	\$59.00	7,080.00		\$0.00		\$0.00
8	24" Headwall	1	EA	\$640.00	640.00		\$0.00		\$0.00
9	36" Headwall	2	EA	\$1,040.00	2,080.00		\$0.00		\$0.00
10	S-Type Inlet 0-Wing	1	EA	\$3,340.00	3,340.00		\$0.00		\$0.00
11	Outlet Control Structure	1	EA	\$3,900.00	3,900.00		\$0.00		\$0.00
12	Inlet Protection	4	EA	\$278.00	1,112.00		\$0.00		\$0.00
13	Rip Rap with Fabric	19	SY	\$71.00	1,349.00		\$0.00		\$0.00
14	Temporary Grassing	1	AC	\$1,500.00	1,500.00		\$0.00		\$0.00
15	10" Tee	1	EA	\$594.00	594.00		\$0.00		\$0.00



**From:** Lewis Copeland <[lcopeland@soearth.com](mailto:lcopeland@soearth.com)>

**To:** [enco@gencontractor.com](mailto:enco@gencontractor.com)

**Cc:**

**Date:** Wednesday, July 30, 2008 05:34 pm

**Subject:** FW: Gateway Center Testing (SES # 08-362)

Mr. Pittman, attached please find our fee schedule for testing services. We typically perform testing on a T&M basis and invoice monthly. I estimate the cost of testing services performed to date at \$1587.00 which includes 16 man hours billed to the project, 4 laboratory proctors, engineering support and mileage.

Based on our experience with similar size and scope projects, I would estimate the cost of call out as needed testing services to be about \$600/week for a technician to come to the site 2-3 times per week for a couple hours per trip to perform soil/aggregate density testing, concrete testing and related laboratory services. We will bill per the T&M attached schedule and only perform services when requested.

**Lewis Copeland, Jr., P.E.**  
*Regional Vice President*



762 Downtowner Loop West  
P. O. Box 160745  
Mobile, AL 36616  
Work: (251) 344-7711  
Fax: (251) 341-9488  
E-mail: [lcopeland@soearth.com](mailto:lcopeland@soearth.com)  
Visit us at: [www.soearth.com](http://www.soearth.com)

**Attachments:** Image002.gif (6KB)  
 Image001.gif (102B)  
 DOC076.PDF (54KB)

Gateway Centre  
Saraland, AL

August Draw  
08/01/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	AUGUST DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$285,914.39	\$285,914.39	\$548,085.61
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$56,233.63	\$1,444.40	\$57,677.93	(\$7,677.93)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$9,161.36	\$0.00	\$9,161.36	\$12,838.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$30,000.00	\$7,500.00	\$37,500.00	\$12,500.00
LC Fee	\$95,000.00	\$22,000.00	\$0.00	\$22,000.00	\$73,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$18,614.49	\$0.00	\$18,614.49	\$101,385.51
Miscellaneous/Contingency	\$20,722.00	\$10,014.28	\$1,000.00	\$11,014.28	\$9,707.72
TOTAL FUNDS USED	\$2,600,000.00	\$1,597,813.68	\$295,558.79	\$1,893,672.47	\$706,327.53

Requested and approved this 6th day of August, 2008

Gateway Centre, LLC

By: Will N. Nelson

Its: Manager

**Gateway Centre  
August-08  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
Streeter Wiatt	Miscellaneous	\$1,000.00	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Gulf States Engineering	Engineering	\$1,444.40	
Enco Construction	Site Improvements	\$285,914.39	
<b>AMOUNT OF DRAW</b>		<b>\$295,858.79</b>	





**ENCO CONSTRUCTION COMPANY, INC.**  
COMMERCIAL AND INDUSTRIAL

DAN M. (KINN) PITTMAN  
PRESIDENT

SIDNEY GOOCHER  
VICE PRESIDENT

July 25, 2008

Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

Project: Site Work - Saraland, AL

Attn: Bill Helms

**PAY REQUEST NO. 001**

---

Gulf Equipment Corporation (see breakdown)	\$270,535.88
James R. Fincher Timber Company (by phone) (will send copy of invoice when received)	7,500.00
Southern Earth Science, Inc. (email) (will send copy of invoice when received)	1,587.00
	<hr/>
	\$279,622.88
Enco Construction Co., Inc. (2-1/2% minus 10%)	<u>6,291.51</u>
TOTAL .....	\$285,914.39

P.O. BOX 310029  
ENTERPRISE, AL 36631-0029

733 PITTMAN STREET  
ENTERPRISE, AL 36630

FAX  
334-393-4565

PHONE  
334-347-8448

OVER 50 YEARS OF BUILDING QUALITY RELATIONSHIPS

# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF TWO

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO. 001  
PERIOD TO: 07/25/08  
PROJECT NOS:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Enco Construction Co., Inc.  
Post Office Box 310029

CONTRACT DATE:

CONTRACT FOR: Enterprise, AL 36331

## 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 ..... \$ 1,673,904.03
2. Net change by Change Orders ..... \$
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$ 1,673,904.03
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 317,682.66  
(Column G on G703)
5. RETAINAGE:
  - a. 10% of Completed Work ..... \$ 31,768.27  
(Columns D + E on G703)
  - b. % of Stored Material ..... \$  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or  
Total in Column I of G703) ..... \$ 31,768.27
6. TOTAL EARNED LESS RETAINAGE ..... \$ 285,914.39  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$
8. CURRENT PAYMENT DUE ..... \$ 285,914.39
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) ..... \$ 1,387,989.64

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

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: *[Signature]*

Date: 7/31/08

State of: Alabama  
County of: Coffee

Subscribed and sworn to before  
me this day of

Notary Public: *[Signature]*  
My Commission expires: 06/03/09

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
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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G702-1992

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## Continuation Sheet

AIA Document G702, Application and Certificate for payment,  
containing Contractor's signed Certification, is attached.

Page: 2

Application No.: 2008-4-001  
Application Date: 7/31/2008  
Period To: 7/31/2008  
Architect's Project No.:

A Phase	B Description	C Scheduled Value	D Work Completed		F Materials Stored	G Total Comp & Stored	H Pct Comp	I Balance to Finish	J Retainage Amount
			Previous	This Period					
002	SITE WORK	1,673,904.03	0.00	317,682.66	0.00	317,682.66	18.98	1,356,221.37	31,768.27
Final Total		1,673,904.03	0.00	317,682.66	0.00	317,682.66	18.98	1,356,221.37	31,768.27

**GULF EQUIPMENT CORPORATION**  
**5535 BUSINESS PARKWAY, THEODORE, ALABAMA 36582**

Job #: 08-RMC-114  
 Job Name: Gateway Centre  
 Engineer: Gulf States Engineering

Estimate Number: 1  
 Date: Through 7/25/2008

Item	Description	Quantity	Unit	Price	Amount	Subtotal	Subtotal	Subtotal	Subtotal
1	Clearing & Grubbing	12.43	AC	\$5,600.00	69,608.00	\$0.00	12.43	\$69,608.00	\$69,608.00
2	Silt Fence	4500	LF	\$3.60	25,200.00	\$0.00	3800.00	\$21,280.00	\$21,280.00
3	Construction Entrance	2	EA	\$2,900.00	5,800.00	\$0.00	1.00	\$2,900.00	\$2,900.00
4	Remove Existing 42" Headwall	1	EA	\$430.00	430.00	\$0.00		\$0.00	\$0.00
5	Strip Topsoil	10945	CY	\$3.40	37,213.00	\$0.00	10945.00	\$37,213.00	\$37,213.00
6	Unclassified Excavation	22430	CY	\$4.30	96,449.00	\$0.00	14580.00	\$62,694.00	\$62,694.00
7	Borrow	0	CYBIM	\$9.40	0.00	\$0.00		\$0.00	\$0.00
8	Load Material For Seraland	2660	CY	\$2.50	6,700.00	\$0.00		\$0.00	\$0.00
9	Subgrade Processing	10350	SY	\$1.00	10,350.00	\$0.00		\$0.00	\$0.00
10	1" Improved Surgrade	10350	SY	\$5.60	57,960.00	\$0.00		\$0.00	\$0.00
11	6" Aggregate Base	10350	SY	\$16.70	172,845.00	\$0.00		\$0.00	\$0.00
12	1.5" Black Base	10350	SY	\$9.71	100,498.50	\$0.00		\$0.00	\$0.00
13	Task Coat	2070	GAL	\$3.40	7,038.00	\$0.00		\$0.00	\$0.00
14	1.5" Wearing Surface	10350	SY	\$10.28	106,398.00	\$0.00		\$0.00	\$0.00
15	Curb & Gutter	3400	LF	\$13.70	46,580.00	\$0.00		\$0.00	\$0.00
16	18" HDPE	1500	LF	\$27.80	41,700.00	\$0.00		\$0.00	\$0.00
17	24" HDPE	40	LF	\$35.00	1,400.00	\$0.00		\$0.00	\$0.00
18	30" HDPE	100	LF	\$45.00	4,500.00	\$0.00		\$0.00	\$0.00
19	36" HDPE	180	LF	\$59.00	10,620.00	\$0.00		\$0.00	\$0.00
20	18" Headwall	2	EA	\$512.00	1,024.00	\$0.00		\$0.00	\$0.00
21	30" Headwall	1	EA	\$750.00	750.00	\$0.00		\$0.00	\$0.00
22	36" Headwall	2	EA	\$1,040.00	2,080.00	\$0.00		\$0.00	\$0.00
23	Stand Pipe Outlet Control With Orifice	1	EA	\$3,900.00	3,900.00	\$0.00		\$0.00	\$0.00
24	S Type 1-Wing Inlet 0'-8" Depth	5	EA	\$3,450.00	17,250.00	\$0.00		\$0.00	\$0.00
25	S Type 2-Wing Inlet 0'-8" Depth	3	EA	\$3,730.00	11,190.00	\$0.00		\$0.00	\$0.00
26	Junction Box 12'-14" Depth	1	EA	\$3,361.00	3,361.00	\$0.00		\$0.00	\$0.00
27	Junction Box 8'-10" Depth	1	EA	\$2,560.00	2,560.00	\$0.00		\$0.00	\$0.00
28	Yard Inlet 0'-6" Depth	1	EA	\$1,730.00	1,730.00	\$0.00		\$0.00	\$0.00
29	EJWV 7510 0'-8"	2	EA	\$3,555.00	7,110.00	\$0.00		\$0.00	\$0.00
30	Concrete Flume	130	SY	\$72.50	9,425.00	\$0.00		\$0.00	\$0.00
31	Inlet Protection	13	EA	\$278.00	3,614.00	\$0.00		\$0.00	\$0.00
32	Rip Rap with Fabric	360	SY	\$71.00	25,560.00	\$0.00		\$0.00	\$0.00
33	Topsoil 4" Thick	2800	CY	\$6.70	18,760.00	\$0.00		\$0.00	\$0.00
34	Temporary Grassing	2	AC	\$1,500.00	3,000.00	\$0.00		\$0.00	\$0.00
35	Engineering Controls	1	LS	\$5,334.00	5,334.00	\$0.00	0.50	\$2,667.00	\$2,667.00
36	Mobilization	1	LS	\$23,277.62	23,277.62	\$0.00	0.50	\$11,638.81	\$11,638.81
37	Fine Grading	77440	SY	\$0.68	46,464.00	\$0.00		\$0.00	\$0.00
38	8"x8" TV&S	1	EA	\$4,645.00	4,645.00	\$0.00		\$0.00	\$0.00
39	Double Check Assembly Fire Water	1	LS	\$13,555.60	13,555.60	\$0.00		\$0.00	\$0.00
40	2" Water Service	20	EA	\$619.70	12,394.00	\$0.00		\$0.00	\$0.00
41	2" Lateral	3	EA	\$64.00	192.00	\$0.00		\$0.00	\$0.00

**GULF EQUIPMENT CORPORATION**  
**5535 BUSINESS PARKWAY, THEODORE, ALABAMA 36582**

Job #: 08-RMC-114  
 Job Name: Gateway Centre  
 Engineer: Gulf States Engineering

Estimate Number: 1  
 Date: Through 7/25/2008

Item	Description	Quantity	Unit	Material	Subtotal	Excavation	Backfill	Compaction	Grass	Other
42	8" Fireline	1780	LF	\$20.50	36,490.00		\$0.00		\$0.00	\$0.00
43	10" Fireline	300	LF	\$31.20	9,360.00		\$0.00		\$0.00	\$0.00
44	10" Gate Valve	2	EA	\$1,520.60	3,041.20		\$0.00		\$0.00	\$0.00
45	Directional Drill Waterline	200	LF	\$102.50	20,500.00		\$0.00		\$0.00	\$0.00
46	Fire Hydrant Assembly	7	EA	\$3,175.00	22,225.00		\$0.00		\$0.00	\$0.00
47	Fittings	1	LS	\$5,000.00	5,000.00		\$0.00		\$0.00	\$0.00
48	Water Testing	1	LS	\$700.00	700.00		\$0.00		\$0.00	\$0.00
✓ 49	4" Sanitary Sewer 0'-8" Depth	45	LF	\$13.20	594.00		\$0.00		\$0.00	\$0.00
✓ 50	4" Sanitary Sewer 8'-8" Depth	185	LF	\$15.50	2,867.50		\$0.00		\$0.00	\$0.00
51	8" Sanitary Sewer 0'-8" Depth	190	LF	\$21.70	4,123.00		\$0.00	190.00	\$4,123.00	\$4,123.00
52	8" Sanitary Sewer 8'-8" Depth	100	LF	\$26.10	2,610.00		\$0.00	100.00	\$2,610.00	\$2,610.00
53	8" Sanitary Sewer 8'-10" Depth	228	LF	\$30.60	6,976.80		\$0.00	228.00	\$6,976.80	\$6,976.80
54	8" Sanitary Sewer 10'-12" Depth	192	LF	\$37.80	7,257.60		\$0.00	192.00	\$7,257.60	\$7,257.60
55	8" Sanitary Sewer 12'-14" Depth	100	LF	\$48.40	4,840.00		\$0.00	100.00	\$4,840.00	\$4,840.00
56	8" Sanitary Sewer 14'-16" Depth	140	LF	\$71.50	10,010.00		\$0.00	140.00	\$10,010.00	\$10,010.00
57	Clean Out	12	EA	\$266.70	3,200.40		\$0.00	12.00	\$3,200.40	\$3,200.40
58	Brass Clean Out	1	EA	\$389.00	389.00		\$0.00		\$0.00	\$0.00
59	Sewer Laterals 4" LATERALS	280	LF	\$26.70	7,476.00		\$0.00	280.00	\$7,476.00	\$7,476.00
60	Manhole Tie In	1	EA	\$1,167.00	1,167.00		\$0.00		\$0.00	\$0.00
61	Manhole 0'-8" Depth	2	EA	\$2,168.00	4,336.00		\$0.00	2.00	\$4,336.00	\$4,336.00
62	Manhole 8'-10" Depth NOT ON PLANS	2	EA	\$2,668.00	5,336.00		\$0.00		\$0.00	\$0.00
63	Manhole 10'-12" Depth	1	EA	\$3,224.00	3,224.00		\$0.00	1.00	\$3,224.00	\$3,224.00
64	Doghouse Manhole 12'-14" Depth	1	EA	\$3,779.00	3,779.00		\$0.00	1.00	\$3,779.00	\$3,779.00
65	Manhole 14'-16" Depth	1	EA	\$4,620.00	4,620.00		\$0.00	1.00	\$4,620.00	\$4,620.00
66	Sewer Testing	1	LS	\$700.00	700.00		\$0.00	0.50	\$350.00	\$350.00
East Parcel					0.00		\$0.00		\$0.00	\$0.00
1	Clearing & Grubbing	2	AC	\$5,600.00	11,200.00		\$0.00	2.00	\$11,200.00	\$11,200.00
2	Silt Fence	1400	LF	\$5.60	7,840.00		\$0.00		\$0.00	\$0.00
3	Construction Entrance	1	EA	\$2,900.00	2,900.00		\$0.00		\$0.00	\$0.00
4	Strip Topsoil	815	CY	\$3.40	2,771.00		\$0.00	815.00	\$2,771.00	\$2,771.00
5	Unclassified Excavation	3845	CY	\$3.50	13,457.50		\$0.00		\$0.00	\$0.00
6	24" HDPE	80	LF	\$35.00	2,800.00		\$0.00		\$0.00	\$0.00
7	36" HDPE	120	LF	\$59.00	7,080.00		\$0.00		\$0.00	\$0.00
8	24" Headwall	1	EA	\$640.00	640.00		\$0.00		\$0.00	\$0.00
9	36" Headwall	2	EA	\$1,040.00	2,080.00		\$0.00		\$0.00	\$0.00
10	S-Type Inlet 0-Wing	1	EA	\$3,340.00	3,340.00		\$0.00		\$0.00	\$0.00
11	Outlet Control Structure	1	EA	\$3,900.00	3,900.00		\$0.00		\$0.00	\$0.00
12	Inlet Protection	4	EA	\$278.00	1,112.00		\$0.00		\$0.00	\$0.00
13	Rip Rap with Fabric	19	SY	\$71.00	1,349.00		\$0.00		\$0.00	\$0.00
14	Temporary Grassing	1	AC	\$1,500.00	1,500.00		\$0.00		\$0.00	\$0.00
15	10" Tee	1	EA	\$594.00	594.00		\$0.00		\$0.00	\$0.00



**From:** Lewis Copeland <[lcopeland@soearth.com](mailto:lcopeland@soearth.com)>

**To:** [enco@gencontractor.com](mailto:enco@gencontractor.com)

**Cc:**

**Date:** Wednesday, July 30, 2008 05:34 pm

**Subject:** FW: Gateway Center Testing (SES # 08-362)

Mr. Pittman, attached please find our fee schedule for testing services. We typically perform testing on a T&M basis and invoice monthly. I estimate the cost of testing services performed to date at \$1587.00 which includes 16 man hours billed to the project, 4 laboratory proctors, engineering support and mileage.

Based on our experience with similar size and scope projects, I would estimate the cost of call out as needed testing services to be about \$600/week for a technician to come to the site 2-3 times per week for a couple hours per trip to perform soil/aggregate density testing, concrete testing and related laboratory services. We will bill per the T&M attached schedule and only perform services when requested.

**Lewis Copeland, Jr., P.E.**  
*Regional Vice President*



762 Downtowner Loop West  
P. O. Box 160745  
Mobile, AL 36616  
Work: (251) 344-7711  
Fax: (251) 341-9488  
E-mail: [lcopeland@soearth.com](mailto:lcopeland@soearth.com)  
Visit us at: [www.soearth.com](http://www.soearth.com)

**Attachments:** image002.gif (6KB)  
 image001.gif (102B)  
 DOC076.PDF (54KB)



**ENCO CONSTRUCTION COMPANY, INC.**  
COMMERCIAL AND INDUSTRIAL

DAN M. (KINN) PITTMAN  
PRESIDENT

SIDNEY GOOCHER  
VICE PRESIDENT

July 25, 2008

Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

Project: Site Work - Saraland, AL

Attn: Bill Helms

PAY REQUEST NO. 001

Gulf Equipment Corporation (see breakdown)	\$270,535.88
James R. Fincher Timber Company (by phone) (will send copy of invoice when received)	7,500.00
Southern Earth Science, Inc. (email) (will send copy of invoice when received)	1,587.00
	<u>\$279,622.88</u>
Enco Construction Co., Inc. (2-1/2% minus 10%)	<u>6,291.51</u>
TOTAL .....	\$285,914.39

P.O. BOX 310029  
ENTERPRISE, AL 36331-0029

733 PITTMAN STREET  
ENTERPRISE, AL 36630

FAX  
334-393-4565

PHONE  
334-347-8448

OVER 50 YEARS OF BUILDING QUALITY RELATIONSHIPS



# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF TWO

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT: Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO. 001  
PERIOD TO: 07/25/08  
PROJECT NOS.:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Enco Construction Co., Inc.  
Post Office Box 310029  
CONTRACT FOR: Enterprise, AL 36331

CONTRACT DATE:

## 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 ..... \$ 1,673,904.03
2. Net change by Change Orders ..... \$
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$ 1,673,904.03
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 317,682.66  
(Column G on G703)
5. RETAINAGE:
  - a. 10 % of Completed Work ..... \$ 31,768.27  
(Columns D + E on G703)
  - b. % of Stored Material ..... \$  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or  
Total in Column I of G703) ..... \$ 31,768.27
6. TOTAL EARNED LESS RETAINAGE ..... \$ 285,914.39  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$
8. CURRENT PAYMENT DUE ..... \$ 285,914.39
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) ..... \$ 1,387,989.64

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

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: *[Signature]* Date: 7/31/08

State of: Alabama  
County of: Coffee

Subscribed and sworn to before me this day of

Notary Public: *[Signature]*  
My Commission expires: 06/03/09

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
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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G702-1992

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**GULF EQUIPMENT CORPORATION**  
5535 BUSINESS PARKWAY, THEODORE, ALABAMA 36582

Job #: 08-RMC-114  
Job Name: Gateway Centre  
Engineer: Gulf States Engineering

Estimate Number: 1  
Date: Through 7/25/2008

Item	Description	Quantity	Unit	Estimate Price	Subtotal	Material Price	Material Subtotal	Material Price	Material Subtotal	Material Price	Material Subtotal
42	8" Fireline	1780	LF	\$20.50	36,490.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
43	10" Fireline	300	LF	\$31.20	9,360.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
44	10" Gate Valve	2	EA	\$1,520.00	3,041.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
45	Directional Drill Waterline	200	LF	\$102.50	20,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
46	Fire Hydrant Assembly	7	EA	\$3,175.00	22,225.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
47	Fittings	1	LS	\$5,000.00	5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
48	Water Testing	1	LS	\$700.00	700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
✓ 49	4" Sanitary Sewer 0'-8' Depth	45	LF	\$13.20	594.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
✓ 50	4" Sanitary Sewer 8'-8' Depth	165	LF	\$15.50	2,557.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
51	8" Sanitary Sewer 0'-8' Depth	190	LF	\$21.70	4,123.00	\$0.00	190.00	\$4,123.00	190.00	\$4,123.00	\$4,123.00
52	8" Sanitary Sewer 8'-8' Depth	100	LF	\$26.10	2,610.00	\$0.00	100.00	\$2,610.00	100.00	\$2,610.00	\$2,610.00
53	8" Sanitary Sewer 8'-10' Depth	228	LF	\$30.60	6,976.80	\$0.00	228.00	\$6,976.80	228.00	\$6,976.80	\$6,976.80
54	8" Sanitary Sewer 10'-12' Depth	192	LF	\$37.80	7,257.60	\$0.00	192.00	\$7,257.60	192.00	\$7,257.60	\$7,257.60
55	8" Sanitary Sewer 12'-14' Depth	100	LF	\$48.40	4,840.00	\$0.00	100.00	\$4,840.00	100.00	\$4,840.00	\$4,840.00
56	8" Sanitary Sewer 14'-16' Depth	140	LF	\$71.50	10,010.00	\$0.00	140.00	\$10,010.00	140.00	\$10,010.00	\$10,010.00
57	Clean Out	12	EA	\$266.70	3,200.40	\$0.00	12.00	\$3,200.40	12.00	\$3,200.40	\$3,200.40
58	Brass Clean Out	1	EA	\$389.00	389.00	\$0.00		\$0.00		\$0.00	\$0.00
59	Sewer Laterals 4" LATERALS	280	LF	\$26.70	7,476.00	\$0.00	280.00	\$7,476.00	280.00	\$7,476.00	\$7,476.00
60	Manhole Tie In	1	EA	\$1,167.00	1,167.00	\$0.00		\$0.00		\$0.00	\$0.00
61	Manhole 0'-8' Depth	2	EA	\$2,168.00	4,336.00	\$0.00	2.00	\$4,336.00	2.00	\$4,336.00	\$4,336.00
62	Manhole 8'-10' Depth NOT ON PLANS	2	EA	\$2,668.00	5,336.00	\$0.00		\$0.00		\$0.00	\$0.00
63	Manhole 10'-12' Depth	1	EA	\$3,224.00	3,224.00	\$0.00	1.00	\$3,224.00	1.00	\$3,224.00	\$3,224.00
64	Doghouse Manhole 12'-14' Depth	1	EA	\$3,779.00	3,779.00	\$0.00	1.00	\$3,779.00	1.00	\$3,779.00	\$3,779.00
65	Manhole 14'-16' Depth	1	EA	\$4,620.00	4,620.00	\$0.00	1.00	\$4,620.00	1.00	\$4,620.00	\$4,620.00
66	Sewer Testing	1	LS	\$700.00	700.00	\$0.00	0.50	\$350.00	0.50	\$350.00	\$350.00
East Parcel											
1	Clearing & Grubbing	2	AC	\$5,600.00	11,200.00	\$0.00	2.00	\$11,200.00	2.00	\$11,200.00	\$11,200.00
2	Silt Fence	1400	LF	\$5.60	7,840.00	\$0.00		\$0.00		\$0.00	\$0.00
3	Construction Entrance	1	EA	\$2,900.00	2,900.00	\$0.00		\$0.00		\$0.00	\$0.00
4	Strip Topsoil	815	CY	\$3.40	2,771.00	\$0.00	815.00	\$2,771.00	815.00	\$2,771.00	\$2,771.00
5	Unclassified Excavation	3845	CY	\$3.50	13,457.50	\$0.00		\$0.00		\$0.00	\$0.00
6	24" HDPE	80	LF	\$33.00	2,640.00	\$0.00		\$0.00		\$0.00	\$0.00
7	36" HDPE	120	LF	\$59.00	7,080.00	\$0.00		\$0.00		\$0.00	\$0.00
8	24" Headwall	1	EA	\$640.00	640.00	\$0.00		\$0.00		\$0.00	\$0.00
9	36" Headwall	2	EA	\$1,040.00	2,080.00	\$0.00		\$0.00		\$0.00	\$0.00
10	S-Type Inlet 0-Wing	1	EA	\$3,340.00	3,340.00	\$0.00		\$0.00		\$0.00	\$0.00
11	Outlet Control Structure	1	EA	\$3,900.00	3,900.00	\$0.00		\$0.00		\$0.00	\$0.00
12	Inlet Protection	4	EA	\$278.00	1,112.00	\$0.00		\$0.00		\$0.00	\$0.00
13	Rip Rap with Fabric	19	SY	\$71.00	1,349.00	\$0.00		\$0.00		\$0.00	\$0.00
14	Temporary Grassing	1	AC	\$1,500.00	1,500.00	\$0.00		\$0.00		\$0.00	\$0.00
15	10" Tee	1	EA	\$594.00	594.00	\$0.00		\$0.00		\$0.00	\$0.00



**From:** Lewis Copeland <[lcopeland@soearth.com](mailto:lcopeland@soearth.com)>

**To:** [enco@gencontractor.com](mailto:enco@gencontractor.com)

**Cc:**

**Date:** Wednesday, July 30, 2008 05:34 pm

**Subject:** FW: Gateway Center Testing (SES # 08-362)

Mr. Pittman, attached please find our fee schedule for testing services. We typically perform testing on a T&M basis and invoice monthly. I estimate the cost of testing services performed to date at \$1587.00 which includes 16 man hours billed to the project, 4 laboratory proctors, engineering support and mileage.

Based on our experience with similar size and scope projects, I would estimate the cost of call out as needed testing services to be about \$600/week for a technician to come to the site 2-3 times per week for a couple hours per trip to perform soil/aggregate density testing, concrete testing and related laboratory services. We will bill per the T&M attached schedule and only perform services when requested.

**Lewis Copeland, Jr., P.E.**  
*Regional Vice President*



762 Downtowner Loop West  
P. O. Box 160745  
Mobile, AL 36616  
Work: (251) 344-7711  
Fax: (251) 341-9488  
E-mail: [lcopeland@soearth.com](mailto:lcopeland@soearth.com)  
Visit us at: [www.soearth.com](http://www.soearth.com)

**Attachments:** image002.gif (6KB)  
 image001.gif (102B)  
 DOC076.PDF (54KB)

Gateway Centre  
Saraland, AL

August Draw  
08/01/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	AUGUST DRAW	DATE (incl current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$0.00	\$285,914.39	\$285,914.39	\$548,085.61
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$56,233.53	\$1,444.40	\$57,677.93	(\$7,677.93)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$30,000.00	\$7,500.00	\$37,500.00	\$12,500.00
LC Fee	\$35,000.00	\$22,000.00	\$0.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$18,814.49	\$0.00	\$18,814.49	\$101,185.51
Miscellaneous/Contingency	\$20,722.00	\$10,014.28	\$1,000.00	\$11,014.28	\$9,707.72
TOTAL FUNDS USED	\$2,600,000.00	\$1,597,813.68	\$295,858.79	\$1,893,672.47	\$706,327.53

Requested and approved this 6th day of August, 2008

Gateway Centre, LLC

By: Will A. Nelson

Its: manager

**Gateway Centre  
August-08  
Disbursement Schedule**

Payee	Category	Amount	Paid
Streeter Wiatt	Miscellaneous	\$1,000.00	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Gulf States Engineering	Engineering	\$1,444.40	
Enco Construction	Site Improvements	\$285,914.39	
AMOUNT OF DRAW		<u>\$295,858.79</u>	

## Continuation Sheet

Page: 2

AIA Document G702, Application and Certificate for payment,  
containing Contractor's signed Certification, is attached.Application No.: 2008-4-001  
Application Date: 7/31/2008  
Period To: 7/31/2008  
Architect's Project No.:

A Phase	B Description	C Scheduled Value	D Work Completed		F Materials Stored	G Total Comp & Stored	H Pct Comp	I Balance to Finish	J Retainage Amount
			Previous	This Period					
002	SITE WORK	1,673,904.03	0.00	317,682.66	0.00	317,682.66	18.98	1,356,221.37	31,788.27
Final Total		1,673,904.03	0.00	317,682.66	0.00	317,682.66	18.98	1,356,221.37	31,788.27

**GULF EQUIPMENT CORPORATION**  
**5535 BUSINESS PARKWAY, THEODORE, ALABAMA 36582**

Job #: 08-RMC-114  
 Job Name: Gateway Centre  
 Engineer: Gulf States Engineering

Estimate Number: 1  
 Date: Through 7/25/2008

Item	Description	Quantity	Unit	Price	Amount	Subtotal	Subtotal	Subtotal	Subtotal
1	Clearing & Grubbing	12.43	AC	\$5,600.00	69,608.00		\$0.00	12.43	\$69,608.00
2	Silt Fence	4500	LF	\$5.60	25,200.00		\$0.00	3800.00	\$21,280.00
3	Construction Entrance	2	EA	\$2,900.00	5,800.00		\$0.00	1.00	\$2,900.00
4	Remove Existing 42" Headwall	1	EA	\$430.00	430.00		\$0.00		\$0.00
5	Strip Topsoil	10945	CY	\$3.40	37,213.00		\$0.00	10945.00	\$37,213.00
6	Unclassified Excavation	22430	CY	\$4.30	96,449.00		\$0.00	14580.00	\$62,694.00
7	Borrow	0	CYTRM	\$9.40	0.00		\$0.00		\$0.00
8	Load Material For Sandland	2680	CY	\$2.50	6,700.00		\$0.00		\$0.00
9	Subgrade Processing	10350	SY	\$1.00	10,350.00		\$0.00		\$0.00
10	1" Improved Surgrade	10350	SY	\$5.60	57,960.00		\$0.00		\$0.00
11	6" Aggregate Base	10350	SY	\$16.70	172,845.00		\$0.00		\$0.00
12	1.5" Black Base	10350	SY	\$9.71	100,498.50		\$0.00		\$0.00
13	Tack Coat	2070	GAL	\$3.40	7,038.00		\$0.00		\$0.00
14	1.5" Wearing Surface	10350	SY	\$10.28	106,398.00		\$0.00		\$0.00
15	Curb & Gutter	3400	LF	\$13.70	46,580.00		\$0.00		\$0.00
16	18" HDPE	1500	LF	\$27.80	41,700.00		\$0.00		\$0.00
17	24" HDPE	40	LF	\$35.00	1,400.00		\$0.00		\$0.00
18	30" HDPE	100	LF	\$45.00	4,500.00		\$0.00		\$0.00
19	36" HDPE	180	LF	\$59.00	10,620.00		\$0.00		\$0.00
20	18" Headwall	2	EA	\$512.00	1,024.00		\$0.00		\$0.00
21	30" Headwall	1	EA	\$750.00	750.00		\$0.00		\$0.00
22	36" Headwall	2	EA	\$1,048.00	2,096.00		\$0.00		\$0.00
23	Stand Pipe Outlet Control With Orifice	1	EA	\$3,900.00	3,900.00		\$0.00		\$0.00
24	S Type 1-Wing Inlet 0'-8" Depth	5	EA	\$3,450.00	17,250.00		\$0.00		\$0.00
25	S Type 2-Wing Inlet 0'-8" Depth	3	EA	\$3,730.00	11,190.00		\$0.00		\$0.00
26	Junction Box 12'-14" Depth	1	EA	\$3,561.00	3,561.00		\$0.00		\$0.00
27	Junction Box 8'-10" Depth	1	EA	\$2,560.00	2,560.00		\$0.00		\$0.00
28	Yard Inlet 0'-6" Depth	1	EA	\$1,730.00	1,730.00		\$0.00		\$0.00
29	EJW 7510 0'-6"	2	EA	\$3,555.00	7,110.00		\$0.00		\$0.00
30	Concrete Flume	130	SY	\$72.50	9,425.00		\$0.00		\$0.00
31	Inlet Protection	13	EA	\$278.00	3,614.00		\$0.00		\$0.00
32	Rip Rap with Fabric	360	SY	\$71.00	25,560.00		\$0.00		\$0.00
33	Topsoil 4" Thick	2800	CY	\$6.70	18,760.00		\$0.00		\$0.00
34	Temporary Grassing	2	AC	\$1,500.00	3,000.00		\$0.00		\$0.00
35	Engineering Controls	1	LS	\$5,334.00	5,334.00		\$0.00	0.50	\$2,667.00
36	Mobilization	1	LS	\$23,277.62	23,277.62		\$0.00	0.50	\$11,638.81
37	Fine Grading	77440	SY	\$0.68	46,464.00		\$0.00		\$0.00
38	8"x8" TV&S	1	EA	\$4,645.00	4,645.00		\$0.00		\$0.00
39	Double Check Assembly Fire Water	1	LS	\$13,555.60	13,555.60		\$0.00		\$0.00
40	2" Water Service	20	EA	\$899.76	17,995.20		\$0.00		\$0.00
41	2" Lateral	3	EA	\$64.00	192.00		\$0.00		\$0.00



Gateway Centre  
Saraland, AL

September Draw  
09/05/08

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	SEPTEMBER DRAW	DATE (Incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$285,914.39	\$0.00	\$285,914.39	\$548,085.61
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$57,677.93	\$0.00	\$57,677.93	(\$7,677.93)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,600.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$0.00	\$5,200.00	\$5,200.00	(\$2,200.00)
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$0.00	\$3,500.00	\$6,500.00
Legal/Lender	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$37,500.00	\$7,500.00	\$45,000.00	\$5,000.00
LC Fee	\$35,000.00	\$22,000.00	\$0.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,086.77	\$0.00	\$15,086.77	(\$86.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$33,533.36	\$0.00	\$33,533.36	\$86,466.64
Miscellaneous/Contingency	\$20,722.00	\$11,014.28	\$0.00	\$11,014.28	\$9,707.72
TOTAL FUNDS USED	\$2,600,000.00	\$1,908,591.34	\$12,700.00	\$1,921,291.34	\$678,708.66

Requested and approved this 5<sup>th</sup> day of September, 2008

Gateway Centre, LLC

By: 

Its: Manager

**Gateway Centre  
September-08  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
Helms Rock, Inc.	Developer Overhead	\$7,500.00	
Southern Earth Sciences, Inc.	Environmental	\$5,200.00	
<b>AMOUNT OF DRAW</b>		<b>\$12,700.00</b>	

**SOUTHERN EARTH SCIENCES, INC.**

P O BOX 160745  
MOBILE, AL 36616  
251-344-7711

Invoice Number: 1807102

Thursday, July 31, 2008

REMITTANCE COPY

# **Invoice**

To: HELMS ROARK, INC REAL ESTATE DEVELOPMENT  
P.O. BOX 1149  
MONTGOMERY, AL 36101  
Attention: BILL HELMS

**Project: M-08-362 GATEWAY CENTER RETAIL DEVELOPMENT**

Professional Services for the Period: 7/1/2008 to 7/31/2008

Billing Group: 001 Cost Plus

## **PROFESSIONAL SERVICES**

<u>General</u>		<u>Date</u>	<u>Reg Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
MATT COAKER	PROJ ADMIN/ANALYZE DESIGN	7/2/2008	3.00	0.00	195.00
THAD HENDRIX	FIELD TEST	7/24/2008	2.00	0.00	150.00
General Total:			5.00	0.00	\$345.00
<b>PROFESSIONAL SERVICES Totals:</b>					<b>\$345.00</b>

## **TECHNICIAN SERVICES**

<u>General</u>		<u>Date</u>	<u>Reg Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
ROYCE A PARRISH	PICK UP PROCTOR	7/11/2008	2.00	0.00	100.00
JOHNNY BRADLEY	FIELD TEST	7/14/2008	4.50	0.00	225.00
JOHNNY BRADLEY	FIELD TEST	7/15/2008	3.00	0.00	150.00
JOHNNY BRADLEY	FIELD TEST	7/16/2008	2.50	0.00	125.00
JOHNNY BRADLEY	FIELD TEST	7/17/2008	4.00	0.00	200.00
JOHNNY BRADLEY	FIELD TEST	7/19/2008	0.00	2.00	100.00
DAVID LEE GARRON	DENSITY TEST	7/23/2008	2.00	0.00	100.00
General Total:			18.00	2.00	\$1,000.00
<b>TECHNICIAN SERVICES Totals:</b>					<b>\$1,000.00</b>

## **General Expenses**

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
TRIP CHARGES	7/31/2008	8.00	11.2200	89.76
General Total:				\$89.76
<b>General Expenses Totals:</b>				<b>\$89.76</b>

## **LABORATORY SERVICES**

### **General**

MODIFIED PROCTOR - AASHTO T-180  
STANDARD PROCTOR - AASHTO T-99

<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
7/31/2008	5.00	125.0000	625.00
7/31/2008	1.00	100.0000	100.00
<b>General Total:</b>	<b>6.00</b>	<b>\$725.00</b>	

**LABORATORY SERVICES Totals: \$725.00**

Billing Group Subtotal: 2,159.76

**Project Totals:**

**\*\*\* Total Project Invoice Amount: \$2,159.76**

### **Billing Summary**

	<u>Current</u>	<u>Prior</u>	<u>Total</u>
Professional Services:	\$345.00	\$1,600.00	\$1,945.00
Reimbursable Expenses:	\$0.00	\$0.00	\$0.00
Outside Services:	\$0.00	\$0.00	\$0.00
Other Services and Fees:	\$1,814.76	\$3,600.00	\$5,414.76
Finance Charges:	\$0.00	\$0.00	\$0.00
Taxes:	\$0.00	\$0.00	\$0.00
<b>Totals:</b>	<b>\$2,159.76</b>	<b>\$5,200.00</b>	<b>\$7,359.76</b>

### **Aged Receivables:**

<u>CURRENT</u>	<u>31-60 DAYS</u>	<u>61-90 DAYS</u>	<u>90-120 DAYS</u>	<u>+120 DAYS</u>
\$2,159.76	\$5,200.00	\$0.00	\$0.00	\$0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 15 days. You will be responsible for the payment of a reasonable attorneys fee and all expenses we may incur in connection with the collection of this obligation.

**SOUTHERN EARTH SCIENCES, INC.**

**P O BOX 160745  
MOBILE, AL 36616  
251-344-7711**

Invoice Number: 1807102

Thursday, July 31, 2008

# **Invoice**

To: HELMS ROARK, INC REAL ESTATE DEVELOPMENT  
P.O. BOX 1149  
MONTGOMERY, AL 36101  
Attention: BILL HELMS

**Project: M-08-362 GATEWAY CENTER RETAIL DEVELOPMENT**

Professional Services for the Period: 7/1/2008 to 7/31/2008

Billing Group: 001 Cost Plus

## **PROFESSIONAL SERVICES**

<u>General</u>		<u>Date</u>	<u>Reg Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
MATT COAKER	PROJ ADMIN/ANALYZE DESIGN	7/2/2008	3.00	0.00	195.00
THAD HENDRIX	FIELD TEST	7/24/2008	2.00	0.00	150.00
General Total:			5.00	0.00	\$345.00
<b>PROFESSIONAL SERVICES Totals:</b>					<b>\$345.00</b>

## **TECHNICIAN SERVICES**

<u>General</u>		<u>Date</u>	<u>Reg Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
ROYCE A PARRISH	PICK UP PROCTOR	7/11/2008	2.00	0.00	100.00
JOHNNY BRADLEY	FIELD TEST	7/14/2008	4.50	0.00	225.00
JOHNNY BRADLEY	FIELD TEST	7/15/2008	3.00	0.00	150.00
JOHNNY BRADLEY	FIELD TEST	7/16/2008	2.50	0.00	125.00
JOHNNY BRADLEY	FIELD TEST	7/17/2008	4.00	0.00	200.00
JOHNNY BRADLEY	FIELD TEST	7/19/2008	0.00	2.00	100.00
DAVID LEE GARRON	DENSITY TEST	7/23/2008	2.00	0.00	100.00
General Total:			18.00	2.00	\$1,000.00
<b>TECHNICIAN SERVICES Totals:</b>					<b>\$1,000.00</b>

## **General Expenses**

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
TRIP CHARGES	7/31/2008	8.00	11.2200	89.76
General Total:		8.00		\$89.76
<b>General Expenses Totals:</b>				<b>\$89.76</b>

## LABORATORY SERVICES

### General

MODIFIED PROCTOR - AASHTO T-180  
STANDARD PROCTOR - AASHTO T-99

<u>Date</u>	<u>BILL Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
7/31/2008	5.00	125.0000	625.00
7/31/2008	1.00	100.0000	100.00
General Total:	6.00	\$725.00	

**LABORATORY SERVICES Totals: \$725.00**

Billing Group Subtotal: 2,159.76

### **Project Totals:**

**\*\*\* Total Project Invoice Amount: \$2,159.76**

### Billing Summary

	<u>Current</u>	<u>Prior</u>	<u>Total</u>
Professional Services:	\$345.00	\$1,600.00	\$1,945.00
Reimbursable Expenses:	\$0.00	\$0.00	\$0.00
Outside Services:	\$0.00	\$0.00	\$0.00
Other Services and Fees:	\$1,814.76	\$3,600.00	\$5,414.76
Finance Charges:	\$0.00	\$0.00	\$0.00
Taxes:	\$0.00	\$0.00	\$0.00
Totals:	\$2,159.76	\$5,200.00	\$7,359.76

### Aged Receivables:

<u>CURRENT</u>	<u>31-60 DAYS</u>	<u>61-90 DAYS</u>	<u>90-120 DAYS</u>	<u>+120 DAYS</u>
\$2,159.76	\$5,200.00	\$0.00	\$0.00	\$0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balances after 15 days. You will be responsible for the payment of a reasonable attorney's fee and all expenses we may incur in connection with the collection of this obligation.

**ASHLEY JOHNSON - Interest Payment**

---

**From:** "bob" <btillman@helmsroark.com>  
**To:** "ASHLEY JOHNSON" <ASHLEYJOHNSON@cbt-alabama.com>  
**Date:** 12/8/2008 10:45 AM  
**Subject:** Interest Payment  
**Attachments:** 20081208112603.tif

---

Ashley

Please debit the Gateway Centre,LLC checking account for 14,502.55 and use the funds to pay the interest on Account # 56-00010 (copy of the statement attached)

Checking Account                      Gateway Centre, LLC  
   121 Coosa Street Suite 200  
   Montgomery, AL 36107-2626

Acct # 000-171-420-1

Thanks

Bob Tillman



Gateway Centre  
Saraland, AL

November Draw  
11/18/08

SOURCE OF FUNDS		Previous	NOVEMBER	TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$2,600,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,600,000.00</b>
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$405,808.96	\$182,434.96	\$588,243.95	\$245,756.05
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Engineering	\$50,000.00	\$57,677.93	\$833.00	\$58,510.93	(\$8,510.93)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$5,563.66	\$0.00	\$5,563.66	(\$2,563.66)
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$3,500.00	\$1,852.80	\$5,352.80	\$4,647.20
Legal/Lender	\$1,000.00	\$0.00	\$1,105.00	\$1,105.00	(\$105.00)
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$60,000.00	\$52,500.00	\$7,500.00	\$60,000.00	(\$10,000.00)
LC Fee	\$35,000.00	\$22,000.00	\$0.00	\$22,000.00	\$13,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$16,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$933.23)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$33,533.36	\$14,502.55	\$48,035.91	\$71,964.09
Miscellaneous/Contingency	\$20,722.00	\$11,014.28	\$0.00	\$11,014.28	\$9,707.72
<b>TOTAL FUNDS USED</b>	<b>\$2,600,000.00</b>	<b>\$2,049,048.97</b>	<b>\$285,228.34</b>	<b>\$2,257,277.91</b>	<b>\$342,722.09</b>

Requested and approved this \_\_\_\_\_ day of N December 2008

Gateway Centre, LLC

By:   
Its: 



**Gateway Centre  
November-08  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Enco Construction	Site Improvements	\$179,374.89	
Walston Wells	Legal/Lender	\$1,105.00	
Balch & Bingham	Legal/Lender	\$1,327.80	
CB&T	Construction Interest	\$14,502.66	
Balch & Bingham	Legal - Development	\$625.00	
Baldwin County Fence Co.	Site Improvements	\$3,060.00	
Gulf States Engineering	Engineering	\$833.00	
<b>AMOUNT OF DRAW</b>		<b>\$208,228.34</b>	

# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF TWO

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT: Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO.: 003  
PERIOD TO: 12/19/08  
PROJECT NOS.:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Enco Construction Co., Inc.  
Post Office Box 310029  
CONTRACT FOR: Enterprise, AL 36331

VIA ARCHITECT:

CONTRACT DATE:

## 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 ..... \$1,673,904.03
2. Net change by Change Orders ..... \$ 263,797.15
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$1,410,106.88
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 368,823.10  
(Column G on G703)
5. RETAINAGE:
  - a. 10% of Completed Work ..... \$ 63,262.03  
(Columns D + B on G703)
  - b. % of Stored Material ..... \$  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or  
Total in Column I of G703) ..... \$ 63,262.03
6. TOTAL EARNED LESS RETAINAGE ..... \$ 305,561.07  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$ 126,186.08
8. CURRENT PAYMENT DUE ..... \$ 179,374.99
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) ..... \$1,104,545.81

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		\$263,797.15
Total approved this Month		
TOTALS		\$263,797.15
NET CHANGES by Change Order	\$263,797.15	

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: [Signature] Date: 12/19/08

State of: Alabama

County of: Coffee

Subscribed and sworn to before  
me this 19th day of December 2008

Notary Public: [Signature]  
My Commission expires: 06/03/09

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_

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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G702-1992

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## Continuation Sheet

AIA Document G782, Application and Certificate for payment,  
containing Contractor's signed Certification, is attached.

Page: 2

Application No.: 2008-4003

Application Date: 12/19/2008

Period To: 12/19/2008

Architect's Project No.:

A Phase	B Description	C Scheduled Value	D Work Completed		F Materials Stored	G Total Comp & Stored	H Pct Comp	I Balance to Finish	J Retainage Amount
			Previous	This Period					
002	SITE WORK	1,573,904.03	433,314.70	199,305.55	0.00	632,620.25	57.78	1,041,283.78	53,282.03
017	CHANGE ORDER NO. 001	-283,797.15	-283,797.15	0.00	0.00	-283,797.15	100.00	0.00	0.00
Final Total		1,410,106.88	199,517.55	199,305.55	0.00	368,823.10	28.15	1,041,283.78	53,282.03

**WALSTON, WELLS & BIRCHALL, LLP**

1819 5th AVENUE NORTH, SUITE 1100  
P.O. BOX 830642  
BIRMINGHAM, ALABAMA 35283-0642  
(205)244-5200 TAX ID# 83-1050277

---

October 15, 2008

COMMUNITY BANK & TRUST  
PHILIP E. WILKES, SR., V.P.  
P.O. BOX 311245  
ENTERPRISE, AL 36331-1245

Bill Number 86489  
Billed through 09/30/2008

GATEWAY CENTRE, LLC  
008026 00085 ABS

**REMITTANCE PAGE**

TOTAL FEES	3.50 hrs	\$630.00
		-----
TOTAL CHARGES FOR THIS BILL		\$630.00
NET BALANCE FORWARD		\$475.00
		-----
TOTAL BALANCE NOW DUE		\$1,105.00

---

**WALSTON, WELLS & BIRCHALL, LLP**

1819 5th AVENUE NORTH, SUITE 1100  
P.O. BOX 830642  
BIRMINGHAM, ALABAMA 35283-0642  
(205)244-5200 TAX ID# 63-1050277

October 15, 2008

COMMUNITY BANK & TRUST  
PHILIP E. WILKES, SR., V.P.  
P.O. BOX 311245  
ENTERPRISE, AL 36331-1245

Bill Number 86489  
Billed through 09/30/2008

**GATEWAY CENTRE, LLC**  
008026 00085 ABS

**FOR PROFESSIONAL SERVICES RENDERED**

07/01/08	ABS	REVIEW EMAILS FROM P. WILKES AND BETWEEN P. WILKES AND W. MCKAY; REVIEW DOCUMENTS AND CONSIDER ISSUES; TELEPHONE CONFERENCE WITH P. WILKES	1.00 hrs
07/02/08	ABS	COMPLETE STUDY OF DOCUMENTS AND MARK EDITS TO SAME; CONSIDER SCENARIOS; PREPARE SUMMARY TO P. WILKES AND SEE DOCUMENTS	1.00 hrs
07/07/08	ABS	REVIEW P. WILKES EMAIL AND DOCUMENTS; COMPARE DOCUMENTS; SEND RESPONSE AND REVISED DOCUMENTS	1.50 hrs
TOTAL FEES FOR THIS MATTER			\$630.00

TOTAL EXPENSES FOR THIS MATTER	\$0.00
--------------------------------	--------

**BILLING SUMMARY**

TOTAL FEES	3.50 hrs	\$630.00
TOTAL CHARGES FOR THIS BILL		\$630.00
NET BALANCE FORWARD		\$475.00
TOTAL BALANCE NOW DUE		\$1,105.00

***PLEASE RETURN REMITTANCE PAGE WITH YOUR PAYMENT.***



BALCH & BINGHAM LLP  
Attorneys and Counselors  
P. O. Box 306  
Birmingham, AL 35201  
(205) 251-8100  
(205) 226-8799 Fax

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

November 19, 2008  
Client ID: 007934  
Matter ID: 016  
Invoice: 423332

RE: Gateway Centre, LLC

Fees for Professional Services Through 10/31/08	1,305.00
Charges Through 10/31/08	22.80
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 1,327.80</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 1,327.80</b>

---

**SERVICES SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
WHM - Walter McKay	5.80	225.00	1,305.00

*Please refer to invoice number 423332 when submitting payment  
Federal Tax ID# 63-0328165*

---

**BALCH & BINGHAM LLP**

ID: 007934-016  
Invoice # 423332

November 19, 2008  
PAGE 2

RE: Gateway Centre, LLC

**SERVICE DETAIL**

<u>DATE</u>	<u>ATTY</u>		<u>HOURS</u>	<u>AMOUNT</u>
10/08/2008	WHM	Phone call from Mr. Bill Helms regarding transaction related issues.	0.30	67.50
10/09/2008	WHM	Phone calls and emails to and from Mr. Bill Helms regarding City of Saraland easements and related matters and examine correspondence regarding same.	0.80	180.00
10/10/2008	WHM	Draft Easement Agreement for access and construction and examine various forms for same; draft various revisions and circulate same.	1.80	405.00
10/13/2008	WHM	Phone calls and emails to and from Mr. Bill Helms regarding water tank related matters and examine plat for same.	0.30	67.50
10/14/2008	WHM	Discussion with Mr. Bill Helms and examine draft plat and revisions to easement and circulate same.	0.70	157.50
10/28/2008	WHM	Phone calls and emails to and from Mr. Bill Helms and examine Water Board Easement Agreement and draft revisions to same and circulate.	1.60	360.00
10/30/2008	WHM	Phone calls and emails to and from Mr. Bill Helms regarding contract matters and revise same.	0.30	67.50
<b>TOTAL FEES</b>			<b>\$</b>	<b>1,305.00</b>

---

<u>DATE</u>	<u>CHARGES</u>	<u>AMOUNT</u>
	Photocopying	22.80
<b>TOTAL CHARGES</b>		<b>\$ 22.80</b>
<b>TOTAL FEES PLUS CHARGES</b>		<b>\$ 1,327.80</b>



**BALCH & BINGHAM LLP**

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

November 19, 2008  
Client ID: 007934  
Matter ID: 016  
Invoice: 423332

RE: Gateway Centre, LLC

Fees for Professional Services Through 10/31/08	1,305.00
Charges Through 10/31/08	22.80
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 1,327.80</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 1,327.80</b>

**\*\*\* REMITTANCE COPY \*\*\***

*Please return this page with your payment*

COMMUNITY BANK & TRUST  
P O BOX 311245  
ENTERPRISE AL 36331-1245

Bill Date	Nov 06, 2008
Due Date	Nov 22, 2008
Account Number	XXXXXXXXXX56-00010
Principal	0.00
Interest	14,502.55
LATE CHARGES AND OTHER FEES	0.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	14,502.55

GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2626

Amount Enclosed

PLEASE RETURN THIS PORTION WITH TOTAL AMOUNT DUE SO THAT IT IS RECEIVED BY THE DUE DATE. AJ

⑆5724⑈3333⑆ 7243495600010⑈

GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2626

Bill Date	Nov 06, 2008
Due Date	Nov 22, 2008
Account Number	XXXXXXXXXX56-00010
Principal	0.00
Interest	14,502.55
LATE CHARGES AND OTHER FEES	0.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	14,502.55
CURRENT BALANCE	1,404,097.16

**COLLATERAL DESCRIPTION**

1210 INDUSTRIAL PKWY,SARALAND,AL REM & A/R/L DTD 2/22/08; GTYS

Amount Enclosed

FOR BILLING QUESTIONS, PLEASE CONTACT YOUR NEAREST BRANCH OFFICE.

THANK YOU FOR CHOOSING COMMUNITY BANK & TRUST FOR ALL OF YOUR FINANCIAL NEEDS.

⑆5724⑈3333⑆ 7243495600010⑈



BALCH & BINGHAM LLP  
Attorneys and Counselors  
P. O. Box 306  
Birmingham, AL 35201  
(205) 251-8100  
(205) 226-8799 Fax

Hancock Bank

Approved to Pay  
10/23/08  
Gateway Center

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

May 23, 2008  
Client ID: 007934  
Matter ID: 001  
Invoice: 411571

RE: General

Fees for Professional Services Through 04/30/08	525.00
Charges Through 04/30/08	0.00
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 525.00</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 525.00</b>

---

SERVICES SUMMARY

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
JME - James M. Edwards	1.50	350.00	525.00

Please refer to invoice number 411571 when submitting payment  
Federal Tax ID# 63-0328165

**BALCH & BINGHAM LLP**

ID: 007934-001  
Invoice # 411571

May 23, 2008  
PAGE 2

RE: General

**SERVICE DETAIL**

<u>DATE</u>	<u>ATTY</u>		<u>HOURS</u>	<u>AMOUNT</u>
04/28/2008	JME	Review contract, title and easement documents; telephone call to Bill Helms; letter to title company; letter to Bill Helms; telephone call to title company.	1.50	525.00
<b>TOTAL FEES</b>			\$	525.00
<hr/>				
<b>TOTAL FEES PLUS CHARGES</b>			\$	525.00

**BALCH & BINGHAM LLP**

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

May 23, 2008  
Client ID: 007934  
Matter ID: 001  
Invoice: 411571

RE:        General

Fees for Professional Services Through 04/30/08	525.00
Charges Through 04/30/08	0.00
Prepayments Applied to Current Invoice	(     .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$     525.00</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$     525.00</b>

**\*\*\*REMITTANCE COPY\*\*\***

*Please return this page with your payment*

15:20 FAX 2519908345

BALDWIN FENCE

4002

Baldwin County Fence Company, INC

22996 River Road South

Daphne, AL 36526

Office: 251-990-8344

Fax: 251-990-8345

# Invoice

Date	Invoice #
11/21/2008	100-01

BILL TO
ENCO CONSTRUCTION
PO BOX 310029
ENTERPRISE, AL 36331-0029

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	APPROXIMATELY 255' OF 6" WOOD PRIVACY FENCE, 1 WALK GATE	3,060.00	3,060.00
		<b>Total</b>	<b>\$3,060.00</b>



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
11/11/2008	A07052.16

<b>BILL TO</b>
Holms Roark, Inc. 121 Coosa Street #200 Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT	
	Net 30	12/11/2008	01 Sep 08 to 31 Oct 08	A07052-HR Comm Design	
ITEM	DESCRIPTION		QTY	RATE	AMOUNT
Engineer	Professional services for proposed commercial site on Highway 158 in Saraland, AL. Engineer Labor- Sept & Oct T&M Charges		1	\$333.00	\$333.00
Thank you for your business.				Total	\$333.00



# GSE

GULF STATES ENGINEERING  
Creating Solutions  
www.GSEeng.com

**Mobile**  
4110 Moffett Road  
Mobile, AL 36618  
Phone: (251) 460-4646  
Fax: (251) 460-4649

**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

## Time and Expense Report

**Client:** Helms Roark, Inc.  
121 Coosa St. Suite 200

**Project #:** **A07052**

Printed on 11/11/2008

**Montgomery** **AL 36104**  
**Bill** **Helms**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly  
**Memo:** Change order for time past 2/19/08  
Last Billing: 9/9/08 for: Aug 08 T&M charges (A07052.15)

**P/O #:**

EDATE	PROJECTID
9/1/2008 to 10/31/2008	A07052: to A07052: SURVE

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
------	-------------	-------------	-------------	------	----------

**Project Phase:** A07052 **Change Order**

**Contract Amount:** \$ 12,290.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Change order for time past 2/19/08  
Last Billing: 9/9/08 for: Aug 08 T&M charges (A07052.15)

### Services:

9/9/2008	ShockleyT	drainage revisioins	2.00	\$55.00	\$110.00
9/10/2008	ShockleyT	converting dwg for client, xmittals	1.50	\$55.00	\$82.50
9/18/2008	ShockleyT	creating exhibit of water tank area, phone calls with client a	1.00	\$55.00	\$55.00
<b>Total Services</b>			<b>4.50</b>		<b>\$247.50</b>

Contract Amount	Contract Type	Status
\$ 12,290.00	Hourly	NA

**Total:** **\$247.50**

**Project Phase:** A07052 **Platting Services**

**Contract Amount:** \$ 0.00 **Contract Type: #:** Hourly

**P/O #:**

**Memo:** Platting services for Proposed commercial site on Highway 158 in Saraland, AL  
Last Billing: 9/9/08 for: Aug 08 T&M charges (A07052.15)

### Services:

9/26/2008	GarrattM	Surveying discuss water tank subd	1.00	\$85.00	\$85.00
9/29/2008	ShockleyT	creating subdivision of proposed water tank area	2.00	\$55.00	\$110.00
10/2/2008	ShockleyT	delivery to city of saraland	0.50	\$55.00	\$27.50
10/7/2008	ShockleyT	delivery to city of saraland	0.50	\$55.00	\$27.50
10/16/2008	ShockleyT	phone call with City of Saraland and from client	0.50	\$55.00	\$27.50
10/17/2008	ShockleyT	addressing comments from client/city re: subdivision denial	3.00	\$55.00	\$165.00
10/20/2008	ShockleyT	addressing comments for subdivision plat	1.50	\$55.00	\$82.50
<b>Total Services</b>			<b>9.00</b>		<b>\$525.00</b>

### Expenses:

9/30/2008	PrintMgr	Plot D Size	5.00	\$3.00	\$15.00
9/30/2008	PrintMgr	Plot Letter	3.00	\$0.10	\$0.30





**GSE**  
GULF STATES ENGINEERING  
Creating Solutions  
www.GSEeng.com

**Mobile**  
4110 Moffett Road  
Mobile, AL 36618  
Phone: (251) 460-4646  
Fax: (251) 460-4649

**Gulfport**  
1816 Pass Road  
Gulfport, MS 39501  
Phone: (228) 864-5050  
Fax: (228) 864-7744

## Time and Expense Report

**Client:** Helms Roark, Inc.  
121 Coosa St. Suite 200

**Project #:**

**A07052**

Printed on 11/11/2008

**Montgomery**  
**Bill**

**AL 36104**  
**Helms**

**Contract Amount:** \$ 0.00

**Contract Type: #:** Hourly

**P/O #:**

**Memo:** Platting services for Proposed commercial site on Highway 158 in Saraland, AL  
Last Billing: 9/9/08 for: Aug 08 T&M charges (A07052.15)

TEDATE	PROJECTID
9/1/2008 to 10/31/2008	A07052: to A07052:SURVE

Date	Employee ID	Description	Hours/Units	Rate	Bill Amt
10/31/2008	PrintMgr	Plot D Size	14.00	\$3.00	\$42.00
10/31/2008	PrintMgr	Plot Letter	32.00	\$0.10	\$3.20
Total Expenses			54.00		\$60.50
				Total:	\$585.50
		Contract Amount	Contract Type	Status	
		\$ 0.00	Hourly	NA	

**February Draw**  
02/17/09

Requested and approved this \_\_\_\_\_ day of February, 2009

Gateway Centre, LLC

By:

**Its:**

**Gateway Centre  
February-09  
Disbursement Schedule**

Payee	Category	Amount	Paid
CB&T	Construction Interest	\$12,085.18	
Balch & Bingham	Legal - Development	\$200.00	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Gulf Coast Sweeping Service (site sign install)	Miscellaneous	\$419.25	
Gulf Coast Sweeping Service (site sign install)	Miscellaneous	\$287.25	
Island Dreams Photo (aerials)	Miscellaneous	\$275.00	
Ballard Signs (site sign)	Miscellaneous	\$381.50	
<b>AMOUNT OF DRAW</b>		<b>\$21,148.18</b>	

COMMUNITY BANK & TRUST  
P O BOX 311245  
ENTERPRISE AL 36331-1245

Bill Date	Feb 06, 2009
Due Date	Feb 22, 2009
Account Number	XXXXXXXXXX56-00010
Principal	0.00
Interest	11,585.18
LATE CHARGES AND OTHER FEES	500.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	12,085.18

GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2626

Amount Enclosed

PLEASE RETURN THIS PORTION WITH TOTAL AMOUNT DUE SO THAT IT IS RECEIVED BY THE DUE DATE. AJ

⑆5724⑈3333⑆

7243495600010⑈

GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2626

Bill Date	Feb 06, 2009
Due Date	Feb 22, 2009
Account Number	XXXXXXXXXX56-00010
Principal	0.00
Interest	11,585.18
LATE CHARGES AND OTHER FEES	500.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	12,085.18
CURRENT BALANCE	1,612,325.80

**COLLATERAL DESCRIPTION**

1210 INDUSTRIAL PKWY, SARALAND, AL REM & A/R/L DTD 2/22/08; GTYS

Amount Enclosed

FOR BILLING QUESTIONS, PLEASE CONTACT YOUR NEAREST BRANCH OFFICE.

THANK YOU FOR CHOOSING COMMUNITY BANK & TRUST FOR ALL OF YOUR FINANCIAL NEEDS.

⑆5724⑈3333⑆

7243495600010⑈

PLEASE RETAIN THIS PORTION FOR YOUR RECORDS.

**BALCH & BINGHAM LLP**

Attorneys and Counselors  
P. O. Box 306  
Birmingham, AL 35201  
(205) 251-8100  
(205) 226-8799 Fax

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

February 11, 2009  
Client ID: 007934  
Matter ID: 016  
Invoice: 428055

RE: Gateway Centre, LLC

Fees for Professional Services Through 01/31/09	247.50
Less Courtesy Discount	(67.30)
Charges Through 01/31/09	19.80
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 200.00</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 200.00</b>

---

**SERVICES SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
WHM - Walter McKay	1.10	225.00	247.50

REC'D: 2/12/09  
APPROVED: \_\_\_\_\_  
DATE APPR'D: \_\_\_\_\_  
CHG TO: \_\_\_\_\_  
PAID CK#: \_\_\_\_\_  
DATE: \_\_\_\_\_

*Please refer to invoice number 428055 when submitting payment*  
**Federal Tax ID# 63-0328165**

**BALCH & BINGHAM LLP**

ID: 007934-016  
Invoice # 428055

February 11, 2009  
PAGE 2

RE: Gateway Centre, LLC

**SERVICE DETAIL**

<u>DATE</u>	<u>ATTY</u>		<u>HOURS</u>	<u>AMOUNT</u>
12/05/2008	WHM	Emails to and from various parties regarding title related matters.	0.30	67.50
12/11/2008	WHM	Emails to and from Mr. Leroy McEntire regarding title related issues and draft list of permitted title exceptions and circulate same with exception documents.	0.80	180.00
<b>TOTAL FEES</b>				<b>\$ 247.50</b>

---

<u>DATE</u>	<u>CHARGES</u>	<u>AMOUNT</u>
	Long Distance	0.60
	Photocopying	11.20
	Telefax	8.00
<b>TOTAL CHARGES</b>		<b>\$ 19.80</b>
<b>TOTAL FEES PLUS CHARGES</b>		<b>\$ 267.30</b>

**BALCH & BINGHAM LLP**

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

February 11, 2009  
Client ID: 007934  
Matter ID: 016  
Invoice: 428055

RE: Gateway Centre, LLC

Fees for Professional Services Through 01/31/09	247.50
Less Courtesy Discount	(67.30)
Charges Through 01/31/09	19.80
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Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 200.00</b>

**\*\*\*REMITTANCE COPY\*\*\***

*Please return this page with your payment*

JOB: Hwy 158  
Sardona 11/14

DATE \_\_\_\_\_

12/18 20 9

Helms - Ford & Co. DATE \_\_\_\_\_

40 LEROY

110. B: 1149

Montgomery, A/O 366/4 36101

**FOR SERVICE CALL:**

334 -264 -1102

DATE	ARTICLE AND DESCRIPTION	PRICE
10/17	Md. Lorry at Sashel to Doceds. about Sign.	
12/18	Took Down 8x8 Sign on 12' 4x4 Post. Part of New 8x8 Sign and Location to the East Side. Had to Use Sign for Being out at 3:00. 1 4x4 12' Post. Had to Cross Meeting Area, Real Bad.	125.00 275.00 19.25
	<i>Thompson</i>	419.25



**Gulf Coast  
Sweeping  
Service**

DIVISION OF WILSON ENTERPRISES, INC.  
3722 SHALANEA DRIVE  
MOBILE, ALABAMA 36608  
(205) 344-0225

DATE 12/19 2002

Helm - Road Inc  
c/o LEROY  
P.O. Box 1149

Montgomery, ALA 36101  
FOR SERVICE CALL 334-264-1102

DATE	ARTICLE AND DESCRIPTION	PRICE
	<u>Put up 2 4X8</u>	
	<u>Panel in Garland</u>	<u>22.50</u>
<u>12/19</u>	<u>Wore LEROY's car</u>	
	<u>to 7th street.</u>	
	<u>5 4X4 8" Panels</u>	<u>107.25</u>
	<u>dot.</u>	
	<u>Looks Great</u>	
	<u>Thanks Roy</u>	
	<u>5015 158 Garland H/A</u>	<u>287.25</u>

287.25





# Invoice

DATE	INVOICE #
12/18/2008	15496

BILL TO:

Helms Roark, Inc.  
PO Box 1149  
Montgomery, AL 36101

P.O. NUMBER	TERMS	PROJECT
-------------	-------	---------

DUE ON REC...

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	4'x16' 1s Vinyl - GATEWAY CENTRE; SPACE AVAILABLE; 1,000 sq. ft. to 4,000 sq. ft. Available	350.00	350.00T
ORDERED BY LEROY McENTIRE			
	Sales Tax	9.00%	31.50

Prompt Payment is Appreciated. Finance Charge of 1.5% per month will be applied to any past due balances. Minimum charge is \$1.00.

**TOTAL**

**\$381.50**

Gateway Centre  
Saraland, AL

August Draw  
08/25/09

SOURCE OF FUNDS		Previous		TOTAL DRAW TO.	
DESCRIPTION	BUDGET	Draws	AUGUST DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$588,243.95	\$83,546.00	\$571,789.95	\$162,210.05
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00	\$0.00
Engineering	\$50,000.00	\$58,510.93	\$8,575.00	\$67,085.93	(\$17,085.93)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Welland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$5,563.66	\$0.00	\$5,563.66	(\$2,563.66)
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$5,352.80	\$250.00	\$5,602.80	\$4,397.20
Legal/Lender	\$1,000.00	\$1,105.00	\$0.00	\$1,105.00	(\$105.00)
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$67,500.00	\$7,500.00	\$75,000.00	(\$25,000.00)
LC Fee	\$35,000.00	\$22,000.00	\$12,000.00	\$34,000.00	\$1,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Welland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$59,144.48	\$11,645.46	\$70,789.95	\$49,210.05
Miscellaneous/Contingency	\$20,722.00	\$12,739.28	\$3,400.00	\$16,139.28	\$4,582.72
TOTAL FUNDS USED	\$2,600,000.00	\$2,280,611.49	\$126,916.46	\$2,407,527.95	\$192,472.05

Requested and approved this 25th day of August, 2009

Gateway Centre, LLC

By: Will McEl

Its: manager

**Gateway Centre  
August-09  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
CB&T	Construction Interest	\$11,645.46	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Balch & Bingham	Legal	\$250.00	
Gulf States Engineering	Engineering	\$7,995.00	
Davis Sod and Grassing Company	Miscellaneous	\$3,400.00	
Enco Construction	Site Improvements	\$83,546.00	
Kinn Pittman	LC Fee	\$12,000.00	
ADEM	Engineering	\$580.00	
<b>AMOUNT OF DRAW</b>		<b>\$128,916.46</b>	

COMMUNITY BANK & TRUST  
P O BOX 311245  
ENTERPRISE AL 36331-1245

Due Date	08/22/2009
Account Number	XXXXXXXXXX56-00010
Principal	1,656,807.26
Interest	11,645.46
LATE CHARGES AND OTHER FEES	0.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	1,668,452.72

GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2826

Amount Enclosed

PLEASE RETURN THIS PORTION WITH TOTAL AMOUNT DUE SO THAT IT IS RECEIVED BY THE DUE DATE. AJ

⑆5724⑈3333⑆ 7243495600010⑈

GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2826

Bkt Date	08/06/2009
Due Date	08/22/2009
Account Number	XXXXXXXXXX56-00010
Principal	1,656,807.26
Interest	11,645.46
LATE CHARGES AND OTHER FEES	0.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	1,668,452.72
CURRENT BALANCE	1,656,807.26

**COLLATERAL DESCRIPTION**

1210 INDUSTRIAL PKWY, SARALAND, AL REM & A/R/L DTD 2/22/08; GTYS

Amount Enclosed

FOR BILLING QUESTIONS, PLEASE CONTACT YOUR NEAREST BRANCH OFFICE.

THANK YOU FOR CHOOSING COMMUNITY BANK & TRUST FOR ALL OF YOUR FINANCIAL NEEDS.

⑆5724⑈3333⑆ 7243495600010⑈

CHECK  
REQUEST

DATE REQUESTED

8/10/09

DATE  
NEEDED

PAYEE

Helms Road, Inc

CHECK AMOUNT

\$7,500.00

DRAWN ON A/C OF

Gateway

EXPLANATION

Development Fee

G/L A/C #

Check #

Date

REQUESTED BY:



**BALCH & BINGHAM LLP**

Attorneys and Counselors  
P. O. Box 306  
Birmingham, AL 35201  
(205) 251-8100  
(205) 226-8799 Fax

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

July 24, 2009  
Client ID: 007934  
Matter ID: 016  
Invoice: 439162

RE: Gateway Centre, LLC

Fees for Professional Services Through 06/30/09	250.00
Charges Through 06/30/09	0.00
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 250.00</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 250.00</b>

---

**SERVICES SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
WHM - Walter McKay	1.00	250.00	250.00

*Please refer to invoice number 439162 when submitting payment  
Federal Tax ID# 63-0328165*



BALCH & BINGHAM LLP

ID: 007934-016  
Invoice # 439162

July 24, 2009  
PAGE 2

RE: Gateway Centre, LLC

SERVICE DETAIL

<u>DATE</u>	<u>ATTY</u>		<u>HOURS</u>	<u>AMOUNT</u>
06/05/2009	WHM	Attend meeting with Mr. Bill Helms regarding Regions related matters for outparcel transaction and examine title documents.	0.50	125.00
06/09/2009	WHM	Examine various documents and emails to and from Mr. Bill Helms regarding transaction matters.	0.50	125.00
<b>TOTAL FEES</b>				<b>\$ 250.00</b>

---

<b>TOTAL FEES PLUS CHARGES</b>		<b>\$ 250.00</b>
--------------------------------	--	------------------

**BALCH & BINGHAM LLP**

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

July 24, 2009  
Client ID: 007934  
Matter ID: 016  
Invoice: 439162

RE: Gateway Centre, LLC

Fees for Professional Services Through 06/30/09	250.00
Charges Through 06/30/09	0.00
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 250.00</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 250.00</b>

**\*\*\*REMITTANCE COPY\*\*\***

*Please return this page with your payment*



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-480-4646 Phone  
251-480-4649 Fax

## Invoice

DATE	INVOICE #
5/9/2009	A07052.17

**BILL TO**

Helms Roark, Inc.  
121 Coosa Street #200  
Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT	
	Net 30	6/8/2009	01 Apr 09 to Apr 09	A07052-HR Comm Design	
ITEM	DESCRIPTION		QTY	RATE	AMOUNT
Engineer	Subdivision and Waterline Revisions Engineer Labor- April T&M Charges		1	965.00	965.00
Thank you for your business.				Total	\$965.00



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
6/9/2009	A07052.18

### BILL TO

Helms Roark, Inc.  
121 Coosa Street #200  
Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	7/9/2009	N/A	A07052-HR Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	ECN#2 Subdivision Plat & Easements and Layout/Waterline Revisions  Engineer Labor- To 100%	1	2,945.00	2,945.00
Thank you for your business.			<b>Total</b>	<b>\$2,945.00</b>

PROJECT FILE NO.

## ENGINEERING CHANGE NOTICE



Creating Solutions

ATTN: Bill Helms  
Helms-Roark  
121 Coosa Street Suite 20X  
Montgomery, AL 36104

Project A07052 Gateway Centre  
ECN # 2  
DATE 13-Apr-08

TASK DESCRIPTION	Ordered By	Est. Hrs	Rate/Hr	TOTAL
<b>Engineering</b>				
Revise shape of SS detention pond for Optional Entrance	Bill Helms	2	\$120	240
Revise waterline plan to:				
- Delete water tower at rear of property				
- Tie to Saveland's prop. W/L on Hwy 188 at entrance				
- Const. Plans for new W/L design (2 phases)	Bill Helms	8	\$120	720
Conceptual Dwg for entrance at Spartan Drive	Bill Helms	2	\$120	240
<b>Drafting</b>				
Revised waterline plans	Bill Helms	10	\$65	650
Subdivision Plat for proposed Regions Bank Bldg	Bill Helms	10	\$65	650
Prepare 2 Detention Pond exmt descriptions	Bill Helms	2	\$85	170
<b>Surveying</b>				
Prepare subdivision plat for proposed Regions Bank Bldg	Bill Helms	4	\$95	380
Property corner staking (2 man field crew)	Bill Helms	4	\$120	480
Prepare 2 Detention Pond exmt descriptions	Bill Helms	4	\$95	380
<b>TOTAL</b>				<b>\$3,910</b>

### COMMENTS:

1. The total shown is an estimated amount.

1. This work will be done on a T&M basis at your request.

2. We will keep you updated on our progress and provide

written notification when we reach 80% of this ECN

3. Client will be responsible for all fees associated with

this project.

<input type="checkbox"/>	FOR REVIEW
<input checked="" type="checkbox"/>	FOR APPROVAL
<input type="checkbox"/>	FOR YOUR USE
<input type="checkbox"/>	REVISE AND RESUBMIT

MOBILE  
251.460.4646 Tel  
251.460.4649 Fax  
4110 Moffett Road  
Mobile, AL 36618

GULFPORT  
228.864.5050 Tel  
228.864.7744 Fax  
1816 Pass Road  
Gulfport, MS 39501

www.GSEeng.com

CLIENT APPROVAL SIGNATURE & DATE

*Will Helms*  
4.14.09

REGARDS

GSE

*George D. Davis, Jr.*  
George D. Davis, Jr. PE



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
7/3/2009	A07052.19

### BILL TO

Helms Roark, Inc.  
121 Coosa Street #200  
Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	8/2/2009	N/A	A07052-HR Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	ECN#3: ADEM, Asbuilt, Reset Corners Engineer Labor- 'To 100%	1	4,085.00	4,085.00
Thank you for your business.			<b>Total</b>	\$4,085.00

PROJECT FILE NO.

## ENGINEERING CHANGE NOTICE



Creating Solutions

ATTN: Bill Helms

Helms-Roark  
121 Coosa Street Suite 200  
Montgomery, AL 36104

Project

ECN #

DATE

A07052 \_ Gateway Centre

3

10-Jun-09

TASK DESCRIPTION	Ordered By	Est. Mns	Rate/Hr	TOTAL
<b>Engineering</b>				
1) Prepare ADEM Inspection Reports for May 08 to May 09 (Min. of 24)	Bill Helms	10	\$120	\$1,200
2) Revise Island and waterline on North Side of Regions Lot	Bill Helms	3	\$120	\$360
3) Revise SE Detention Pond to accomodate future construction	Bill Helms	4	\$120	\$480
<b>Drafting</b>				
As per Engineering Item 2 above	Bill Helms	3	\$65	\$195
Topo Survey Drafting	Bill Helms	4	\$65	\$260
<b>Surveying</b>				
Topo to check grades and location of all utilities placed	Bill Helms	8	\$140	\$1,120
PLS Review for Topo	Bill Helms	2	\$95	\$190
Reset Property Corners on Revised Regions Lot	Bill Helms	2	\$140	\$280
<b>TOTAL</b>				<b>\$4,015</b>

### COMMENTS:

1. The total shown is an estimated amount.

1. This work will be done on a T&M basis at your request.

2. We will keep you updated on our progress and provide

written notification when we reach 80% of this ECN

3. Client will be responsible for all fees associated with

this project.

<input type="checkbox"/>	FOR REVIEW
<input checked="" type="checkbox"/>	FOR APPROVAL
<input type="checkbox"/>	FOR YOUR USE
<input type="checkbox"/>	REVISE AND RESUBMIT

### MOBILE

251.460.4646 Tel  
251.460.4649 Fax

4110 Moffett Road  
Mobile, AL 36618

### GULFPORT

228.864.5050 Tel  
228.864.7744 Fax

1816 Pass Road  
Gulfport, MS 39501

www.GSEeng.com

CLIENT APPROVAL SIGNATURE & DATE

6.11.09

REGARDS

GSE

George D. Davis, Jr. PE

Gateway

# DAVIS SOD AND GRASSING COMPANY

No Job Too Big Or Too Small

1209 County Road 69

Phone # 334-365-6656

Prattville, Al 36067

Fax # 888-290-3412

E-Mail: [rdavis7989@charter.net](mailto:rdavis7989@charter.net)

McArthur Davis, President/Owner  
Cell# 334-207-2709

Robert Davis, Manager  
Cell # 334-318-9467

## GATEWAY PROJECT SARALAND, ALABAMA

<u>AMOUNT</u>	<u>UNIT</u>	<u>ITEM DESCRIPTION</u>	<u>PRICE</u>	<u>EXT. PRICE</u>
4	ACRES	SEEDING	\$ 700.00	\$ 2,800.00
4	ACRES	MOWING	\$ 150.00	\$ 600.00
				\$ 3,400.00

JULY 20, 2009

Thank You,

McArthur Davis  
President/Owner

Robert Davis  
Manager



# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF PAGES

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT: Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO.: 004  
PERIOD TO: 08/18/09  
PROJECT NOS.:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Enco Construction Co., Inc.  
Post Office Box 310029  
CONTRACT FOR: Enterprise, AL 36331

CONTRACT DATE:

## 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 ..... \$1,673,904.03
2. Net change by Change Orders ..... \$ (251,057.74)
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$1,422,846.29
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 389,107.07  
(Column G on G703)
5. RETAINAGE:
  - a. % of Completed Work ..... 0.00  
(Columns D + E on G703)
  - b. % of Stored Material .....  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or  
Total in Column I of G703) ..... 0.00
6. TOTAL EARNED LESS RETAINAGE ..... \$ 389,107.07  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$ 305,561.07
8. CURRENT PAYMENT DUE ..... \$ 83,546.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) ..... \$1,033,739.22

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$12,739.41	(\$263,797.15)
Total approved this Month		
TOTALS	\$12,739.41	(\$263,797.15)
NET CHANGES by Change Order	\$251,057.74	

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: Dan Pitt

Date: 8/18/09

State of: Alabama

County of: Coffee

Subscribed and sworn to before me this 18th day of August 2009

Notary Public: Cheryl W Harbuck

My Commission expires: 06/03/13

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By:

Date:

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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G702-1992

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## Continuation Sheet

AIA Document G702, Application and Certificate for payment,  
containing Contractor's signed Certification, is attached.

Page: 2

Application No.: 2008-4/004  
Application Date: 08/14/2009  
Period To: 08/14/2009  
Architect's Project No.:

A	B	C	D	E	F	G	H	I	
			Work Completed						
Phase	Description	Scheduled Value	Previous	This Period	Materials Stored	Total Comp & Stored	Pct Comp	Balance to Finish	Retainage Amount
002	SITE WORK	1,673,904.03	632,620.25	7,544.56	0.00	640,164.81	38.24	1,033,739.22	64,016.49
017	CHANGE ORDER NO. 001	-263,797.15	-263,797.15	0.00	0.00	-263,797.15	100.00	0.00	0.00
018	CHANGE ORDER NO. 002	12,739.41	0.00	12,739.41	0.00	12,739.41	100.00	0.00	1,273.94
Final Total		1,422,846.29	368,823.10	20,283.97	0.00	369,107.07	27.36	1,053,739.22	65,290.43

## Continuation Sheet

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Page: 2

Application No.: 2008-4/005  
Application Date: 08/18/2009  
Period To: 08/18/2009  
Architect's Project No.:

A	B	C	D	E	F	G	H	I	
Phase	Description	Scheduled	-----Work Completed-----		Materials Stored	Total Comp & Stored	Pct Comp	Balance to Finish	Retainage Amount
		Value	Previous	This Period					
002	SITE WORK	1,673,904.03	540,154.81	64,016.49	0.00	540,154.81	38.24	1,033,738.22	0.00
017	CHANGE ORDER NO. 001	-263,797.15	-263,797.15	0.00	0.00	-263,797.15	100.00	0.00	0.00
019	CHANGE ORDER NO. 002	12,739.41	12,739.41	1,273.94	0.00	12,739.41	100.00	0.00	0.00
Final Total		1,422,846.29	389,107.07	65,290.43	0.00	389,107.07	27.35	1,033,739.22	0.00

Gateway Centre  
Saraland, AL

August Draw  
06/25/09

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	AUGUST DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$634,000.00	\$588,243.95	\$83,546.00	\$571,789.95	\$162,210.05
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00	\$0.00
Engineering	\$60,000.00	\$58,510.93	\$8,575.00	\$67,085.93	(\$17,085.93)
Soils Test	\$2,000.00	\$1,850.00	\$0.00	\$1,850.00	\$150.00
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$5,563.66	\$0.00	\$5,563.66	(\$2,563.66)
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$5,352.80	\$250.00	\$5,602.80	\$4,397.20
Legal/Lender	\$1,000.00	\$1,105.00	\$0.00	\$1,105.00	(\$105.00)
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$67,500.00	\$7,500.00	\$75,000.00	(\$25,000.00)
LC Fee	\$35,000.00	\$22,000.00	\$12,000.00	\$34,000.00	\$1,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$59,144.49	\$11,645.46	\$70,789.95	\$49,210.05
Miscellaneous/Contingency	\$20,722.00	\$12,739.28	\$3,400.00	\$16,139.28	\$4,582.72
TOTAL FUNDS USED	\$2,600,000.00	\$2,280,611.49	\$126,916.46	\$2,407,527.95	\$192,472.05

Requested and approved this 25th day of August, 2009

Gateway Centre, LLC

By: Will McEl

Its: Manager

**Gateway Centre  
August-09  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
CB&T	Construction Interest	\$11,845.46	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Balch & Bingham	Legal	\$250.00	
Gulf States Engineering	Engineering	\$7,995.00	
Davis Sod and Grassing Company	Miscellaneous	\$3,400.00	
Enco Construction	Site Improvements	\$83,546.00	
Kinn Pittman	LC Fee	\$12,000.00	
ADEM	Engineering	\$580.00	
<b>AMOUNT OF DRAW</b>		<b>\$128,916.46</b>	

P O BOX 311245  
ENTERPRISE AL 36331-1245

Due Date	08/22/2009
Account Number	XXXXXXXXXX56-00010
Principal	1,656,807.26
Interest	11,645.46
LATE CHARGES AND OTHER FEES	0.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	1,668,452.72

**GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2628**

**Amount Enclosed**

**PLEASE RETURN THIS PORTION WITH TOTAL AMOUNT DUE SO THAT IT IS RECEIVED BY THE DUE DATE. AJ**

05724-33333

7 2434956000 1011

**GATEWAY CENTRE, LLC  
121 COOSA ST SUITE 200  
MONTGOMERY AL 36104-2626**

Bill Date	08/08/2009
Due Date	08/22/2009
Account Number	XXXXXXXXXX36-00010
Principal	1,656,807.26
Interest	11,845.46
LATE CHARGES AND OTHER FEES	0.00
PAST DUE AMOUNT	0.00
TOTAL AMOUNT DUE	1,668,452.72
CURRENT BALANCE	1,656,807.26

**COLLATERAL DESCRIPTION**

1210 INDUSTRIAL PKWY, SARALAND, AL REM & AJR/L DTD 2/22/08; GTYS Amount Enclosed

**FOR BILLING QUESTIONS, PLEASE CONTACT YOUR NEAREST BRANCH OFFICE.**

**THANK YOU FOR CHOOSING COMMUNITY BANK & TRUST FOR ALL OF YOUR FINANCIAL NEEDS.**

1257 24 MAR 33 33315

7243495600010118

CHECK  
REQUEST

DATE REQUESTED

8/10/09

DATE  
NEEDED

PAYEE

Helms Road Inc

CHECK AMOUNT

\$7,500.00

DRAWN ON A/C OF

Gateway

EXPLANATION

Development Fee

G/L A/C #

Check #

Date

REQUESTED BY:



BALCH & BINGHAM LLP  
Attorneys and Counselors  
P. O. Box 306  
Birmingham, AL 35201  
(205) 251-8100  
(205) 226-8799 Fax

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

July 24, 2009  
Client ID: 007934  
Matter ID: 016  
Invoice: 439162

RE: Gateway Centre, LLC

Fees for Professional Services Through 06/30/09	250.00
Charges Through 06/30/09	0.00
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 250.00</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 250.00</b>

---

SERVICES SUMMARY

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
WHM - Walter McKay	1.00	250.00	250.00

*Please refer to invoice number 439162 when submitting payment*  
*Federal Tax ID# 63-0328163*



BALCH & BINGHAM LLP

ID: 007934-016  
Invoice # 439162

July 24, 2009  
PAGE 2

RE: Gateway Centre, LLC

SERVICE DETAIL

<u>DATE</u>	<u>ATTY</u>		<u>HOURS</u>	<u>AMOUNT</u>
06/05/2009	WHM	Attend meeting with Mr. Bill Helms regarding Regions related matters for outparcel transaction and examine title documents.	0.50	125.00
06/09/2009	WHM	Examine various documents and emails to and from Mr. Bill Helms regarding transaction matters.	0.50	125.00
<b>TOTAL FEES</b>			<b>\$</b>	<b>250.00</b>

---

<b>TOTAL FEES PLUS CHARGES</b>	<b>\$</b>	<b>250.00</b>
--------------------------------	-----------	---------------

**BALCH & BINGHAM LLP**

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

July 24, 2009  
Client ID: 007934  
Matter ID: 016  
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<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 250.00</b>

**\*\*\*REMITTANCE COPY\*\*\***

*Please return this page with your payment*



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4648 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
5/9/2009	A07052.17

<b>BILL TO</b>
Helms Roark, Inc. 121 Coosa Street #200 Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	6/8/2009	01 Apr 09 to Apr 09	A07052-HR Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	Subdivision and Waterline Revisions Engineer Labor- April T&M Charges	1	965.00	965.00
Thank you for your business.			<b>Total</b>	<b>\$965.00</b>



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
6/9/2009	A07052.18

<b>BILL TO</b>
Helms Roark, Inc. 121 Coosa Street #200 Montgomery, AL. 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT	
	Net 30	7/9/2009	N/A	A07052-HR Comm Design	
ITEM	DESCRIPTION		QTY	RATE	AMOUNT
Engineer	ECN#2 Subdivision Plat & Easements and Layout/Waterline Revisions  Engineer Labor- To 100%		1	2,945.00	2,945.00
Thank you for your business.				Total	\$2,945.00

PROJECT FILE NO.

## ENGINEERING CHANGE NOTICE



Creating Solutions

ATTN: Bill Helms  
Helms-Roark  
121 Coosa Street Suite 200  
Montgomery, AL 36104

Project A07052 Gateway Centre  
ECN # 2  
DATE 13-Apr-09

TASK DESCRIPTION	Ordered By	Est. Hrs	Rate/Hr	TOTAL
<b>Engineering</b>				
Revise shape of SS detention pond for Optional Entrance	Bill Helms	2	\$120	240
Revise waterline plan to:				
- Delete water tower at rear of property				
- Tie to Barland's prop. W/L on Hwy 156 at entrance				
- Const. Plans for new W/L design (2 phases)	Bill Helms	6	\$130	780
Conceptual Dwgs for entrance at Spartan Drive	Bill Helms	2	\$120	240
<b>Drafting</b>				
Revised waterline plans	Bill Helms	10	\$85	850
Subdivision Plat for proposed Regions Bank Bldg	Bill Helms	10	\$85	850
Prepare 2 Detention Pond asmt descriptions	Bill Helms	2	\$85	170
<b>Surveying</b>				
Prepare subdivision plat for proposed Regions Bank Bldg	Bill Helms	4	\$85	380
Property corner staking (2 man field crew)	Bill Helms	4	\$120	480
Prepare 2 Detention Pond asmt descriptions	Bill Helms	4	\$85	380
<b>TOTAL</b>				<b>\$2,510</b>

### COMMENTS:

1. The total shown is an estimated amount.

2. This work will be done on a T&M basis at your request.

2. We will keep you updated on our progress and provide

written notification when we reach 80% of this ECN

3. Client will be responsible for all fees associated with

this project.

<input type="checkbox"/>	FOR REVIEW
<input checked="" type="checkbox"/>	FOR APPROVAL
<input type="checkbox"/>	FOR YOUR USE
<input type="checkbox"/>	REVISE AND RESUBMIT

MOBILE  
251.460.4646 Tel  
251.460.4649 Fax  
4110 Moffett Road  
Mobile, AL 36618

GULFPORT  
228.864.5050 Tel  
228.864.7744 Fax  
1816 Pass Road  
Gulfport, MS 39501

www.GSEeng.com

REGARDS

GSE

George D. Davis, Jr. PE

CLIENT APPROVAL SIGNATURE & DATE

*Will Helms*  
4-14-09



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-480-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
7/3/2009	A07052.19

<b>BILL TO</b>
Helms Roark, Inc. 121 Coosa Street #200 Montgomery, AL 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT	
	Net 30	8/2/2009	N/A	A07052-HR Comm Design	
ITEM	DESCRIPTION		QTY	RATE	AMOUNT
Engineer	ECN#3: ADEM, Asbuilt, Reset Corners Engineer Labor- To 100%		1	4,085.00	4,085.00
Thank you for your business.				Total	\$4,085.00

PROJECT FILE NO.

## ENGINEERING CHANGE NOTICE



Creating Solutions

ATTN: Bill Helms

Helms-Roark  
121 Coosa Street Suite 200  
Montgomery, AL 36104

Project

A07052 \_ Gateway Centre

ECN #

3

DATE

10-Jun-09

FAIR DESCRIPTION	Ordered By	Est. Hrs	Rate/Hr	TOTAL
<b>Engineering</b>				
1) Prepare ADESA Inspection Reports for May 09 to May 09 (Min. of 24)	Bill Helms	10	\$120	\$1,200
2) Revise Inland and waterline on North Side of Regions Lot	Bill Helms	3	\$120	\$360
3) Revise SE Detention Pond to accomodate future construction	Bill Helms	4	\$120	\$480
<b>Drafting</b>				
As per Engineering Item 2 above	Bill Helms	3	\$65	\$195
Topo Survey Drafting	Bill Helms	4	\$65	\$260
<b>Surveying</b>				
Topo to check grades and location of all utilities placed	Bill Helms	8	\$140	\$1,120
PLS Review for Topo	Bill Helms	2	\$95	\$190
Reset Property Corners on Revised Regions Lot	Bill Helms	2	\$140	\$280
<b>TOTAL</b>				<b>\$4,855</b>

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3. Client will be responsible for all fees associated with

this project.

<input type="checkbox"/>	FOR REVIEW
<input checked="" type="checkbox"/>	FOR APPROVAL
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<input type="checkbox"/>	REVISE AND RESUBMIT

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251.460.4649 Fax  
4110 Moffett Road  
Mobile, AL 36618

**GULFPORT**  
228.864.5050 Tel  
228.864.7744 Fax  
1816 Pass Road  
Gulfport, MS 39501

www.GSEeng.com

CLIENT APPROVAL SIGNATURE & DATE

6.11.09

REGARDS

GSE

George D. Davis, Jr. PE

Gateway

# DAVIS SOD AND GRASSING COMPANY

No Job Too Big Or Too Small

1209 County Road 69

Phone # 334-365-6656

Prattville, Al 36067

Fax # 888-290-3412

E-Mail: [rdavis7989@charter.net](mailto:rdavis7989@charter.net)

McArthur Davis, President/Owner  
Cell# 334-207-2709

Robert Davis, Manager  
Cell # 334-318-9467

## GATEWAY PROJECT SARALAND, ALABAMA

<u>AMOUNT</u>	<u>UNIT</u>	<u>ITEM DESCRIPTION</u>	<u>PRICE</u>	<u>EXT. PRICE</u>
4	ACRES	SEEDING	\$ 700.00	\$ 2,800.00
4	ACRES	MOWING	\$ 150.00	\$ 600.00
				\$ 3,400.00

JULY 20, 2009

Thank You,

McArthur Davis  
President/Owner

Robert Davis  
Manager



# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF PAGES

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT: Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO.: 004  
PERIOD TO: 08/18/09  
PROJECT NOS.:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Enco Construction Co., Inc.  
Post Office Box 310029  
CONTRACT FOR: Enterprise, AL 36331

VIA ARCHITECT:

CONTRACT DATE:

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  - b. % of Stored Material .....  
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Total in Column I of G703) ..... 0.00
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(Line 6 from prior Certificate) ..... \$ 305,561.07
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CONTRACTOR:

By: [Signature] Date: 8/18/09

State of: Alabama  
County of: Coffee

Subscribed and sworn to before me this 18th day of August 2009

Notary Public: [Signature]  
My Commission expires: 06/03/13

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_

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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G702-1992

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## Continuation Sheet

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Page: 2

Application No.: 2008-47004  
Application Date: 08/14/2009  
Period To: 08/14/2009  
Architect's Project No.:

A	B	C	D	E	F	G	H	I	
			Work Completed						
Phase	Description	Scheduled Value	Previous	This Period	Materials Stored	Total Comp & Stored	Pct Cmp	Balance to Finish	Retainage Amount
002	SITE WORK	1,673,904.03	632,620.25	7,544.56	0.00	640,164.81	38.24	1,033,739.22	64,016.49
017	CHANGE ORDER NO. 001	-263,797.15	-263,797.15	0.00	0.00	-263,797.15	100.00	0.00	0.00
018	CHANGE ORDER NO. 002	12,739.41	0.00	12,739.41	0.00	12,739.41	100.00	0.00	1,273.94
Final Total		1,422,846.29	368,823.10	20,283.97	0.00	389,107.07	27.35	1,033,739.22	65,290.43

## Continuation Sheet

ATA Document G702, Application and Certificate for payment,  
containing Contractor's signed Certification, is attached.

Page: 2

Application No.: 2008-4/005  
Application Date: 08/18/2009  
Period To: 08/18/2009  
Architect's Project No.:

A	B	C	D		E	F	G	H	I
			-----Work Completed-----						
Phase	Description	Scheduled Value	Previous	This Period	Materials Stored	Total Comp & Stored	Pct Cmp	Balance to Finish	Retainage Amount
002	SITE WORK	1,673,904.03	640,184.81	64,016.49	0.00	840,164.81	38.24	1,033,739.22	0.00
017	CHANGE ORDER NO. 001	-263,797.15	-263,797.15	0.00	0.00	-263,767.15	100.00	0.00	0.00
018	CHANGE ORDER NO. 002	12,739.41	12,739.41	1,273.94	0.00	12,739.41	100.00	0.00	0.00

Gateway Centre  
Saraland, AL

December Draw  
12/08/09

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	December DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$634,000.00	\$671,788.95	\$66,324.16	\$758,114.11	\$76,885.89
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00	\$0.00
Engineering	\$50,000.00	\$67,085.93	\$5,000.00	\$72,085.93	(\$22,085.93)
Soils Test	\$2,000.00	\$1,850.00	\$1,911.80	\$3,761.80	(\$1,761.80)
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$5,563.66	\$0.00	\$5,563.66	(\$2,563.66)
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$5,802.80	\$0.00	\$5,802.80	\$4,197.20
Legal/Lender	\$1,000.00	\$1,105.00	\$3,202.88	\$4,307.88	(\$3,307.88)
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,988.00	\$0.00	\$3,988.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$82,500.00	\$7,500.00	\$90,000.00	(\$40,000.00)
L.C. Fee	\$35,000.00	\$34,000.00	\$0.00	\$34,000.00	\$1,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,056.77	\$0.00	\$15,056.77	(\$56.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$82,875.13	\$4,892.79	\$87,767.92	\$32,232.08
Miscellaneous/Contingency	\$20,722.00	\$17,502.28	\$10,732.78	\$28,235.06	(\$7,513.06)
TOTAL FUNDS USED	\$2,600,000.00	\$2,428,576.13	<u>\$119,564.41</u>	\$2,548,240.54	\$51,759.46

Requested and approved this 7th day of December, 2009

Gateway Centre, LLC

By: Will. L. Lel

Its: Manager

Correct Copy

**Gateway Centre  
December-09  
Disbursement Schedule**

<b>Payee</b>	<b>Category</b>	<b>Amount</b>	<b>Paid</b>
Enco Construction (1)	Site Improvements	\$84,510.18	
CB&T	Construction Interest	\$4,892.79	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Balch & Bingham/Regions Sale	Legal	\$3,202.88	
Thompson Engineering	Engineering	\$5,000.00	
Southern Earth Science	Soils Test	\$1,911.80	
Blueprint Services	Miscellaneous	\$18.70	
Baldwin County Fence Company	Site Improvements	\$1,814.00	
Mobile Cnty Revenue Comm./Property Tax	Miscellaneous	\$10,714.08	
<b>AMOUNT OF DRAW</b>		<b>\$119,564.41</b>	

**Notes:**

(1) The total requested by Enco for the sitework is being reduced by half of the escrow held from the Regions sale (\$240,000/2 = \$120,000). Therefore, the request of \$204,510.18 reduced by \$120,000 to yield a request from the bank of \$84,510.18.

Gateway Centre  
Saraland, AL

December Draw  
12/07/09

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	
DESCRIPTION	BUDGET	Draws	December DRAW	DATE (incl. current)	BALANCE AVAILABLE
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
TOTAL FUNDS AVAILABLE	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
USE OF FUNDS					
LAND COSTS:	\$1,407,776.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$671,789.95	\$86,324.16	\$758,114.11	\$75,885.89
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00	\$0.00
Engineering	\$50,000.00	\$67,085.93	\$5,000.00	\$72,085.93	(\$22,085.93)
Soils Test	\$2,000.00	\$1,850.00	\$1,911.80	\$3,761.80	(\$1,761.80)
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$5,563.66	\$0.00	\$5,563.66	(\$2,563.66)
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$5,602.80	\$0.00	\$5,602.80	\$4,397.20
Legal/Lender	\$1,000.00	\$1,105.00	\$3,202.88	\$4,307.88	(\$3,307.88)
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,600.00	\$0.00	\$3,600.00	\$0.00
Developer Overhead	\$50,000.00	\$75,000.00	\$7,500.00	\$82,500.00	(\$32,500.00)
LC Fee	\$35,000.00	\$34,000.00	\$0.00	\$34,000.00	\$1,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,066.77	\$0.00	\$15,066.77	(\$66.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$70,789.95	\$4,892.79	\$75,682.74	\$44,317.26
Miscellaneous/Contingency	\$20,722.00	\$16,139.28	\$10,732.78	\$26,872.06	(\$6,150.06)
TOTAL FUNDS USED	\$2,600,000.00	\$2,407,527.95	\$119,564.41	\$2,527,092.36	\$72,907.64

Requested and approved this 7th day of December, 2009

Gateway Centre, LLC

By: Will. Nofel

For: M. Nofel

*Incorrect*

**Gateway Centre  
December-09  
Disbursement Schedule**

Payee	Category	Amount	Paid
Enco Construction (1)	Site Improvements	\$84,510.16 ✓	
CB&T	Construction Interest	\$4,892.79	
Helms Roark, Inc.	Developer Overhead	\$7,500.00	
Balch & Bingham/Regions Sale	Legal	\$3,202.88	
Thompson Engineering	Engineering	\$5,000.00	
Southern Earth Science	Soils Test	\$1,911.80 ✓	
Blueprint Services	Miscellaneous	\$18.70	
Baldwin County Fence Company	Site Improvement	\$1,814.00 ✓	
Mobile Only Revenue Comm./Property Tax	Miscellaneous	\$10,714.08	
<b>AMOUNT OF DRAW</b>		<b>\$119,584.41</b>	

Notes:

(1) The total requested by Enco for the sitework is being reduced by half of the escrow held from the Regions sale (\$240,000/2 = \$120,000). Therefore, the request of \$204,510.16 reduced by \$120,000 to yield a request from the bank of \$84,510.16.

# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF 19085

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT: Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO.: 006  
PERIOD TO: 11/30/09  
PROJECT NOS.:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: Enco Construction Co., Inc.  
Post Office Box 310029  
CONTRACT FOR: Enterprise, AL 36331

VIA ARCHITECT:

CONTRACT DATE:

## 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 ..... \$1,673,904.03
2. Net change by Change Orders ..... (\$224,774.83)
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$1,449,129.20
4. TOTAL COMPLETED & STORED TO DATE ..... \$757,974.68  
(Column G on G703)
5. RETAINAGE:
  - a. 10 % of Completed Work ..... \$36,668.25  
(Columns D + E on G703)
  - b. % of Stored Material ..... \$  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or  
Total in Column I of G703) ..... \$36,668.25
6. TOTAL EARNED LESS RETAINAGE ..... \$721,306.43  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$516,796.27
8. CURRENT PAYMENT DUE ..... \$204,510.16
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) ..... \$727,822.77

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$39,022.32	(\$263,797.15)
Total approved this Month		
TOTALS	\$39,022.32	(\$263,797.15)
NET CHANGES by Change Order	(\$224,774.83)	

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: *[Signature]*

Date: 11/30/09

State of: Alabama  
County of: Coffee

Subscribed and sworn to before me this 30th day of November 2009.

Notary Public: 6-3-2013 Cheryl W. Harbeck  
My Commission expires: 06/03/13

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_

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.

AIA DOCUMENT G702 • APPLICATION AND CERTIFICATE FOR PAYMENT • 1992 EDITION • AIA® • ©1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20005-2022 • WARNING: Unauthorized photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.

G702-1992

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## Continuation Sheet

AIA Document G702, Application and Certificate for payment, containing Contractor's signed Certification, is attached.

Page: 2

Application No.: 2009-47007  
 Application Date: 11/30/2009  
 Period To: 11/30/2009  
 Architect's Project No.:

Phase	Description	Scheduled Value	Work Completed		Materials Stored	Total Comp & Stored	Pct Comp	Balance to Finish	Retainage Amount
			Previous	This Period					
002	SITE WORK	1,073,804.03	756,518.06	227,233.51	0.00	982,749.51	58.71	891,154.52	34,255.47
017	CHANGE ORDER NO. 001	-253,797.15	-253,797.15	0.00	0.00	-253,797.15	100.00	0.00	0.00
018	CHANGE ORDER NO. 002	12,739.41	12,739.41	0.00	0.00	12,739.41	100.00	0.00	0.00
019	CHANGE ORDER NO. 003	19,533.75	19,533.75	0.00	0.00	19,533.75	100.00	0.00	1,953.38
020	CHANGE ORDER NO. 004	4,284.00	4,284.00	0.00	0.00	4,284.00	100.00	0.00	428.40
021	CHANGE ORDER NO. 5	2,185.18	2,185.18	0.00	0.00	2,185.18	100.00	0.00	0.00

<b>Final Total</b>	<b>1,446,125.20</b>	<b>530,741.17</b>	<b>227,233.51</b>	<b>0.00</b>	<b>757,974.66</b>	<b>52.31</b>	<b>891,154.52</b>	<b>35,663.25</b>
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**S. A. GRAHAM COMPANY, INC.**  
**P.O. BOX 728**  
**BRUNDIDGE, AL 36010**

EMCO CONSTRUCTION COMPANY  
P.O. BOX 310029  
ENTERPRISE, AL 36034-0029

**PAY REQUEST NO.:** 2 OF 2  
**PERIOD:** November 25, 2009  
**PROJECT NO.:**  
**GATEWAY CENTRE, LLC**  
**SARALAND**

ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT PRICE	THIS PERIOD		TO DATE		
				QUANTITY	AMOUNT	QUANTITY	AMOUNT	
1	Mobilization	LB	\$5,000.00	0.00	\$0.00	1.00	\$5,000.00	✓
2	Engineering Controls	DAYS	\$1,100.00	0.00	\$0.00	7.00	\$7,700.00	✓
3	Unclassified Excavation	Y	\$5.00	0.00	\$0.00	1,088.00	\$5,488.00	✓
4	Borrow Excavation	CY	\$13.25	3072.00	\$40,704.00	6,144.00	\$81,408.00	✓
5	Construction Entrance	LS	\$3,000.00	0.00	\$0.00	1.00	\$3,000.00	✓
6	Curb And Gutter	LF	\$15.50	0.00	\$0.00	540.00	\$8,370.00	✓
7	Roadbed Processing	SY	\$1.00	0.00	\$0.00	1,080.00	\$1,080.00	✓
8	6" Crushed Aggregate Base	SY	\$13.25	0.00	\$0.00	1,080.00	\$14,310.00	✓
9	6" Crushed Aggregate Base	SY	\$13.25	0.00	\$0.00	1,080.00	\$14,310.00	✓
10	Asphalt Binder, 185 lbs/sy	SY	\$7.85	1080.00	\$8,478.00	1,080.00	\$8,478.00	✓
11	Asphalt Surface, 185 lbs/sy	SY	\$7.85	1080.00	\$8,478.00	1,080.00	\$8,478.00	✓
12	Raise Existing Storm Drain Box	LS	\$5,000.00	0.00	\$0.00	1.00	\$5,000.00	✓
13	Topsoil Roadbed	CY	\$4.75	325.00	\$1,543.75	650.00	\$3,087.50	✓
14	Stilt Fence	LF	\$5.00	0.00	\$0.00	1,005.00	\$5,025.00	67%
15	Hay Bales	EA	\$10.00	0.00	\$0.00	100.00	\$1,000.00	✓
16	6" PVC Sanitary Sewer	LF	\$32.00	0.00				
17	6" C-900 PVC Fire Line	LF	\$18.00	0.00	\$0.00	0.00	\$0.00	
18	Fire Hydrants	EA	\$3,200.00	0.00	\$0.00	0.00	\$0.00	
19	6"x8"x6" MJ Tee w/ Thrust Blocks	EA	\$450.00	0.00	\$0.00	0.00	\$0.00	
20	6"x8"x8" MJ Tee	EA	\$450.00	0.00	\$0.00	0.00	\$0.00	
21	6" MJ 45 Degree Bend w/ Thrust Blocks	EA	\$300.00	0.00	\$0.00	0.00	\$0.00	
22	6" Gate Valve	EA	\$650.00	0.00	\$0.00	0.00	\$0.00	
23	6" Gate Valve	EA	\$800.00	0.00	\$0.00	0.00	\$0.00	
24	6" Stop Valve	EA	\$900.00	0.00	\$0.00	0.00	\$0.00	
25	2" Lateral w/ Cap	LF	\$20.00	0.00	\$0.00	0.00	\$0.00	
	<b>DOT ROW COMPLETE</b>							
1	Unclassified Excavation	CY	\$5.00	1080.00	\$5,400.00	1,080.00	\$5,400.00	✓
2	Sawcut Existing Shoulders	LF	\$4.00	792.00	\$3,168.00	792.00	\$3,168.00	✓
3	Roadbed Processing	STA	\$150.00	8.00	\$1,200.00	8.00	\$1,200.00	✓
4	6" Crushed Agg Base, Bottom Layer	SY	\$13.25	1710.00	\$22,657.50	1,710.00	\$22,657.50	92%
5	Bituminous Prime Coat	SY	\$1.00	1710.00	\$1,710.00	1,710.00	\$1,710.00	95%
6	Lower Asphalt Binder, 350lbs/sy	TN	\$72.00	280.00	\$20,160.00	280.00	\$20,160.00	72%
7	Lower Asphalt Binder, 350lbs/sy	TN	\$72.00	275.00	\$19,800.00	275.00	\$19,800.00	71.85%
8	Upper Asphalt Binder, 280 lbs/sy	TN	\$85.00	200.00	\$17,000.00	200.00	\$17,000.00	84%
9	Upper Asphalt Binder, 280 lbs/sy	TN	\$85.00	195.00	\$16,575.00	195.00	\$16,575.00	✓
10	Asphalt Wearing Surface, 185 lbs/sy	TN	\$95.00	125.00	\$11,875.00	125.00	\$11,875.00	28%
11	Traffic Striping	LS	\$27,500.00	0.00	\$0.00	0.00	\$0.00	✓

**S. A. GRAHAM COMPANY, INC.**  
P.O. BOX 726  
BRUNDIDGE, AL 36010

ENCO CONSTRUCTION COMPANY  
P.O. BOX 310029  
ENTERPRISE, AL 36331-0029

PAY REQUEST NO.: 2 OF 2  
PERIOD: November 25, 2009  
PROJECT NO.:  
GATEWAY CENTRE, LLC  
SARALAND

ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT PRICE	THIS PERIOD		TO DATE	
				QUANTITY	AMOUNT	QUANTITY	AMOUNT
12	Topsoil Restored	CY	\$4.75	875.00	\$3,206.25	875.00	\$3,206.25
13	Seeding and Mulching	AC	\$1,200.00	1.80	\$2,160.00	1.80	\$2,160.00
14	Temporary Construction Signs	SF	\$14.00	0.00	\$0.00	0.00	\$0.00
15	Portable Sequential Arrow	EA	\$7,500.00	1.00	\$7,500.00	1.00	\$7,500.00
18	Channelizing Drums	EA	\$40.00	20.00	\$800.00	20.00	\$800.00
	CHANGE ORDER # 1				SUB TOTAL		138,211.75
1	18" RCP in Row	LF	\$37.00	0.00	\$0.00	64.00	\$2,368.00
2	18" Headwall	EA	\$700.00	0.00	\$0.00	1.00	\$700.00
3	36" HDPE Extension	LF	\$48.50	0.00	\$0.00	20.00	\$970.00
4	36" Headwall	EA	\$500.00	0.00	\$0.00	1.00	\$500.00
5	36" HDPE Extension	LF	\$57.20	0.00	\$0.00	20.00	\$1,144.00
6	36" Headwall	EA	\$550.00	0.00	\$0.00	1.00	\$550.00
7	18" RCP Under Drive	LF	\$37.00	0.00	\$0.00	64.00	\$2,368.00
8	Complete S-Inlet	EA	\$2,850.00	0.00	\$0.00	1.00	\$2,850.00
9	Top & Throat For 6 Wing S-Inlet	EA	\$1,200.00	0.00	\$0.00	1.00	\$1,200.00
10	Top & Throat For 2 Wing S-Inlet	EA	\$1,400.00	0.00	\$0.00	2.00	\$2,800.00
11	Seeding And Mulching (Private Side)	AC	\$988.87	0.00	\$0.00	3.00	\$2,966.61
12	20" Wallies	LF	\$10.00	0.00	\$0.00	100.00	\$1,000.00
	CHANGE ORDER # 2						
1	Borrow Excavation Savings	CY	(\$13.25)	3072.00	-\$40,704.00	3,072.00	-\$40,704.00
2	36" RCP (DOT)	LF	\$65.00	0.00	\$0.00	64.00	\$4,160.00
	ADDITIONS TO CONTRACT						
1	Seeding And Mulching (Private Side) SHEWAN	AC	\$988.87	2.50	\$2,471.68	2.50	\$2,471.68
2	Borrow Excavation FRONT OF REGIONS	CY	\$13.25	2596.00	\$34,397.00	2,596.00	\$34,397.00
3	Raising Man Hole 3 each	EA	\$1,500.00	1.80	\$2,700.00	1.00	\$1,500.00
4	On-Site Excavation FRONT OF REGIONS	CY	\$3.58	4885.00	\$16,327.50	4,885.00	\$16,327.50
5	18" HDPE LEFT OF ENTRANCE	LF	\$35.00	40.00	\$1,400.00	40.00	\$1,400.00
6	Rip Rap, Class 2 NOT IN ORIGINAL S.D	TN	\$55.00	57.87	\$3,171.85	57.87	\$3,171.85
7	Slope/Pipe Relocation FRONT Right Regions	LS	\$4,275.00	1.00	\$4,275.00	1.00	\$4,275.00
8	#57 Stone FRONT OF REGIONS wet area	TN	\$92.50	95.08	\$8,991.70	95.08	\$8,991.70
9	Separation Fabric Under #57 Stone	SY	\$3.00	500.00	\$1,500.00	500.00	\$1,500.00
	TOTALS				\$221,881.23		\$357,739.98
	LESS 10% WITHHELD				\$22,188.12		\$35,773.90
	LESS PREVIOUS PAYMENT						\$122,449.98
	AMOUNT PAYABLE THIS VOUCHER				\$189,522.10		\$189,522.10



BALCH & BINGHAM LLP  
Attorneys and Counselors  
P. O. Box 306  
Birmingham, AL 35201  
(205) 251-8100  
(205) 226-8799 Fax

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

October 14, 2009  
Client ID: 007934  
Matter ID: 016  
Invoice: 444143

RE: Gateway Centre, LLC

Fees for Professional Services Through 09/30/09	1,175.00
Charges Through 09/30/09	27.48
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 1,202.48</b>
Balance Due on Previous Invoices	2,000.40
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 3,202.88</b>

---

SERVICES SUMMARY

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
WHM - Walter McKay	4.70	250.00	1,175.00

*Please refer to invoice number 444143 when submitting payment*  
Federal Tax ID# 63-0328163

**BALCH & BINGHAM LLP**

ID: 007934-016  
Invoice # 444143

October 14, 2009  
PAGE 2

RE: Gateway Centre, LLC

**SERVICE DETAIL**

<u>DATE</u>	<u>ATTY</u>		<u>HOURS</u>	<u>AMOUNT</u>
09/04/2009	WHM	Emails to and from Mr. Bill Helms and others regarding various closing related matters and other transaction issues.	0.50	125.00
09/08/2009	WHM	Emails to and from Mr. Jack Kubiszyn, Ms. Betsy McKinney and others regarding closing matters and circulate Partial Release and other documents for same.	0.50	125.00
09/10/2009	WHM	Emails to and from Mr. Bill Helms, Mr. Jack Kubiszyn and others regarding various closing related matters and other issues and draft utility easements and related documents for closing and circulate same.	0.50	125.00
09/11/2009	WHM	Emails to and from Mr. Jack Kubiszyn, Mr. Bill Helms and others regarding various transaction related matters.	0.50	125.00
09/14/2009	WHM	Emails to and from Mr. Jack Kubiszyn, Mr. Bill Helms and others regarding various closing related issues and assemble various materials for same; draft first amendment to CCRs and related documents.	0.90	225.00
09/15/2009	WHM	Phone calls and emails to and from Ms. Betsy McKinney, Mr. Jack Kubiszyn and others regarding closing matters; draft escrow letter and meeting with Mr. Bill Helms to execute documents and coordinate closing issues.	0.90	225.00
09/17/2009	WHM	Emails to and from Mr. Jack Kubiszyn and others regarding various closing related matters and assemble various exhibits for closing documents and circulate same.	0.50	125.00
09/18/2009	WHM	Emails to and from Mr. Jack Kubiszyn, Mr. Bill Helms and others regarding various closing related matters and examine closing statement and other documents.	0.40	100.00
<b>TOTAL FEES</b>			<b>\$</b>	<b>1,175.00</b>

<u>DATE</u>	<u>CHARGES</u>	<u>AMOUNT</u>
	Long Distance	0.30
	Photocopying	9.00
09/15/09	Federal Express: Invoice # 934012317	18.18
	Shipper: Walter McKay	
	Recipient: Betsy McKinney	
<b>TOTAL CHARGES</b>		<b>\$ 27.48</b>

**BALCH & BINGHAM LLP**

ID: 007934-016  
Invoice # 444143

October 14, 2009  
PAGE 3

RE: Gateway Centre, LLC

**TOTAL FEES PLUS CHARGES**

**\$ 1,202.48**

BALCH & BINGHAM LLP

ID: 007934-016  
Invoice # 444143

October 14, 2009  
PAGE 4

RE: Gateway Centre, LLC

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PREVIOUS INVOICES OUTSTANDING

<u>INVOICE</u>	<u>DATE</u>	<u>AMOUNT BILLED</u>	<u>AMOUNT PAID</u>	<u>AMOUNT DUE</u>
441106	8/25/2009	850.40	0.00	850.40
442026	9/11/2009	1,150.00	0.00	1,150.00
TOTALS:		2,000.40	0.00	2,000.40
TOTAL DUE FROM PREVIOUS INVOICES:				\$2,000.40

---

**BALCH & BINGHAM LLP**

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

October 14, 2009  
Client ID: 007934  
Matter ID: 016  
Invoice: 444143

RE: Gateway Centre, LLC

Fees for Professional Services Through 09/30/09	1,175.00
Charges Through 09/30/09	27.48
Prepayments Applied to Current Invoice	( .00)
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Balance Due on Previous Invoices	2,000.40
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 3,202.88</b>

**\*\*\*REMITTANCE COPY\*\*\***

*Please return this page with your payment*





Helms Park, Inc  
PO Box 1149  
Montgomery AL 36101  
Attention: Mr. William Helms

Invoice # : 173201  
Project : 0940100601  
Project Name : Industrial Pkwy Master Plan  
Invoice Group : \*\*  
Invoice Date : 7/9/2009  
WADE BURCHAM

---

For Professional Services Rendered through: 6/26/2009

Total Project Fee Authorized	5,000.00
Percent Complete as of 6/26/2009	100.00
Fee Earned To Date	5,000.00
Less Previous Billings	0.00
Current Billing Amount	5,000.00
Amount Due this Invoice	5,000.00

---

Please reference invoice number 173201 when remitting payment.

---

All charges are due and payable thirty (30) days from the date of this invoice.  
A periodic rate of 1.5% monthly as a finance charge, will be added on balances over thirty (30) days,  
which is an ANNUAL PERCENTAGE RATE OF 18%.

2970 Cottage Hill Road, Ste. 190  
Mobile, AL 36606  
251.666.2443 ph / 251.666.6422 fax  
[www.thompsonengineering.com](http://www.thompsonengineering.com)

A THOMPSON HOLDINGS, INC. COMPANY

# SOUTHERN EARTH SCIENCES, INC.

P.O. BOX 160745  
MOBILE, AL 36616-0745

Invoice Number: 1909035  
Wednesday, September 30, 2009

## Invoice

To: HELMS ROARK, INC REAL ESTATE DEVELOPMENT  
P.O. BOX 1149  
MONTGOMERY, AL 36101  
Attention: BILL HELMS

### **Project: M-08-362 GATEWAY CENTER RETAIL DEVELOPMENT**

Professional Services for the Period: 9/1/2009 to 9/30/2009

Billing Group: 001 Cost Plus

#### **TECHNICIAN SERVICES**

<u>General</u>	<u>Date</u>	<u>Reg Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
DAVID LEE GARRON DENSITY TEST	9/3/2009	3.00	0.00	150.00
DAVID LEE GARRON DENSITY TEST	9/4/2009	2.00	0.00	100.00
DAVID LEE GARRON DENSITY TEST	9/9/2009	2.00	0.00	100.00
DAVID LEE GARRON DENSITY TEST	9/24/2009	5.00	0.00	250.00
DAVID LEE GARRON DENSITY TEST	9/25/2009	2.00	0.00	100.00
<b>General Total:</b>		<b>14.00</b>	<b>0.00</b>	<b>\$700.00</b>

Subtotal: 700.00  
Engineering Review: 70.00

**TECHNICIAN SERVICES Totals: \$770.00**

#### **General Expenses**

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
TRIP CHARGES	9/30/2009	5.00	12.1000	60.50
<b>General Total:</b>		<b>5.00</b>		<b>\$60.50</b>

**General Expenses Totals: \$60.50**

#### **LABORATORY SERVICES**

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
PROCTOR- LIMESTONE	9/30/2009	1.00	325.0000	325.00
<b>General Total:</b>		<b>1.00</b>		<b>\$325.00</b>

Subtotal: 325.00  
Engineering Review: 32.50

**LABORATORY SERVICES Totals: \$357.50**

Billing Group Subtotal: 1,188.00

#### **Project Totals:**

**Project Subtotal: \$1,085.50**

**Fees: \$102.50**

**Billing Total: \$1,188.00**

**\*\*\* Total Project Invoice Amount: \$1,188.00**

# SOUTHERN EARTH SCIENCES, INC.

P.O. BOX 160745  
MOBILE, AL 36616-0745

Invoice Number: 1908069

Monday, August 31, 2009

## Invoice

To: HELMS ROARK, INC REAL ESTATE DEVELOPMENT  
P.O. BOX 1149  
MONTGOMERY, AL 36101  
Attention: BILL HELMS

**Project: M-08-362 GATEWAY CENTER RETAIL DEVELOPMENT**

Professional Services for the Period: 8/1/2009 to 8/31/2009

Billing Group: 001 Cost Plus

### TECHNICIAN SERVICES

<u>General</u>	<u>Date</u>	<u>Reg Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
DAVID LEE GARRON	8/31/2009	2.00	0.00	100.00
<b>General Total:</b>		2.00	0.00	\$100.00
				Subtotal: 100.00
				Engineering Review: 10.00
				<b>TECHNICIAN SERVICES Totals: \$110.00</b>

### General Expenses

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
TRIP CHARGES	8/31/2009	1.00	12.1000	12.10
<b>General Total:</b>		1.00		\$12.10
				<b>General Expenses Totals: \$12.10</b>

### LABORATORY SERVICES

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
MODIFIED PROCTOR - AASHTO T-180	8/31/2009	1.00	125.0000	125.00
<b>General Total:</b>		1.00		\$125.00
				Subtotal: 125.00
				Engineering Review: 12.50
				<b>LABORATORY SERVICES Totals: \$137.50</b>

Billing Group Subtotal: 259.60

**Project Totals:**

**Project Subtotal: \$237.10**

**Fees: \$22.50**

**Billing Total: \$259.60**

**\*\*\* Total Project Invoice Amount:**

**\$259.60**

# SOUTHERN EARTH SCIENCES, INC.

P.O. BOX 160745  
MOBILE, AL 36616-0745

Invoice Number: 1910045  
Saturday, October 31, 2009

## Invoice

To: HELMS ROARK, INC REAL ESTATE DEVELOPMENT  
P.O. BOX 1149  
MONTGOMERY, AL 36101  
Attention: BILL HELMS

**Project: M-08-362 GATEWAY CENTER RETAIL DEVELOPMENT**

Professional Services for the Period: 10/1/2009 to 10/31/2009

Billing Group: 001 Cost Plus

### TECHNICIAN SERVICES

<u>General</u>	<u>Date</u>	<u>Reg Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
DAVID LEE GARRON DENSITY TESTING	10/21/2009	2.00	0.00	100.00
DAVID LEE GARRON DENSITY TESTING	10/22/2009	2.00	0.00	100.00
<b>General Total:</b>		<b>4.00</b>	<b>0.00</b>	<b>\$200.00</b>
				Subtotal: 200.00
				Engineering Review: 20.00
				<b>TECHNICIAN SERVICES Totals: \$220.00</b>

### General Expenses

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
TRIP CHARGES	10/31/2009	2.00	12.1000	24.20
<b>General Total:</b>		<b>2.00</b>		<b>\$24.20</b>
				<b>General Expenses Totals: \$24.20</b>

### LABORATORY SERVICES

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
STANDARD PROCTOR - AASHTO T-99	10/31/2009	2.00	100.0000	200.00
<b>General Total:</b>		<b>2.00</b>		<b>\$200.00</b>
				Subtotal: 200.00
				Engineering Review: 20.00
				<b>LABORATORY SERVICES Totals: \$220.00</b>

### **Project Totals:**

Billing Group Subtotal: 464.20

Project Subtotal: \$424.20

Fees: \$40.00

Billing Total: \$464.20

**\*\*\* Total Project Invoice Amount:**

**\$464.20**



**Baldwin County Fence Company, INC**

22996 River Road South

Daphne, AL 36526

Office: 251-990-8344

Fax: 251-990-8345

**Invoice**

Date	Invoice #
6/25/2009	182-137

Bill To
BILL HELMS MOBILE, AL

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	SARALAND PROPERTY	1,814.00	1,814.00
	WOOD PRIVACY FENCE 1694.00		
	1 WALK GATE 120.00		
		<b>Total</b>	<b>\$1,814.00</b>

MARILYN E. WOOD

Mobile County Revenue Commissioner

PO Box 1169

Mobile, AL 36633-1169

**COURTESY TAX NOTICE**

10/1/2009

3191

FIRST CLASS MAIL

US POSTAGE PAID

MOBILE, AL

PERMIT NO. 963

ACCOUNT NUMBER

PARCEL NUMBER

0

2203081000089.017

**RETURN THIS PART WITH PAYMENT**

DESCRIPTION

MTG CODE

YEAR KEY NUMBER ASSESSED VALUE  
09 3728176 206040

UNNUMBERED LOT GATEWAY  
CENTRE-A COMMERCIAL PARK  
LOC: INDUSTRIAL PARKWAY

**TOTAL TAX DUE** \$10,714.08

OWNER NAME & ADDRESS

GATEWAY CENTRE LLC A



R188225Z

OWNER NAME & ADDRESS

IF INCORRECT - PLEASE MAKE CORRECTIONS

**KEEP THIS PART FOR YOUR RECORDS**

YEAR KEY NUMBER ASSESSED VALUE

09 3728176 206040

**TOTAL TAX DUE**

\$10,714.08

DESCRIPTION

UNNUMBERED LOT GATEWAY

GATEWAY CENTRE LLC A  
LIMITED LIABILITY COMPANY  
121 COOSA ST STE 200

MONTGOMERY AL 36104



**From:** "Laura" <ljones@helmsroark.com>  
**To:** "ASHLEY JOHNSON" <ASHLEYJOHNSON@cbt-alabama.com>  
**CC:** <btillman@helmsroark.com>  
**Date:** 4/2/2010 8:58 AM  
**Subject:** Gateway Centre - Construction Draw Request  
**Attachments:** AprConstrDraw.pdf

Ashley:

Please find attached our latest construction draw request for Gateway Centre in Saraland, Alabama. If you have any questions, give us a call. Otherwise, please let us know when it has been funded.

Thanks!

Laura Jones  
Helms Roark, Inc.  
(334) 481-0500  
<mailto:ljones@helmsroark.com>



**Gateway Centre  
April-10  
Disbursement Schedule**

Payee	Category	Amount	Paid
Enco Construction	Site Improvements	\$45,573.09	
Baich & Bingham	Legal	\$385.00	
Southern Earth Science	Soils Test	\$1,658.80	
Gulf States Engineering	Engineering	\$4,142.57	
<b>AMOUNT OF DRAW</b>		<u>\$51,759.46</u>	

Gateway Centre  
Saraland, AL

April Draw  
04/01/10

SOURCE OF FUNDS		Previous		TOTAL DRAW TO-	BALANCE AVAILABLE
DESCRIPTION	BUDGET	Draws	April DRAW	DATE (incl. current)	
LOAN AMOUNT	\$2,600,000.00	\$0.00	\$0.00	\$0.00	\$2,600,000.00
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$2,600,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,600,000.00</b>
USE OF FUNDS					
LAND COSTS:	\$1,407,778.00	\$1,407,777.30	\$0.00	\$1,407,777.30	\$0.70
SITE IMPROVEMENTS:	\$834,000.00	\$758,114.11	\$45,573.09	\$803,687.20	\$30,312.80
BUILDING COSTS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COSTS:					
Architectural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Inspections	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00	\$0.00
Engineering	\$50,000.00	\$72,085.93	\$4,142.57	\$76,228.50	(\$26,228.50)
Soils Test	\$2,000.00	\$3,761.80	\$1,658.80	\$5,420.60	(\$3,420.60)
Wetland Study	\$1,500.00	\$1,548.65	\$0.00	\$1,548.65	(\$48.65)
Phase I Environmental	\$3,000.00	\$5,563.66	\$0.00	\$5,563.66	(\$2,563.66)
Survey (Topo & Boundary)	\$22,000.00	\$9,151.36	\$0.00	\$9,151.36	\$12,848.64
As-built/Survey	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Legal - Development	\$10,000.00	\$5,802.80	\$385.00	\$6,187.80	\$3,812.20
Legal/Lender	\$1,000.00	\$4,307.88	\$0.00	\$4,307.88	(\$3,307.88)
Title - Taxes	\$2,000.00	\$2,071.30	\$0.00	\$2,071.30	(\$71.30)
Recording	\$4,000.00	\$3,986.00	\$0.00	\$3,986.00	\$14.00
Appraisal	\$3,500.00	\$3,500.00	\$0.00	\$3,500.00	\$0.00
Developer Overhead	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$40,000.00)
LC Fee	\$35,000.00	\$34,000.00	\$0.00	\$34,000.00	\$1,000.00
Construction Loan Fee	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00	\$0.00
Wetland Mitigation	\$15,000.00	\$15,086.77	\$0.00	\$15,086.77	(\$86.77)
Mortgage Broker	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction Interest	\$120,000.00	\$87,767.82	\$0.00	\$87,767.82	\$32,232.08
Miscellaneous/Contingency	\$20,722.00	\$20,235.06	\$0.00	\$20,235.06	(\$7,513.06)
<b>TOTAL FUNDS USED</b>	<b>\$2,600,000.00</b>	<b>\$2,548,240.54</b>	<b>\$51,758.46</b>	<b>\$2,600,000.00</b>	<b>\$0.00</b>

Requested and approved this 1st day of April, 2010

Gateway Centre, LLC

By: Will M. Mabe  
Its: W. Mabe



**ENCO CONSTRUCTION COMPANY, INC.**  
COMMERCIAL AND INDUSTRIAL

DAN M. (KINN) PITTMAN  
PRESIDENT

SIDNEY GOOCHER  
VICE PRESIDENT

## Letter of Transmittal

**Name:** Bill

**Company:** Gateway Centre, LLC

**From:** Debbie

**Date:** February 8, 2010

**Re:** Gateway Centre - Saraland, AL

We are sending you the following items:

Copies	Date	Description
1		COPY OF PAY REQUEST NO. 007
2		COPIES OF CHANGE ORDER NO. SIX - PLEASE SIGN BOTH COPIES - KEEP 1 COPY FOR YOUR RECORDS - RETURN OTHER COPY FOR OUR RECORDS.
1		LETTER ADDRESSED TO MR. JACK KUBISZYN

P.O. BOX 310029  
ENTERPRISE, AL 36331-0029

733 PITTMAN STREET  
ENTERPRISE, AL 36830

FAX:  
334-393-4666

PHONE  
334-347-8448

OVER 50 YEARS OF BUILDING QUALITY RELATIONSHIPS

# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF 2 PAGES

TO OWNER: Gateway Centre, LLC  
Post Office Box 1149  
Montgomery, AL 36104

PROJECT: Saraland Centre - Site  
Highway 158  
Saraland, AL 36571

APPLICATION NO.: 007  
PERIOD TO: 01/31/10  
PROJECT NOS.:

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐

FROM CONTRACTOR: VIA ARCHITECT:  
Enco Construction Co., Inc.  
Post Office Box 310029  
CONTRACT FOR: Enterprise, AL 36331

CONTRACT DATE:

## 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 ..... \$1,673,904.03
2. Net change by Change Orders ..... \$ (211,743.77)
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$1,462,160.26
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 808,611.45  
(Column G on G703)
5. RETAINAGE:
  - a. 10% of Completed Work ..... \$ 41,731.93  
(Columns D + E on G703)
  - b. % of Stored Material ..... \$  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or  
Total in Column I of G703) ..... \$ 41,731.93
6. TOTAL EARNED LESS RETAINAGE ..... \$ 766,879.52  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) ..... \$ 721,306.43
8. CURRENT PAYMENT DUE ..... \$ 45,573.09
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) ..... \$595,280.74

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$39,022.32	(\$263,797.15)
Total approved this Month	13,031.06	
TOTALS	\$52,053.38	(\$263,797.15)
NET CHANGES by Change Order	(\$211,743.77)	

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: Dennis Little Date: 02/1/10

State of: Alabama  
County of: Coffee  
Subscribed and sworn to before  
me this 8th day of February, 2010

Notary Public: Christy W. Harbuck  
My Commission expires: 06/03/13

## 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. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

By: \_\_\_\_\_ Date: \_\_\_\_\_

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.

AIA DOCUMENT G702 • APPLICATION AND CERTIFICATE FOR PAYMENT • 1991 EDITION • AIA® • ©1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, DC 20006-5292 • WARNING: Unauthorized photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.

G702-1992

CAUTION: You should use an original AIA document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced.

## Continuation Sheet

AIA Document G702, Application and Certificate for payment, containing Contractor's signed Certification, is attached.

Page: 2

Application No.: 2008-4/008  
 Application Date: 01/31/2010  
 Period To: 01/31/2010  
 Architect's Project No.:

A	B	C	D —Work Completed—		F	G	H	I
			Scheduled Value	Previous This Period				
002	SITE WORK	1,973,904.03	983,799.51	37,605.71	0.00	1,920,365.22	60.00	553,548.81
017	CHANGE ORDER NO. 001	-263,797.16	-263,797.16	0.00	0.00	-263,797.16	100.00	0.00
018	CHANGE ORDER NO. 002	12,736.41	12,736.41	0.00	0.00	12,736.41	100.00	0.00
019	CHANGE ORDER NO. 003	19,833.75	19,833.75	0.00	0.00	19,833.75	100.00	1,563.38
020	CHANGE ORDER NO. 004	4,264.00	4,264.00	0.00	0.00	4,264.00	100.00	426.40
021	CHANGE ORDER NO. 5	2,185.16	2,185.16	0.00	0.00	2,185.16	100.00	0.00
022	CHANGE ORDER NO. 006	13,031.06	0.00	13,031.06	0.00	13,031.06	100.00	1,508.11
Final Total		1,462,160.23	767,374.66	50,636.77	0.00	908,511.45	55.50	853,548.81
								41,731.83

**S. A. GRAHAM COMPANY, INC.**  
**P.O. BOX 726**  
**BRUNDIDGE, AL 36010**

**ENCO CONSTRUCTION COMPANY**  
**P.O. BOX 318029**  
**ENTERPRISE, AL 36331-0029**

**PAY REQUEST NO.: 3 OF 3**  
**PERIOD: January 26, 2010**  
**PROJECT NO.: GATEWAY CENTRE, LLC**  
**SARALAND**

ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT PRICE	THIS PERIOD		TO DATE	
				QUANTITY	AMOUNT	QUANTITY	AMOUNT
1	Mobilization	LS	\$5,000.00	0.00	\$0.00	1.00	\$5,000.00
2	Engineering Controls	DAYS	\$1,100.00	0.00	\$0.00	7.00	\$7,700.00
3	Unclassified Excavation	Y	\$5.00	0.00	\$0.00	1,099.00	\$5,495.00
4	Borrow Excavation	CY	\$13.25	0.00	\$0.00	6,144.00	\$81,408.00
5	Construction Entrance	LS	\$3,000.00	0.00	\$0.00	1.00	\$3,000.00
6	Curb And Gutter	LF	\$15.50	0.00	\$0.00	540.00	\$8,370.00
7	Roadbed Processing	SY	\$1.00	0.00	\$0.00	1,080.00	\$1,080.00
8	6" Crushed Aggregate Base	SY	\$13.25	0.00	\$0.00	1,080.00	\$14,310.00
9	6" Crushed Aggregate Base	SY	\$13.25	0.00	\$0.00	1,080.00	\$14,310.00
10	Asphalt Binder, 165 lbs/sy	SY	\$7.85	0.00	\$0.00	1,080.00	\$8,478.00
11	Asphalt Surface, 165 lbs/sy	SY	\$7.85	0.00	\$0.00	1,080.00	\$8,478.00
12	Raise Existing Storm Drain Box	LS	\$5,000.00	0.00	\$0.00	1.00	\$5,000.00
13	Topsoil Respread	CY	\$4.75	0.00	\$0.00	650.00	\$3,087.50
14	Silt Fence	LF	\$5.00	0.00	\$0.00	1,005.00	\$5,025.00
15	Hay Bales	EA	\$10.00	0.00	\$0.00	100.00	\$1,000.00
16	8" PVC Sanitary Sewer	LF	\$32.00	250.00	\$8,000.00	250.00	\$8,000.00
17	8" C-800 PVC Fire Line	LF	\$16.00	785.00	\$12,560.00	785.00	\$12,560.00
18	Fire Hydrants	EA	\$3,200.00	2.00	\$6,400.00	2.00	\$6,400.00
19	8"x8"x8" MJ Tee w/ Thrust Blocks	EA	\$450.00	3.00	\$1,350.00	3.00	\$1,350.00
20	8"x8"x8" MJ Tee	EA	\$450.00	1.00	\$450.00	1.00	\$450.00
21	8" MJ 45 Degree Bend w/ Thrust Blocks	EA	\$300.00	2.00	\$600.00	2.00	\$600.00
22	8" Gate Valve	EA	\$650.00	3.00	\$1,950.00	3.00	\$1,950.00
23	8" Gate Valve	EA	\$900.00	2.00	\$1,800.00	2.00	\$1,800.00
24	8" Stop Valve	EA	\$900.00	2.00	\$1,800.00	2.00	\$1,800.00
25	2" Lateral w/ Gap	LF	\$20.00	35.00	\$700.00	35.00	\$700.00
<b>DOT ROW</b>							
1	Unclassified Excavation	CY	\$5.00	0.00	\$0.00	1,080.00	\$5,400.00
2	Sawcut Existing Shoulders	LF	\$4.00	0.00	\$0.00	792.00	\$3,168.00
3	Roadbed Processing	STA	\$150.00	0.00	\$0.00	8.00	\$1,200.00
4	6" Crushed Agg Base, Bottom Layer	SY	\$13.25	0.00	\$0.00	1,710.00	\$22,657.50
5	Bituminous Prime Coat	SY	\$1.00	0.00	\$0.00	1,710.00	\$1,710.00
6	Lower Asphalt Binder, 350 lbs/sy	TN	\$72.00	0.00	\$0.00	280.00	\$20,160.00
7	Lower Asphalt Binder, 350 lbs/sy	TN	\$72.00	0.00	\$0.00	275.00	\$19,800.00
8	Upper Asphalt Binder, 250 lbs/sy	TN	\$85.00	0.00	\$0.00	200.00	\$17,000.00
9	Upper Asphalt Binder, 250 lbs/sy	TN	\$85.00	0.00	\$0.00	195.00	\$16,575.00
10	Asphalt Wearing Surface, 165 lbs/sy	TN	\$85.00	0.00	\$0.00	125.00	\$11,875.00
11	Traffic Striping	LS	\$27,500.00	1.00	\$27,500.00	1.00	\$27,500.00

**S. A. GRAHAM COMPANY, INC.**  
**P.O. BOX 726**  
**BRUNDIDGE, AL 36010**

ENCO CONSTRUCTION COMPANY  
P.O. BOX 510029  
ENTERPRISE, AL 36331-0029

**PAY REQUEST NO.:** 3 OF 3  
**PERIOD:** January 25, 2010  
**PROJECT NO.:**  
**GATEWAY CENTRE, LLC**  
**SARALAND**

ITEM DESCRIPTION		UNIT	UNIT PRICE	THIS PERIOD		TO DATE	
ITEM NO.				QUANTITY	AMOUNT	QUANTITY	AMOUNT
12	Tospoll Respoord	CY	\$4.75	0.00	\$0.00	875.00	\$3,206.25
13	Seeding and Mulching	AC	\$1,200.00	0.00	\$0.00	1.80	\$2,160.00
14	Temporary Construction Signs	SF	\$14.00	0.00	\$0.00	0.00	\$0.00
15	Portable Sequential Arrow	EA	\$7,500.00	0.00	\$0.00	1.00	\$7,500.00
16	Channelizing Drums	EA	\$40.00	0.00	\$0.00	20.00	\$800.00
CHANGE ORDER # 1							
1	DATED 09/11/2009	LS	\$18,350.01	0.00	\$0.00	1.00	\$18,350.01
CHANGE ORDER # 2							
1	DATED 09/24/2009	LS	(\$36,544.00)	0.00	\$0.00	1.00	-\$36,544.00
CHANGE ORDER # 3							
1	DATED 01/05/2010	LS	\$68,979.73	0.00	\$0.00	1.00	\$68,979.73
CHANGE ORDER # 4							
1	DATED 01/05/2010	LA	-\$16,562.50	1.00	-\$16,562.50	1.00	-\$16,562.50
TOTALS							
					\$46,547.50		\$404,266.49
LESS 10% WITHHELD					\$4,654.75		\$40,426.65
LESS PREVIOUS PAYMENT							\$321,985.08
AMOUNT PAYABLE THIS VOUCHER					\$41,892.75		\$41,892.75

PR# 3 46,547.50

10%      4654.75

41892.75



Gateway Centre Saraland

General Contractors

5212 Wilds Road  
Theodore, Alabama 36582  
Phone: (251) 653-3369  
Fax: (251) 653-3379

1	10"x8" Tee	1	EA	\$ 439.30	\$ 439.30
2	8" Gate Valve	1	EA	\$ 1,179.30	\$ 1,179.30
3	8" PVC C-900 Waterline	20	LF	\$ 23.20	\$ 464.00
4	8" Cap	1	EA	\$ 139.80	\$ 139.80 X
5	Fittings	0.5	LS	\$ 972.40	\$ 486.20
TOTAL AMOUNT BID					\$ 2,708.60

2568.60

This authorizes GEC to install the above  
as per GSEng. plans when ready.

9/21/09

*Donna Feltner*  
EuroConstruction Co., Inc.

Duct tape over end of pipe - 2/8/2010 Tommy Taylor  
waterline supts



### Gateway Centre Pay Request #7 Breakdown

S. A. Graham PR#3	\$46,547.50	
Gulf Equipment Invoice	<u>2,854.22</u>	
Subtotal	49,401.72	
Enco 2.5%	<u>1,235.05</u>	
Total		50,636.77
Less 10% retainage		<u>5,063.68</u>
Current payment due		\$45,573.09

### CHANGE ORDER

PROJECT:  
GATEWAY CENTRE, LLC  
POST OFFICE BOX 1149  
MONTGOMERY, AL 36104

CHANGE ORDER NUMBER: SIX

DATE: February 9, 2010

TO CONTRACTOR:  
ENCO CONSTRUCTION CO., INC.  
POST OFFICE BOX 310029  
ENTERPRISE, AL 36331-0029

#### THE CONTRACT IS CHANGED AS FOLLOWS:

1. Borrow excavation savings		(\$40,704.00)
2a. Seeding and mulching Sheenal property		2,416.68
b. Engineered plans wrong on Regions lot - had to re-establish south of lot		
1. Borrow	\$34,397.00	
2. On site excavation	16,327.50	
3. Rip Rap - Class 2	3,171.85	
4. #57 stone (wet area)	4,991.70	
5. Separation fabric (wet area)	<u>1,500.00</u>	60,388.05
3. Raising manhole in R.O.W.		1,500.00
4. Extending 18" HDPE		1,400.00
5. Slope pipe relocation		4,275.00
6. Borrow excavation saving that was in original R.O.W. fill		<u>(\$16,562.50)</u>
		\$12,713.23
Enco Construction Co., Inc. - 2.5% overhead and profit		<u>317.83</u>

**TOTAL FOR THIS CHANGE ORDER..... \$13,031.06**

The original contract sum was .....	\$1,673,904.03
Net change by previously authorized change orders .....	(224,774.83)
The contract sum prior to this change order was .....	\$1,449,129.20
The contract sum will be INCREASED by this change order in the amount of .....	<u>13,031.06</u>

**THE NEW CONTRACT SUM INCLUDING THIS CHANGE  
ORDER WILL BE..... \$1,462,160.26**

GENERAL CONTRACTOR:  
ENCO CONSTRUCTION CO., INC.  
POST OFFICE BOX 310029  
ENTERPRISE, AL 36331

BY: *Sam Pittman*

DATE: 2/9/10

OWNER:  
WILLIAM R. HELMS  
POST OFFICE BOX 1149  
MONTGOMERY, AL 36101

BY: \_\_\_\_\_

DATE: \_\_\_\_\_



**ENCO CONSTRUCTION COMPANY, INC.**  
COMMERCIAL AND INDUSTRIAL

DAN M. (KINN) PITTMAN  
PRESIDENT

SIDNEY GOOCHER  
VICE PRESIDENT

February 8, 2010

Mr. Jack Kubiszyn  
Bradley, Arant, Boult, Cummings, LLP  
One Federal Place  
1819 Fifth Avenue North  
Birmingham, AL 35203

RE: Gateway Centre, LLC  
Pay Request  
Regions-Saraland, AL

Dear Mr. Kubiszyn:

Enco Construction Co., Inc. is serving as the construction manager for Gateway Centre, LLC. On my visit on site, Wednesday, February 3, 2010, the 8" water line and Regions 2" water lateral was in place (see attached picture). The City of Saraland requires as built, 6-hour pressure test, and a bacteria test before your contractor can apply for a water meter. These all can be completed on or before February 19, 2010.

S.A. Graham is asking for 90% of the total cost of the project, although they are well past that percentage. We hold 10% until punch list is completed.

If you need any other information, please let me know.

Thank you,

Dan M. Pittman  
President

P.O. BOX 318029  
ENTERPRISE, AL 36631-0029

733 PITTMAN STREET  
ENTERPRISE, AL 36630

FAX  
884-393-4555

PHONE  
334-347-6448

OVER 50 YEARS OF BUILDING QUALITY RELATIONSHIPS



**BALCH & BINGHAM LLP**

Attorneys and Counselors  
P. O. Box 306  
Birmingham, AL 35201  
(205) 251-8100  
(205) 226-8799 Fax

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

March 12, 2010  
Client ID: 007934  
Matter ID: 016  
Invoice: 453873

RE: Gateway Centre, LLC

Fees for Professional Services Through 02/28/10	385.00
Charges Through 02/28/10	0.00
Prepayments Applied to Current Invoice	( .00)
<b>BALANCE DUE ON CURRENT INVOICE</b>	<b>\$ 385.00</b>
Balance Due on Previous Invoices	0.00
<b>TOTAL DUE INCLUDING PREVIOUS BALANCE</b>	<b>\$ 385.00</b>

---

**SERVICES SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
WHM - Walter McKay	1.40	275.00	385.00

*Please refer to invoice number 453873 when submitting payment  
Federal Tax ID# 63-0328165*

**BALCH & BINGHAM LLP**

ID: 007934-016  
Invoice # 453873

March 12, 2010  
PAGE 2

RE: Gateway Centre, LLC

**SERVICE DETAIL**

<u>DATE</u>	<u>ATTY</u>		<u>HOURS</u>	<u>AMOUNT</u>
02/19/2010	WHM	Discussions with Mr. Bill Helms regarding easements and related matters.	0.30	82.50
02/23/2010	WHM	Emails to and from Mr. Bill Helms and draft water line easement extension and circulate same.	0.50	137.50
02/24/2010	WHM	Emails to and from Mr. Bill Helms and draft water contract and revisions to same.	0.60	165.00
<b>TOTAL FEES</b>			<b>\$</b>	<b>385.00</b>
<hr/>				
<b>TOTAL FEES PLUS CHARGES</b>			<b>\$</b>	<b>385.00</b>

**BALCH & BINGHAM LLP**

Bill Helms  
Helms-Roark, Inc.  
P.O. Box 1149  
Montgomery, AL 36101-1149

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**\*\*\* REMITTANCE COPY \*\*\***

*Please return this page with your payment*



# SOUTHERN EARTH SCIENCES, INC.

P. O. BOX 160745  
MOBILE, AL 36616-0745

Invoice Number: 1911043  
Monday, November 30, 2009

## Invoice

To: HELMS ROARK, INC REAL ESTATE DEVELOPMENT  
P.O. BOX 1149  
MONTGOMERY, AL 36101  
Attention: BILL HELMS

**Project: M-08-362 GATEWAY CENTER RETAIL DEVELOPMENT**

Professional Services for the Period: 11/1/2009 to 11/30/2009

Billing Group: 001 Cost Plus

### TECHNICIAN SERVICES

<u>General</u>	<u>Date</u>	<u>Reg. Bill Hours</u>	<u>OT Bill Hours</u>	<u>Charge</u>
DAVID LEE GARRON DENSITY TESTING	11/3/2009	3.00	0.00	150.00
PERRY FARISH ASPHALT TESTING-LAB	11/17/2009	5.50	0.00	275.00
DAVID LEE GARRON ASPHALT TESTING-SITE	11/17/2009	5.50	0.00	275.00
PERRY FARISH ASPHALT TESTING-LAB	11/18/2009	3.50	0.00	175.00
DAVID LEE GARRON ASPHALT TESTING-SITE	11/18/2009	3.50	0.00	175.00
<b>General Total:</b>		21.00	0.00	\$1,050.00
				Subtotal: 1,050.00
				Engineering Review: 105.00
				<b>TECHNICIAN SERVICES Totals: \$1,155.00</b>

### General Expenses

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
TRIP CHARGES	11/30/2009	3.00	12.1000	36.30
<b>General Total:</b>		3.00		\$36.30
				<b>General Expenses Totals: 336.30</b>

### LABORATORY SERVICES

<u>General</u>	<u>Date</u>	<u>Bill Units</u>	<u>Unit Bill Rate</u>	<u>Charge</u>
PROCTOR- LIMESTONE	11/30/2009	1.00	325.0000	325.00
STANDARD PROCTOR - AASHTO T-99	11/30/2009	1.00	100.0000	100.00
<b>General Total:</b>		2.00		\$425.00
				Subtotal: 425.00
				Engineering Review: 42.50
				<b>LABORATORY SERVICES Totals: \$467.50</b>

**Project Totals:**

Billing Group Subtotal:	1,658.80
<b>Project Subtotal:</b>	<b>\$1,511.30</b>
<b>Fees:</b>	<b>\$147.50</b>
<b>Billing Total:</b>	<b>\$1,658.80</b>
<b>*** Total Project Invoice Amount:</b>	<b>\$1,658.80</b>



**GSE**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-460-4646 Phone  
251-460-4649 Fax

## Invoice

DATE	INVOICE #
9/9/2009	A07052.20

<b>BILL TO</b>
Helms Roark, Inc. 121 Coosa Street #200 Montgomery, AL 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	10/9/2009	N/A	A07052-HR Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	Additional August Charges for Extra A.I.DOT Revisions per CC Engineer Labor	1	881.95	881.95
Thank you for your business.			<b>Total</b>	<b>\$881.95</b>



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-480-4846 Phone  
251-480-4849 Fax

## Invoice

DATE	INVOICE #
10/12/2009	A07052.21

<b>BILL TO</b>
Helms Roark, Inc. 121 Coosa Street #200 Montgomery, AL 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	11/11/2009	01 Sep 09 to 31 Sep 09	A07052-11R Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	ALDOT Revisions- ECN#3 Engineer Labor- Sept T&M Charges	1	2,814.50	2,814.50
Thank you for your business.			<b>Total</b>	\$2,814.50



**G|S|E**  
GULF STATES ENGINEERING  
Creating Solutions

Gulf States Engineering, Inc.  
4110 Moffett Road  
Mobile, AL 36618  
251-480-4846 Phone  
251-480-4849 Fax

## Invoice

DATE	INVOICE #
11/6/2009	A07052.22

<b>BILL TO</b>
Helms Roark, Inc. 121 Cousa Street #200 Montgomery, AL 36104

P.O. NO.	TERMS	DUE DATE	TIME PERIOD	PROJECT
	Net 30	12/6/2009	01 Oct 09 to 31 Oct 09	A07052-HR Comm Design
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Engineer	Additional work per George Davis Engineer Labor- October T&M Charges	1	\$889.05	\$889.05
Thank you for your business.			<b>Total</b>	\$889.05