

September 18, 2014

Bliss Sports II, LLC
c/o Thomas S. Fritzel
643 Massachusetts Street, Suite 300
Lawrence, Kansas 66044-2255

Re: Acknowledgement of Payment of "Infrastructure Improvements Costs"

Dear Thomas:

As of the date of this letter, the undersigned subcontractor/vendor/consultant acknowledges that it has received a total of \$305,530.00 from Bliss Sports II, LLC, which represents hard or soft costs provided by the undersigned in connection with the development and/or construction of "Infrastructure Improvements" for the "Rock Chalk Park Project" (as those and other capitalized terms used in this letter are defined in the Rock Chalk Park Development Agreement among the City of Lawrence, Kansas, RCP, LLC, Bliss Sports, LC and Bliss Sports II, LLC, dated July 10, 2013).

The undersigned and (by signing below) Bliss Sports II, LLC, agree that the above amount represents a portion of the following (a) "Infrastructure Improvement Costs" line items from Exhibit I to the Development Agreement, or (b) soft cost otherwise included in the definition of Infrastructure Improvements Costs under Section 11.02 of the Development Agreement and is allocable between the Infrastructure Improvements on the stadium site and those elsewhere as follows:

<u>Line Item from Exhibit I / Includable</u> <u>Soft Cost Under Section 11.02</u>	<u>Rec Center Site</u>	<u>Stadium Site</u>
	\$	\$
	\$	\$
Parking lights	\$ 30,000.00	\$ 30,000.00
Tennis Lights	\$ 24,000.00	\$
Site Utilities - 4" fiber lines	\$ 110,765.00	\$ 110,765.00
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Total	\$ 164,765.00	\$ 140,765.00

* Unless identifiable as physical work done or as materials provided on the stadium site or elsewhere, Infrastructure Improvements Costs are to be allocated based on relative acreages of the Recreation Center Site (26) and the Stadium Site (57).

The undersigned certifies that none of the above amount(s) represents payment for hard or soft costs provided by the undersigned in connection with the development and/or construction of either the "Recreation Center" or the "Stadium Facilities" as defined in the Development Agreement.

The undersigned has delivered, or contemporaneously is providing, to Bliss Sports II, LLC, a waiver of, and hereby waives, any mechanics or materialmen's lien or KSA 60-1111 bond claim that the undersigned or its subcontractors and materialmen might otherwise be able to file for the above portions of the work and materials constituting Infrastructure Improvement Costs.

Earnie's Mechanical

By:

Name:

Title:


Acknowledged and agreed this 19th day of Sept, 2014.

Bliss Sports II, LLC

By:

Name:

Title:

BLISS SPORTS II LLC 209 FALL CREEK ROAD LAWRENCE, KS 66049	SUNFLOWER BANK LAWRENCE, KS 66049-3839 83-82-1011	7/19/2014	1039
PAY TO THE ORDER OF <u>Earnie Oshel dba Earnies Mechancial</u>		**84,000.00	
Eighty-Four Thousand and 00/100		\$ _____ DOLLARS	
Earnie Oshel Contractor dba Earnies Mechancial 1100 Delaware Street Lawrence, Kansas 66044		 AUTHORIZED SIGNATURE	
MEMO			

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE RESERVED FOR FINANCIAL INSTITUTION USE	FOR DEPOSIT ONLY SUNFLOWER BANK N.A.	ENDORSE HERE
>101100821< SUNFLOWER BANK 7/19/2014		

Print

Earnie Oshel Contractor
DBA: Earnies Mechanical
1100 Delaware Street
Lawrence, Kansas 66044
785-424-4291
FEIN: 46-08043200

August 1, 2013

TO: Bliss Sports
209 Fall Creek Road
Lawrence, Kansas 66049

RE: Rock Chalk Park - Parking Lot and Tennis Court Lighting


SCOPE: Provide all material, labor, trenching, concrete, and backfill
to install 56 200 Watt LED parking lot lights and 34 steel post
with concrete bases. There are 12 single light poles and
22 double light poles in the parking areas. Tennis court
there will be 40 1000 Watt fixtures installed on 12- 40' Poles

Parking Lot Lighting	\$ 172,500.00
Parking Lot Labor and Misc Material	\$ 60,000.00
Tennis Court Lighting	\$ 153,000.00
Tennis Court Labor and Misc Material	\$ 24,000.00
 TOTAL Tennis Court and Parking Lot Lighting Package	 \$409,500.00

NOTE: No rock excavation, no permit fees, no overtime labor, no sales tax



Earnie Oshel



Bliss Sports II

ELECTRIC UTILITY INNOVATIONS LTD.

11805 West 155th Ter
Overland Park, KS 66221
Phone (913) 685-2724
Fax (913) 685-8797

*Manufacturers' Representatives Serving
The Electric Industry*



Rock Chalk Park
Qualite Sports Lighting

Tennis Sports Lighting and Poles

48 1000W fixtures
12 40' mounting height poles
Push button controls

Total \$153,000

Parking Lot LED lighting and poles

56 LED Parking lot fixtures
34 35' Parking lot poles

Total \$172,500

Earnie's Mechanical

1100 Delaware Street

Lawrence, KS 66044

(785) 424-4291

January 8, 2014

RE: Rock Chalk Park Infrastructure

Thomas,

Earnie's Mechanical has been paid a total of \$199,377.00 related to installation of utility conduit at Rock Chalk Park in Lawrence, Kansas as of December 31, 2013. Please let me know if you need further information.

Thank You for your business

Earnie Oshel

Earnie Oshel
Earnie Oshel

APPLICATION FOR PAYMENT

OWNER: Bliss Sports II, LC 209 Fall Creek Road Lawrence, Kansas 66049	PROJECT: RCP Site Utilities	APPLICATION NUMBER: 1	DISTRIBUTION: CONTRACTOR ◀ ARCHITECT ◀ File ◀
CONTRACTOR: Earnies Mechanical 1100 Delaware Street Lawrence, Kansas 66044	ARCHITECT: Paul Werner 123 West 8th Street Lawrence, Kansas 66044	PERIOD TO: PROJECT NUMBER: CONTRACT WORK: WORK CATEGORY NO:	

APPLICATION FOR PAYMENT - SUMMARY

Refer to continuation sheets attached for detailed breakdown.

1. ORIGINAL CONTRACT AMOUNT:	221,530.00
2. NET CHANGES TO CONTRACT:	-
3. TOTAL CONTRACT AMOUNT:	221,530.00
4. TOTAL COMPLETED AND STORED TO DATE:	199,377.00
5. RETAINAGE:	
a. 0 % of Completed Work	0.00
b. 0 % of Stored Material	0.00
Total Retainage:	0.00
6. TOTAL COMPLETED LESS RETAINAGE:	199,377.00
7. LESS PREVIOUS APPLICATIONS:	-
8. CURRENT PAYMENT DUE:	199,377.00
9. BALANCE TO FINISH INCLUDING RETAINAGE:	22,153.00

EXTRA WORK SUMMARY	ADDITIONS	DELETIONS
Changes From Prev Applications:	-	-
Changes From This Application:	-	-
Total:	-	-
Net Changes:	-	-

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor to the best of his 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 to him 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:

Earnie Oshel

DATE:

9/5/13State: KSCounty: Douglas

Subscribed & sworn to before me

this 5th day of September 2013

Notary Public Name:

Keela Patterson Lam

Commission Expiration Date:

2/20/14**ARCHITECT'S CERTIFICATION:**

The Architect hereby confirms that based on site observations & to the best of his/her knowledge, this payment application accurately reflects the progression of work and that this work meets contract requirements sufficient enough to justify payment in the amount certified below:

AMOUNT CERTIFIED:

Provide explanation below or attached if amount certified does not match this application amount. Initial all figures & markups to agree with certified amount.

ARCHITECT: _____

DATE: _____

The Amount Certified is payable to the contractor listed above.

PAYMENT APPLICATION DETAIL

APPLICATION NO: 1
FOR PERIOD ENDING:

FROM: Earnies Mechanical
WORK: 0

PROJECT: RCP Site Utilities
NO: 6100

WORK CATEGORY				COMPLETED WORK				BALANCE TO FINISH
Item No.	Description	Scheduled Value	Prev. App. Value	This App.		Total		
				Work-In-Place	Stored Mat.	Value	%	
A	B	C	D=Prev. (D+E)	E	F	G=D+E+F	L=G/C	H=C-G
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► BASE CONTRACT SECTION								
100	Site Utilities	221,530	-	199,377	-	199,377	90%	22,153
		-						
		-						
Total Base Contract Work:		221,530	-	199,377	-	199,377	90%	22,153
Total Extra Work:		-	-	-	-	-	0%	-
GRAND TOTAL:		221,530	-	199,377	-	199,377	90%	22,153

Created using Paymee for Excel. Download for free at: www.Paymee.com

LIEN WAIVER
(Work in Progress)

The undersigned is the owner of Earnie Oshel Contractor dba Earnie's Mechanical
(the subcontractor) which has been employed by Bliss Sports II,
(the contractor) to furnish services, labor and/or material for the building or improvement of
property described as follows:

Rock Chalk Addition Lot 1 and 2
Lawrence, Kansas 66049
City of Lawrence Rec Center
Rec Center Pad Site Construction

and commonly known as: Rock Chalk Park, Lawrence , Kansas 66049.

In consideration of the sum of \$ 199,377.00, receipt of which is hereby acknowledged
in payment of work done to date by the Contractor, the Contractor does hereby waive and release
any and all claims, lien or right to a lien on said above-described land and the improvements thereof,
arising or existing under the laws of the State of Kansas relating to mechanics' lien, on account of
labor or materials, or both, furnished or to be furnished by the Contractor, prior to the date hereof.

Subcontractor has not entered into any subcontracts for labor or materials which have not been paid
for in full, except as stated below and no payment is due any such subcontractor or materials supplier
except as stated below:

Name of Subcontractor or Material Supplier	Contract Amount	Previous Payments	Payment Due
NONE			

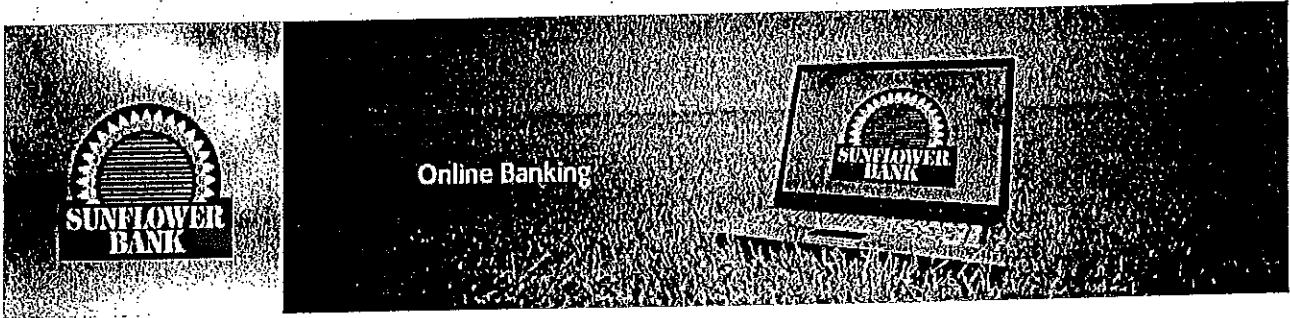
If none, state "none"

In witness whereof, the undersigned, with full authority and intent to bind the Subcontractor, has
made the above statement on the Subcontractor's behalf and has signed this statement under oath
this 31ST day of August, 2013.



Earnie Oshel

View Check Images



View Check Images

BLISS SPORTS II LLC 209 FALL CREEK ROAD LAWRENCE, KS 66049		SUNFLOWER BANK LAWRENCE, KS 66049-3839 83-62-1011	1020 9/5/2013
PAY TO THE ORDER OF Earnle Oshel dba Earnles Mechancial		\$**199,377.00	DOLLARS
One Hundred Ninety-Nine Thousand Three Hundred Seventy-Seven and 00/100			
Earnle Oshel Contractor dba Earnles Mechancial 1100 Delaware Street Lawrence, Kansas 66044		AUTHORIZED SIGNATURE	
MEMO			

NO POST DATE, STAMP OR SIGN BELOW THIS LINE RESERVED FOR FINANCIAL INSTITUTION USE	09/05/2013
FEDERAL RESERVE BOARD OF GOVERNORS REG. CC	



APPLICATION FOR PAYMENT

OWNER: Bliss Sports II, LC
209 Fall Creek Road
Lawrence, Kansas 66049

PROJECT: RCP Site Utilities

APPLICATION NUMBER: 2

PERIOD TO: 1/31/2014

DISTRIBUTION:
CONTRACTOR ◀
ARCHITECT ◀
File ◀

CONTRACTOR: Earnies Mechanical
1100 Delaware Street
Lawrence, Kansas 66044

ARCHITECT: Paul Werner
123 West 8th Street
Lawrence, Kansas 66044

PROJECT NUMBER:

CONTRACT WORK:

WORK CATEGORY NO:

APPLICATION FOR PAYMENT - SUMMARY

Refer to continuation sheets attached for detailed breakdown.

1. ORIGINAL CONTRACT AMOUNT: 221,530.00

2. NET CHANGES TO CONTRACT: -

3. TOTAL CONTRACT AMOUNT: 221,530.00

4. TOTAL COMPLETED AND STORED TO DATE: 221,530.00

5. RETAINAGE:

a. 0 % of Completed Work 0.00

b. 0 % of Stored Material 0.00

Total Retainage: 0.00

6. TOTAL COMPLETED LESS RETAINAGE: 221,530.00

7. LESS PREVIOUS APPLICATIONS: 199,377.00

8. CURRENT PAYMENT DUE: 22,153.00

9. BALANCE TO FINISH INCLUDING RETAINAGE: -

EXTRA WORK SUMMARY	ADDITIONS	DELETIONS
Changes From Prev Applications:	-	-
Changes From This Application:	-	-
Total:	-	-
Net Changes:	-	-

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor to the best of his 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 to him 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: Earnie Oshel DATE: 1/31/14

State: KS Country: Douglas

Subscribed & sworn to before me

this 31st day of January, 2014

Notary Public Name: Angela A. McClure

Commission Expiration Date: 4/26/16

NOTARY PUBLIC
State of Kansas

Angela A. McClure
My Appt. Exp. 4/26/16

ARCHITECT'S CERTIFICATION:

The Architect hereby confirms that based on site observations & to the best of his/her knowledge, this payment application accurately reflects the progression of work and that this work meets contract requirements sufficient enough to justify payment in the amount certified below:

AMOUNT CERTIFIED:

Provide explanation below or attached if amount certified does not match this application amount. Initial all figures & markups to agree with certified amount.

ARCHITECT: _____ DATE: _____

The Amount Certified is payable to the contractor listed above.

PAYMENT APPLICATION DETAIL

APPLICATION NO:	2
FOR PERIOD ENDING:	1/31/2014

FROM: Earnies Mechanical
WORK: 0

PROJECT: RCP Site Utilities
NO: 6100

WORK CATEGORY				COMPLETED WORK				BALANCE TO FINISH
Item No.	Description	Scheduled Value	Prev. App. Value	This App.		Total		
				Work In Place	Stored Mat.	Value	%	
A	B	C	D=Prev. (D+E)	E	F	G=D+E+F	H=G/C	I=H-C-G
Created using Paymee for Excel. Visit www.Paymee.com for more information.								
► BASE CONTRACT SECTION								
100	Site Utilities	221,530	199,377	22,153	-	221,530	100%	-
		-		-	-			
		-		-	-			
Total Base Contract Work:		221,530	199,377	22,153	-	221,530	100%	-
Total Extra Work:		-	-	-	-	-	0%	-
GRAND TOTAL:		221,530	199,377	22,153	-	221,530	100%	-

Created using Paymee for Excel. Download for free at: www.Paymee.com

LIEN WAIVER
(Work in Progress)

The undersigned is the owner of Earnie Oshel Contractor dba Earnie's Mechanical
(the subcontractor) which has been employed by Bliss Sports II,
(the contractor) to furnish services, labor and/or material for the building or improvement of
property described as follows:

Rock Chalk Addition Lot 1 and 2
Lawrence, Kansas 66049
City of Lawrence Rec Center
Rec Center Pad Site Construction

and commonly known as: Rock Chalk Park, Lawrence, Kansas 66049.

In consideration of the sum of \$ 22,153.00, receipt of which is hereby acknowledged
in payment of work done to date by the Contractor, the Contractor does hereby waive and release
any and all claims, lien or right to a lien on said above-described land and the improvements thereof,
arising or existing under the laws of the State of Kansas relating to mechanics' lien, on account of
labor or materials, or both, furnished or to be furnished by the Contractor, prior to the date hereof.

Subcontractor has not entered into any subcontracts for labor or materials which have not been paid
for in full, except as stated below and no payment is due any such subcontractor or materials supplier
except as stated below:

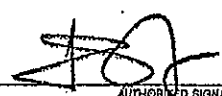
Name of Subcontractor or Material Supplier	Contract Amount	Previous Payments	Payment Due
NONE			

If none, state "none"

In witness whereof, the undersigned, with full authority and intent to bind the Subcontractor, has
made the above statement on the Subcontractor's behalf and has signed this statement under oath
this 31ST day of Jan, 2014.



Earnie Oshel

1037	
BLISS SPORTS II LLC 209 FALL CREEK ROAD LAWRENCE, KS 66049	SUNFLOWER BANK LAWRENCE, KS 66049-3839 83-82-1011
2/6/2014	
PAY TO THE ORDER OF Earnie Oshel dba Earnles Mechancial	**22,153.00 \$
Twenty-Two Thousand One Hundred Fifty-Three and 00/100 *****	
DOLLARS	
Earnie Oshel Contractor dba Earnles Mechancial 1100 Delaware Street Lawrence, Kansas 66044	 AUTHORIZED SIGNATURE
MEMO	

X101100621< SUNFLOWER BANK 7/19/2014

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