

Livingston Parish Recording Page

Jason B. Harris
Clerk of Court
PO Box 1150
Livingston, LA 70754-1150
(225) 686-2216

Received From :
WRAY & ASSOCIATES
P O BOX 1518
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First MORTGAGOR

[Redacted]

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[Redacted]

Index Type : Mortgages

File Number : [Redacted]

Type of Document : L lens, Cancel L lens & Asslgment

Book : [Redacted] Page : [Redacted]

Recording Pages : 11

Recorded Information

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for Livingston Parish, Louisiana.

On (Recorded Date) : [Redacted]

At (Recorded Time) : [Redacted] AM



Doc ID - [Redacted]



CLERK OF COURT
JASON B. HARRIS
Parish of Livingston

I certify that this is a true copy of the attached document that was filed for registry and
Recorded [Redacted] at [Redacted]
Recorded In Book [Redacted] Page [Redacted]
File Number [Redacted]

Deputy Clerk

Return To :

SWORN STATEMENT OF AMOUNT DUE

STATE OF MISSOURI
COUNTY OF ST. LOUIS

BE IT KNOWN that before me, the undersigned Notary Public, and in the presence of the undersigned witnesses, on the below-stated date, personally came and appeared:

[REDACTED], whose address is [REDACTED]
[REDACTED] appearing through its Collections Specialist [REDACTED] (" [REDACTED]" or "Claimant"),

who, after being first duly sworn, did declare and represent as follows:

1.

[REDACTED] (" [REDACTED]") was, at all times material hereto, the Collections Specialist ("Collections Specialist") of [REDACTED] and served in that role/capacity for [REDACTED] on the Louisiana construction project more particularly described below. As Collections Specialist, [REDACTED] has personal knowledge of, *inter alia*, the project, [REDACTED] scope of work, and the billing/invoicing/pay application process on the project. All of [REDACTED] business records referred to herein or attached hereto have been personally reviewed by [REDACTED] and are true and correct copies of same.

2.

On or about [REDACTED], [REDACTED] (" [REDACTED]"), whose purported principal business office is located at [REDACTED] [REDACTED], as the general contractor, entered into a Louisiana public works construction contract with the LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, represented by Shawn Wilson, Secretary (sometimes referred to herein as "DOTD," the "Department," or the

"Owner"), whose purported address is 1201 Capitol Access Road, Baton Rouge, Louisiana 70802, to perform work and/or commence and complete construction on the project, more particularly described as STATE PROJECT NO. [REDACTED], FEDERAL AID PROJECT NO. [REDACTED], DESCRIPTION: [REDACTED] [REDACTED] NON-NHS ROUSE, ROUTE: LA [REDACTED] PARISH OF LIVINGSTON (the "Project").

3.

The contract for the Project was purportedly recorded with the Clerk of Court and Office of the Recorder of Mortgages in and for the Parish of Livingston, on or about [REDACTED] at [REDACTED] PM (File Number: [REDACTED] | Book: [REDACTED] | Page: [REDACTED]). Said Project was located in the Parish of Livingston, State of Louisiana, at or about LA [REDACTED] Non-NHS Route near [REDACTED].

4.

In connection with the aforementioned Project, [REDACTED] purportedly obtained payment, performance, and retainage bonds with [REDACTED] [REDACTED] (sometimes referred to herein as "[REDACTED]"), as referenced in and recorded with the aforementioned contract, more particularly detailed above.

5.

In connection with the aforementioned Project, [REDACTED] the general contractor, entered into an agreement with Claimant, [REDACTED] for materials and/or supplies, including, *inter alia*, steel sheet piles and delivery of same, as set forth in the written agreement attached hereto and incorporated herein as Exhibit "A".

6.

Claimant, [REDACTED], complied with the agreement in a proper manner; and all material(s), subject of the below-stated amount, was furnished, delivered, incorporated, and/or consumed into said Work at the Project site.

7.

Claimant, [REDACTED], has duly submitted invoices for payment in connection with the materials/supplies delivered to the Project by [REDACTED] and after all credits/deductive changes/prior payments are applied, there remains, as of this date, presently due and owing an unpaid/open balance of \$305,156.61, immediately due by [REDACTED] to Claimant, [REDACTED] in connection with the aforementioned material supplied by Claimant on the Project, as reflected by Invoices attached hereto and incorporated herein as *in globo* Exhibit "B". Said sum does not include any and all amounts for statutory penalties, interest, or attorney's fees; any and all amounts not reflected herein; and/or delay damages, if any, all of which are specifically reserved by Claimant.

8.

In addition to the foregoing sum, Claimant further reserves any and all rights, claims, and causes of action for attorney's fees pursuant to law, including, but not limited to, attorney's fees pursuant to La. R.S. 48:256.11 and/or La. R.S. 9:3902.

9.

This *Sworn Statement of Amount Due* is made, filed, and delivered pursuant to the Louisiana DOTD Public Works Act, La. R.S. 48:256, *et seq.*, ("La. DOTD PWA") for the purposes of, *inter alia*, compliance with any and all notice and recordation requirements of the La. DOTD PWA and to preserve any and all claims and/or privileges on or against the unexpended funds in the possession of the Department

in connection with the Project; against the Department; against the Surety; and/or on the bond(s) issued by the Surety; and/or against [REDACTED] in connection with the Project.

10.

Further, Claimant, [REDACTED], hereby reserves any and all rights, claims, and/or causes of action it has in connection with its work/materials on the Project, against any and all persons, including, *inter alia*, the right to amend this *Sworn Statement of Amount Due*.

11.

Said debt(s), along with any and all interest, costs, and attorney's fees, including, but not limited to, the costs associated with the recording of this *Sworn Statement of Amount Due*, as allowed by law, are past due and owing; and Claimant hereby delivers to the Clerk of Court and Recorder of Mortgages in and for the Parish of Livingston, State of Louisiana, this *Sworn Statement of Amount Due* and requests that same be recorded, in accordance with the provisions of the La. DOTD PWA.

12.

Per the face of the *Payment, Performance, and Retainage Bonds Form* and in accordance with the La. DOTD PWA, a certified copy of this *Sworn Statement of Amount Due* is to be filed with the "Undersecretary, LA DOTD, Headquarters Administration Building, Room 302G, 1201 Capitol Access Road, Baton Rouge, LA 70802."

WITNESSES:

[Redacted]

Printed Name: [Redacted]

Printed Name: [Redacted]

[Redacted] through its
Collections Specialist, [Redacted]

SWORN AND SUBSCRIBED BEFORE ME, the undersigned Notary Public,
on this [Redacted] day of [Redacted] in St. Louis, Missouri,

[Redacted]

NOTARY PUBLIC
My Commission Expires at: [Redacted]

