

FINAL WAIVER OF LIEN

STATE OF Kansas)
COUNTY OF Johnson)

ESCROW# _____ FILE# _____

WHEREAS THE UNDERSIGNED HAS BEEN EMPLOYED BY OAK VIEW LEE'S SUMMIT, LLC (OWNER)

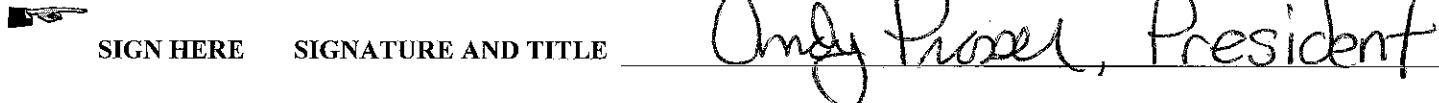
TO FURNISH COMMERCIAL GENERAL CONSTRUCTION SERVICES

FOR THE PREMISES KNOWN OAK VIEW SITE DEVELOPMENT

OF WHICH OAK VIEW LEE'S SUMMIT, LLC IS THE OWNER.

THE UNDERSIGNED, FOR AND IN CONSIDERATION OF TWO MILLION ONE HUNDRED EIGHTY-EIGHT THOUSAND THREE HUNDRED FORTY-SEVEN DOLLARS (\$ 2,188,347.00) DOLLARS, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, DO(ES) HEREBY WAIVE AND RELEASE ANY AND ALL LIEN OR CLAIM OF, OR RIGHT TO, LIEN, UNDER THE STATUTES OF THE STATE OF MISSOURI, RELATING TO MECHANICS' LIENS, WITH RESPECT TO AND ON SAID ABOVE-DESCRIBED PREMISES, AND THE IMPROVEMENTS THEREON, AND ON THE MATERIAL, FIXTURES, APPARATUS OR MACHINERY FURNISHED, AND ON THE MONEYS, FUNDS OR OTHER CONSIDERATIONS DUE OR TO BECOME DUE FROM THE OWNER, ON ACCOUNT OF LABOR SERVICES, MATERIAL, FIXTURES, APPARATUS OR MACHINERY FURNISHED AT ANY TIME HEREFTER BY THE UNDERSIGNED FOR THE ABOVE-DESCRIBED PREMISES, INCLUDING EXTRAS.

DATED JULY 8, 2019 COMPANY NAME Prosser Wilbert Construction Inc.

 SIGN HERE SIGNATURE AND TITLE Andy Prosser, President

IF YOU HAVE CONTRACTED FOR LABOR OR MATERIALS ON THIS JOB YOU MUST COMPLETE
THE CONTRACTOR'S AFFIDAVIT.

STATE OF Kansas)
COUNTY OF Johnson) SS
TO WHOM IT MAY CONCERN:

CONTRACTOR'S AFFIDAVIT

THE UNDERSIGNED, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS **CONTRACTOR** OF THE **OAK VIEW LEE'S SUMMIT LLC** WHO IS THE OWNER ON THE BUILDING LOCATED AS SET FORTH ABOVE. THAT THE TOTAL AMOUNT OF THE CONTRACT INCLUDING EXTRAS, AND THE AMOUNT WHICH HE HAS RECEIVED PAYMENT PRIOR TO THIS PAYMENT, ARE ACCURATELY STATED BELOW. THAT ALL WAIVERS ARE TRUE, CORRECT AND GENUINE AND DELIVERED UNCONDITIONALLY AND THAT THERE IS NO CLAIM EITHER LEGAL OR EQUITABLE TO DEFEAT THE VALIDITY OF SAID WAIVERS. THAT THE FOLLOWING ARE THE NAMES OF ALL PARTIES WHO HAVE FURNISHED MATERIAL OR LABOR, OR BOTH, FOR SAID WORK AND ALL PARTIES HAVING CONTRACTS OR SUB CONTRACTS FOR SPECIFIC PORTIONS OF SAID WORK OR FOR MATERIAL ENTERING INTO THE CONSTRUCTION THEREOF AND THE AMOUNT DUE OR TO BECOME DUE TO EACH, AND THAT THE ITEMS MENTIONED INCLUDE ALL LABOR AND MATERIAL REQUIRED TO COMPLETE SAID WORK ACCORDING TO PLANS AND SPECIFICATIONS:

NAMES & ADDRESSES	WHAT FOR	CONTRACT PRICE INCLUDING EXTRAS*	AMOUNT PAID	THIS PAYMENT	BALANCE DUE
SEE SWORN STATEMENT DATED 7/8/19					
ATTACHED					
TOTAL LABOR & MATERIAL INCLUDING EXTRAS* TO COMPLETE					

THAT THERE ARE NO OTHER CONTRACTS FOR SAID WORK OUTSTANDING, AND THAT THERE IS NOTHING DUE OR TO BECOME DUE TO ANY PERSON FOR MATERIAL, LABOR OR OTHER WORK OF ANY KIND DONE OR TO BE DONE UPON OR IN CONNECTION WITH SAID WORK OTHER THAN ABOVE STATED.

DATE: JULY 8, 2019

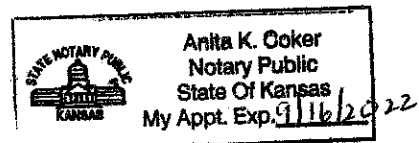
SIGNATURE: Andy Prosser, President

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8TH DAY OF JULY 8, 2019.

Anita K. Coker
NOTARY PUBLIC

*EXTRAS INCLUDE BUT ARE NOT LIMITED TO CHANGE ORDERS, BOTH ORAL & WRITTEN, TO THE CONTRACT

The names and addresses of all principal suppliers should be listed even if all materials are from fully paid stock and delivered to the site by the subcontractor.



SWORN STATEMENT OF CONTRACTOR AND SUBCONTRACTOR
TO OWNER AND TO COMMONWEALTH LAND TITLE INSURANCE COMPANY

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State of Kansas
} ss.
County of Johnson

The affiant, Andy Prosser being first duly sworn, on oath deposes and says that he is the President of Prosser Wilbert Construction, Inc. that Prosser Wilbert Construction, Inc. has contract with, owner, Oak View Lee's Summit, LLC for Site Development on the following described premises in said County, to wit: 1410 NE Douglas, Lee's Summit, MO 64086

That, for the purposes of said contract, the following persons have been contracted with, and have furnished, or are furnishing and preparing materials for, and have done or are doing labor on said improvement. That there is due and to become due them, respectively, the amounts set opposite their names for materials or labor as stated. That this statement is a full, true and complete statement of all such persons, the amounts paid and the amounts due or to become due to each.

1	2	3	4	5	6	7
Name and Address	Kind of Work	Amount of Contract	Retention (inc.current)	Net of Previous Payments	Net Amount This Payment	Balance to Become Due (inc. Retentions)
BC Hardscapes LLC 134 E US 69 Hwy Claycomo, MO 64119	Retaining Walls	\$ 58,984.00	-0-	\$ 49,579.20	\$ 9,404.80	-0-
Beemer Construction Co. 606 SE Central Dr. Blue Springs, MO 64014	Site Utilities	\$ 967,425.67	-0-	\$ 834,529.50	\$ 132,896.17	-0-
Chris Shipley Excavating, LLC 1075 W. Couchman Dr. Kearney, MO 64060	Earthwork/Erosion Control	\$ 413,040.81	-0-	\$ 342,299.43	\$ 70,741.38	-0-
Erosions Specialists, LLC PO Box 681599 Riverside, MO 64168	SWPP Reporting	\$ 7,125.00	-0-	\$ 3,000.00	\$ 4,125.00	-0-
Kansas Fencing Inc 620 SW Gordon St Topeka, KS 66608	Temporary Fence	\$ 15,359.54	-0-	\$ 13,827.43	\$ 1,532.11	-0-
O'Donnell Way Construction, Co Inc. 5238 Merriam Drive Merriam, KS 66203	Asphalt	\$ 87,660.00	-0-	\$ -0-	\$ 87,660.00	-0-
Schlagel & Associates, P.A. 14920 W 107th St. Lenexa, KS 66215	Survey & Staking	\$ 14,887.50	-0-	\$ 14,012.50	\$ 875.00	-0-
Streetwise, Inc 4600 E 142nd Street Grandview, MO 64030	Traffic Control & Markings	\$ 1,927.50	-0-	\$ -0-	\$ 1,927.50	-0-
Summit Concrete 2330 N.E. Independence Ave Lee's Summit, MO 64064	Site Concrete	\$ 60,566.00	-0-	\$ 27,900.00	\$ 32,666.00	-0-
TOTAL		\$1,626,976.02	-0-	\$1,285,148.06	\$ 341,827.96	
AMOUNT OF ORIGINAL CONTRACT		\$ 1,498,564.00	WORK COMPLETED TO DATE		\$2,188,347.00	
EXTRAS TO CONTRACT		\$ 689,783.00	LESS 0 % RETAINED		\$ -0-	
TOTAL CONTRACT AND EXTRAS		\$ 2,188,347.00	NET AMOUNT EARNED		\$2,188,347.00	
CREDITS TO CONTRACT		\$ -0-	NET PREVIOUSLY PAID		\$1,734,010.00	
ADJUSTED TOTAL CONTRACT		\$ 2,188,347.00	NET AMOUNT OF THIS PAYMENT		\$ 454,337.00	
			BALANCE TO BECOME DUE (Inc. Retention)		\$ -0-	

It is understood that the total amount paid to date plus the amount requested in this application shall not exceed 100 % of the cost of work completed to date.

I agree to furnish Waivers of Lien for all materials under my contract when demanded.

Signed Andy Prosser
Andy Prosser
President

Subscribed and sworn to before me this 8th day of July, 2019.

Anita K. Coker Notary Public

The above sworn statement should be obtained by the owner before each and every payment.
Provided by Commonwealth Land Title Insurance Company

