

APPLICATION FOR PAYMENT NO. 2

To: Hidalgo County (OWNER)
 From: Asago Construction (CONTRACTOR)
 Contract: CAP-08-007-03 LRM
 Project: Road and Drainage Construction of Chula Vista and Walton Subdivision
 OWNER's Contract No. CAP-08-007-03-06 ENGINEER's Project No. 06-192 and 06-204
 For Work accomplished through the date of: 8/31/2008

| | |
|---|---------------|
| 1. Original Contract Price: | \$ 175,471.85 |
| 2. Net change by Change Orders and Written Agreements (+ or -): | \$ - |
| 3. Current Contract Price (1 plus 2): | \$ 175,471.85 |
| 4. Total completed and stored to date: | \$ 127,334.35 |
| 5. Retainage (per Agreement): | |
| <u>10%</u> of completed Work: | \$ 12,733.44 |
| <u>0%</u> of stored material: | \$ - |
| Total Retainage: | \$ 12,733.44 |
| 6. Total completed and stored to date less retainage (4 minus 5): | \$ 114,600.92 |
| 7. Less previous Application for Payments: | \$ 67,284.77 |
| 8. AMOUNT DUE THIS APPLICATION (6 MINUS 7): | \$ 47,316.15 |

Accompanying Documentation: \$ 1,311,431.00 - 123,837.0734 - \$ 6,268.00
\$ 1,311,431.00 - 123,837.0733 - \$ 4,850.00 = \$ 52,573.50
\$ 1,311,431.00 - 123,152.1734 - \$ 33,615.50 = \$ 52,573.50
\$ 1,311,431.00 - 123,152.1733 - \$ 7,840.00 = \$ 47,316.15

CONTRACTOR'S Certification:
 The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 2 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated 9/4/08 Asago, LLC dba Asago Construction
 CONTRACTOR
 By: [Signature]
 State of Texas
 County of Hidalgo
 Subscribed and sworn to before me this 3
 day of September, 2008

Mayela G Duque
 Notary Public
 My Commission expires: November 21, 2009



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 9.03.08 HINOJOSA ENGINEERING INC
 ENGINEER

INVOICE RECEIVED BY:
[Signature] ON 9/5/08
 GOODS/SERVICES RECEIVED BY:
[Signature] ON 8/31/08

By: [Signature]

Engineer: Hinojosa Engineering, Inc.
 Contractor: Asego Construction
 Retainage Percent: 10%
 Starting Date:

| Summary | | | | | | | | | | | | |
|--------------------|------------------------------------|-------------------------|------------------------|-------------------|-------------------|-------------------|---------------|-------------------|-------------|--------------|------------------|-------------|
| Contract No. | Description | Original Schedule Value | Revised Schedule Value | Application No. 1 | Application No. 2 | Application No. 3 | Total to Date | Balance to Finish | Retainage | Net | Payments to Date | Payment Due |
| AP 08-007-03-28 LF | Chula Vista and Wallon Subdivision | \$175,471.85 | \$175,471.85 | \$74,780.85 | \$52,573.50 | \$0.00 | \$127,334.35 | \$48,137.50 | \$12,733.44 | \$114,600.92 | \$87,284.77 | \$47,316.15 |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | TOTALS: | | | | | | \$127,334.35 | \$48,137.50 | \$12,733.44 | \$114,600.92 | \$87,284.77 | \$47,316.15 |

Estimate Quantity Update Worksheet
 Walton Subdivision and Chula Vista Subdivision
 Colonia Access Program Project - Precinct No.3
 CAP-08-007-03-26 LRM
 Contractor: Asago Construction

| Item No. | Description | Quantity | Unit | Unit Price | Project Amount | RFP 1 | | | RFP 2 | | | |
|---------------------------|---|----------|------|-------------|--------------------|------------------|------------------|---------------------|--------------------|-----------------------------|---------------------|--|
| | | | | | | Monthly Quantity | Quantity to Date | Item Cost (Monthly) | Monthly Quantity | Quantity to Date | Item Cost (Monthly) | |
| WALTON SUBDIVISION | | | | | | | | | | | | |
| Roadway | | | | | | | | | | | | |
| 100 | Preparing ROW | 12.36 | STA | \$ 750.00 | \$9,270.00 | 12.36 | 12.36 | \$9,270.00 | 0 | 12.36 | \$0.00 | |
| 134 | Backfill | 12.36 | STA | \$ 750.00 | \$9,270.00 | 12.36 | 12.36 | \$9,270.00 | 0 | 12.36 | \$0.00 | |
| 247 | Flex Base (8") | 854.45 | CY | \$ 5.00 | \$4,272.25 | 854.45 | 854.45 | \$4,272.25 | 0 | 854.45 | \$0.00 | |
| 251 | Reworking Base Material (DC) (TY D CL2) | 854.44 | CY | \$ 5.00 | \$4,272.20 | 854.44 | 854.44 | \$4,272.20 | 0 | 854.44 | \$0.00 | |
| 310 | Prime Coat (MC-30) | 663.40 | GAL | \$ 6.00 | \$3,980.40 | 663.4 | 663.4 | \$3,980.40 | 0 | 663.4 | \$0.00 | |
| 340 | Asphalt Concrete Pavement Type "D" | 3,317.00 | SY | \$ 10.00 | \$33,170.00 | 3317 | 3317 | \$33,170.00 | 0 | 3317 | \$0.00 | |
| 502 | Barricades, Signs & Traffic Handling | 1.50 | MO | \$ 1,000.00 | \$1,500.00 | 1 | 1 | \$1,000.00 | 0.5 | 1.5 | \$500.00 | |
| 506 | Construction Exits (TY 2) (Install) | 72.00 | SY | \$ 40.00 | \$2,880.00 | 72 | 72 | \$2,880.00 | 0 | 72 | \$0.00 | |
| 506 | Construction Exits (TY 2) (Remove) | 72.00 | SY | \$ 20.00 | \$1,440.00 | 0 | 0 | \$0.00 | 72 | 72 | \$1,440.00 | |
| 5249 | Temp Sediment Control Fence | 182.00 | LF | \$ 8.00 | \$1,456.00 | 182 | 182 | \$1,456.00 | 0 | 182 | \$0.00 | |
| 5249 | Temp Sediment Control Fence (Remove) | 182.00 | LF | \$ 4.00 | \$728.00 | 0 | 0 | \$0.00 | 182 | 182 | \$728.00 | |
| 530 | Turnouts (Asph-Conc-Pav) | 72.00 | SY | \$ 50.00 | \$3,600.00 | 0 | 0 | \$0.00 | 72 | 72 | \$3,600.00 | |
| Drainage | | | | | | | | | | | | |
| 464 | RCP (CL III) (18") | 48 | LF | \$ 25.00 | \$1,200.00 | 48 | 48 | \$1,200.00 | 0 | 48 | \$0.00 | |
| 464 | RCP (CL III) (15") | 166 | LF | \$ 15.00 | \$2,490.00 | 166 | 166 | \$2,490.00 | 0 | 166 | \$0.00 | |
| 467 | Safety End Treatment | 2 | EA | \$ 750.00 | \$1,500.00 | 2 | 2 | \$1,500.00 | 0 | 2 | \$0.00 | |
| 530 | Driveways (Ty PRB-1) (ACP) (1") | 194 | SY | \$ 25.00 | \$4,850.00 | 0 | 0 | \$0.00 | 194 | 194 | \$4,850.00 | |
| SUBTOTAL | | | | | \$85,878.85 | Totals: | | | \$74,760.85 | Totals: \$11,118.00 | | |
| | | | | | | Roadway: | | | \$69,570.85 | Roadway: \$6,268.00 | | |
| | | | | | | Drainage: | | | \$5,190.00 | Drainage: \$4,850.00 | | |

| Item No. | Description | Quantity | Unit | Unit Price | Project Amount | Monthly Quantity | Quantity to Date | Item Cost (Monthly) | Monthly Quantity | Quantity to Date | Item Cost (Monthly) |
|----------|-------------|----------|------|------------|----------------|------------------|------------------|---------------------|------------------|------------------|---------------------|
|----------|-------------|----------|------|------------|----------------|------------------|------------------|---------------------|------------------|------------------|---------------------|

| | | | | | | | | | | | |
|--------------------------------|---|----------|-----|-------------|----------------------|--------------|---|--------|-------|-------|-------------|
| CHULA VISTA SUBDIVISION | | | | | | | | | | | |
| Roadway | | | | | | | | | | | |
| 100 | Preparing ROW | 14.45 | STA | \$ 650.00 | \$9,392.50 | 0 | 0 | \$0.00 | 14.45 | 14.45 | \$9,392.50 |
| 134 | Backfill | 14.45 | STA | \$ 600.00 | \$8,670.00 | 0 | 0 | \$0.00 | 14.45 | 14.45 | \$8,670.00 |
| 247 | Flex Base (8") | 999.00 | CY | \$ 4.00 | \$3,996.00 | 0 | 0 | \$0.00 | 999 | 999 | \$3,996.00 |
| 251 | Reworking Base Material (DC) (TY D CL2) | 999.00 | CY | \$ 3.00 | \$2,997.00 | 0 | 0 | \$0.00 | 999 | 999 | \$2,997.00 |
| 310 | Prime Coat (MC-30) | 839.70 | GAL | \$ 5.00 | \$4,198.50 | 0 | 0 | \$0.00 | 0 | 0 | \$0.00 |
| 340 | Asphalt Concrete Pavement Type "D" | 4,127.00 | SY | \$ 7.00 | \$28,889.00 | 0 | 0 | \$0.00 | 0 | 0 | \$0.00 |
| 502 | Barricades, Signs & Traffic Handling | 1.50 | MO | \$ 1,000.00 | \$1,500.00 | 0 | 0 | \$0.00 | 1 | 1 | \$1,000.00 |
| 506 | Construction Exits (TY 2) (install) | 72.00 | SY | \$ 40.00 | \$2,880.00 | 0 | 0 | \$0.00 | 72 | 72 | \$2,880.00 |
| 506 | Construction Exits (TY 2) (Remove) | 72.00 | SY | \$ 20.00 | \$1,440.00 | 0 | 0 | \$0.00 | 0 | 0 | \$0.00 |
| 5249 | Temp Sediment Control Fence | 780.00 | LF | \$ 6.00 | \$4,680.00 | 0 | 0 | \$0.00 | 780 | 780 | \$4,680.00 |
| 5249 | Temp Sediment Control Fence (Remove) | 780.00 | LF | \$ 3.00 | \$2,340.00 | 0 | 0 | \$0.00 | 0 | 0 | \$0.00 |
| 530 | Turnouts (Asph-Conc-Pav) | 72.00 | SY | \$ 25.00 | \$1,800.00 | 0 | 0 | \$0.00 | 0 | 0 | \$0.00 |
| Drainage | | | | | | | | | | | |
| 464 | RCP (CL III) (18") | 40 | LF | \$ 20.00 | \$800.00 | 0 | 0 | \$0.00 | 40 | 40 | \$800.00 |
| 464 | RCP (CL III) (15") | 604 | LF | \$ 10.00 | \$6,040.00 | 0 | 0 | \$0.00 | 604 | 604 | \$6,040.00 |
| 467 | Safety End Treatment | 2 | EA | \$ 500.00 | \$1,000.00 | 0 | 0 | \$0.00 | 2 | 2 | \$1,000.00 |
| 530 | Driveways (TY PRB-1) (ACP) (1") | 598 | SY | \$ 15.00 | \$8,970.00 | 0 | 0 | \$0.00 | 0 | 0 | \$0.00 |
| | | | | | SUBTOTAL | | | | | | |
| | | | | | PROJECT TOTAL | \$175,471.85 | | | | | |
| | | | | | Totals: | \$0.00 | | | | | \$41,455.50 |
| | | | | | Roadway: | \$0.00 | | | | | \$33,615.50 |
| | | | | | Drainage: | \$0.00 | | | | | \$7,840.00 |

TOTAL to DATE:
 Roadway: \$109,454.35
 Drainage: \$17,880.00
 Total: \$127,334.35

PROJECT TOTAL \$175,471.85
Project Totals: \$74,760.85
Roadway \$69,570.85
Drainage: \$5,190.00

Project Totals: \$52,573.50
Roadway \$39,883.50
Drainage: \$12,690.00

Prepared and Checked by:

Signature: 

Printed Name: Ricardo Hinojosa, P.E.

Date: 9.03.08

PARTIAL/FINAL WAIVER OF LIEN

THE STATE OF TEXAS

COUNTY OF Hidalgo

The undersigned contracted with Hidalgo County
to furnish Road and Drainage Construction

In connection with certain improvements to real property located in Chula Vista and Walton Subdivision
County, Texas, and owned by Hidalgo County
Which improvements are described as follows:

Road and Drainage Construction at Chula Vista Subdivision and
Walton Subdivision.

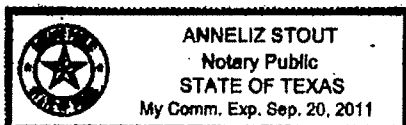
In consideration of Pay Estimate No. 2 in the amount of Forty-Seven Thousand
Three Hundred Sixteen. ¹⁵/₁₀₀ DOLLAR (\$47,316.15) and other good and
valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the
undersigned does hereby waive and release any mechanic's lien or materialmen's lien or claims of lien that
the undersigned has or hereafter has on the above mentioned real property on account of any labor
performed or materials furnished or to be furnished or labor performed and materials furnished by the
undersigned pursuant to the above-mentioned contract or any constitutional lien that the undersigned may
have.

Undersigned hereby guarantees that all bids for labor performed and/or materials furnished in the erection
and construction of such improvements on the Property have been fully paid and satisfied and Undersigned
does further guarantee that if for any reason a lien or liens are filed for material or labor against said
Property arising out of any bills for material or labor in connection with the erection or construction of said
improvements thereon, Undersigned will obtain a settlement of such lien or liens and a proper release
thereof shall be obtained.

Asago, LLC, dba Asago Construction
CONTRACTOR

By: [Signature] Manager
TITLE

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 31st day of August, 2009, to
certify which witness my hand and seal of office.



Anneliz Stout
NOTARY PUBLIC in and for the State of Texas

My Commission Expires:



Form 329 (Rev. 12-82)
Page 1 of 1
(35D-SPC WAVE 87)

Contract Time Statement

ESTIMATE NO. 2 CONTRACTOR Asago, L.L.C., d.b.a. Asago Construction
 PROJECT NO. 005322 COUNTY Hidalgo County DATE WORK BEGAN 7/3/08
 TIME COMPUTED FROM 8/1/08 - 8/31/08 DATE WORK COMPLETED _____

| MONTH | DATE OR DATE | WORKING DAYS CHARGED | DAYS CREDITED AND REASONS THEREFORE |
|--------|--------------|----------------------|-------------------------------------|
| August | 1 | 1 | 29 |
| | 2 | 1 | 30 |
| | 3 | 1 | 31 |
| | 4 | 1 | 22 |
| | 5 | 1 | 33 |
| | 6 | 1 | 34 |
| | 7 | 1 | 35 |
| | 8 | 1 | 36 |
| | 9 | 1 | 37 |
| | 10 | 1 | 38 |
| | 11 | 1 | 39 |
| | 12 | 1 | 40 |
| | 13 | 1 | 41 |
| | 14 | 1 | 42 |
| | 15 | 1 | 43 |
| | 16 | 1 | 44 |
| | 17 | 1 | 45 |
| | 18 | 1 | 46 |
| | 19 | 1 | 47 |
| | 20 | 1 | 48 |
| | 21 | 1 | 49 |
| | 22 | 1 | 50 |
| | 23 | 1 | 51 |
| | 24 | 1 | 52 |
| | 25 | 1 | 53 |
| | 26 | 1 | 54 |
| | 27 | 1 | 55 |
| | 28 | 1 | 56 |
| | 29 | 1 | 57 |
| | 30 | 1 | 58 |
| | 31 | 1 | 59 |

TOTALS _____
 NO. OF CONTRACT WORKING DAYS 90 NO. WORKING DAYS CHARGED TO DATE 59
 ASSESSED LIQUIDATED DAMAGES; NO. 0 PER DAY \$ 250 TOTAL \$ 10
 CERTIFIED AS CORRECT (ONE COPY HAS BEEN GIVEN TO THE _____)
 RESIDENT ENGINEER

INSTRUCTIONS: PROJECT IDENTIFICATION SHOULD COVER CONTRACT. THE DATES AND REASONS THEREFORE MUST CONFORM TO PROVISIONS OF CONTRACT. NO HOLIDAY CREDIT ALLOWED FOR DAYS PROVIDED ON FOLLOWING LEGAL HOLIDAYS. TIME SUSPENDED AND REASON MUST BE SUPPORTED BY COPY SENT OF LETTERS TO CONTRACTOR DATED ON OR BEFORE EFFECTIVE DATE. THE EXTENSION MUST BE INDICATED AND REFERENCED TO RELATED PROVISION OF CONTRACT. SEE BOOKLET OF INSTRUCTIONS, CONSTRUCTION AGREEMENT DATED SEPTEMBER 1, 1999

ASAGO CONSTRUCTION

"QUALITY AND SERVICE"



RAÚL IGLESIAS
Manager

ASAGO, LLC
2113 Pecos
Mission, TX 78572
(956) 607-0741 office
(956) 585-7040 fax
iglesias@hiline.net

August 31, 2008

Mr. Reynaldo Robles, P.E.
Hinojosa Engineering
108 W. 18th St.
Mission, TX 78572

RE: Hidalgo County Colonia Access Program
Drainage and Paving Construction at Chula Vista and Walton Subdivision
P.O.: 605322

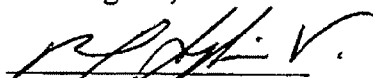
Mr. Robles:

The following is the list of suppliers used in the above mentioned project as per the County's request:

| | | |
|-------------------------|-------------------------------------|--------------|
| Rio Valley Pipe | 7301 W. Exp. 83, Mission TX 78572 | 956-584-5770 |
| Valley Caliche Products | P.O. Box 1086, Mission, TX 78573 | 956-581-2751 |
| Nueces Power Equipment | 5220 Exp 281 S., Edinburg, TX 78539 | 956-702-0066 |

If you have any questions, please call me at (956) 607-0741

Best Regards,


Raul Iglesias, Manager