

**Brownfield Redevelopment Authority of City of Madison Heights**

**Memorandum**

**Date:** December 13, 2022

**To:** Brownfield Redevelopment Authority Board Member

**From:** Giles Tucker, Community Development Director

**Subject:** Brownfield Reimbursement Request #2 Madison Center Owner LLC 29101-29501 John R

---

**Background**

The approved Brownfield Plan for the redevelopment located at 29101-29501 John R Rd included a total of \$2,388,549 in reimbursable costs, which included a 15% contingency. On July 19, 2022, the MHBRA board approved a reimbursement request from Madison Center Owner LLC for \$2,086,645.88 leaving \$291,353.12 remaining for reimbursement.

PM Environmental has submitted a 2<sup>nd</sup> request on behalf of Madison Center Owner LLC for the remaining \$291,353.12 in funds for reimbursement as approved within the Brownfield Plan. The request includes a total of \$312,426.90 in eligible demolition activities in preparation for their anchor tenant for the strip portion of the project. Their request also included signed and notarized Applications for Payment, Statements from Madison Center Owners contractor and signed Partial Conditional Waivers. If accepted, Madison Center Owners LLC will reach the maximum reimbursement as outlined in the Brownfield Plan.

**Staff Recommendation:**

Staff has reviewed this request and recommends Madison Center LLC be reimbursed the requested amount of \$291,353.12, bringing the approved total for reimbursement to \$2,388,549.00

Eligible Activities for Reimbursement

	Costs Approved in Brownfield Plan	Approved Reimbursement Request #1	Total Reimbursement Remaining	Reimbursement Request #2	Final Reimbursement Available
<b>ENVIRONMENTAL ELIGIBLE ACTIVITIES</b>					
Environmental Eligible Activities	\$7,900.00	\$12,350.00	(\$4,450.00)	\$0.00	\$0.00
Due Care Activities	\$15,000.00	\$0.00	\$15,000.00	\$0.00	\$0.00
Subtotal: Environmental	<b>\$22,900.00</b>	<b>\$12,350.00</b>	<b>\$10,550.00</b>	\$0.00	\$0.00
<b>NON-ENVIRONMENTAL ELIGIBLE ACTIVITIES</b>					
Lead & Asbestos Abatement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Demolition	\$1,177,890.00	\$282,350.00	\$895,540.00	\$291,353.12	\$0.00
Site Preparation	\$155,500.00	\$814,938.68	(\$659,438.68)	\$0.00	\$0.00
Infrastructure Improvements	\$700,000.00	\$957,007.20	(\$257,007.20)	\$0.00	\$0.00
Preparation of Brownfield & MSF Act 381 Work Plan	\$25,000.00	\$20,000.00	\$5,000.00	\$0.00	\$0.00
Subtotal: Non-Environmental	<b>\$2,058,390.00</b>	<b>\$2,074,295.88</b>	<b>(\$15,905.88)</b>	<b>\$291,353.12</b>	\$0.00
Environmental & Non-Environmental	\$2,081,290.00	\$2,086,645.88	(\$5,355.88)		
Contingency (15%)	\$307,259.00				
State %					
Local %					
<b>MAXIMUM ELIGIBLE ACTIVITIES COST FOR REIMBURSEMENT</b>	<b>\$2,388,549.00</b>	<b>\$2,086,645.88</b>	<b>\$291,353.12</b>	<b>\$291,353.12</b>	<b>\$0.00</b>

**Detail of Eligible Activities Approved for Reimbursement**  
**29101-29501 John R Road - Madison Center, Madison Heights**

Activity (as identified in the Project's Approved Act 381 Work Plan)	Invoice Description	Contractor	Invoice No.	Invoice Date	Service Period	Proof of Payment	Amount Requested	Amount Recommended for Approval by City Staff	Staff Notes
<b>EGLE ENVIRONMENTAL ELIGIBLE ACTIVITIES</b>									
<b>Environmental Assessment Activities</b>									
<b>Subtotal Environmental Assessment Activities</b>							<b>0.00</b>	<b>\$0.00</b>	
<b>MSF NON-ENVIRONMENTAL ELIGIBLE ACTIVITIES</b>									
<b>Lead &amp; Asbestos Activities</b>									
<b>Subtotal Lead &amp; Asbestos Activities</b>							<b>\$0.00</b>	<b>\$0.00</b>	
<b>Demolition</b>									
Site Demolition Activities	Demolition	The Alan Group Constructors, LLC	Pay Application #3	4/30/2022	4/1/2022 to 4/30/2022	Waiver	\$52,071.15	\$52,071.15	Application for Payment p. 9-11; Sworn Statement for Contractor or Subcontractor p.12-14; Partial Conditional Waiver signed 4-26-22 p. 15
Site Demolition Activities	Demolition	The Alan Group Constructors, LLC	Pay Application #2	3/31/2022	3/31/2022	Waiver	\$138,856.40	\$138,856.40	Application for Payment p. 16-18; Sworn Statement for Contractor or Subcontractor p.19-21; Partial Conditional Waiver signed 3-30-22 p. 22
Site Demolition Activities	Demolition	The Alan Group Constructors, LLC	Pay Application #1	2/28/2022	2/28/2022	Waiver	\$156,213.45	\$156,213.45	Application for Payment p. 23-25; Sworn Statement for Contractor or Subcontractor p.26-28; Partial Conditional Waiver signed 3-1-22 p. 29
<b>Subtotal Demolition</b>							<b>\$347,141.00</b>	<b>\$347,141.00</b>	
<b>Site Preparation</b>									
<b>Subtotal Site Preparation</b>							<b>\$0.00</b>	<b>\$0.00</b>	
<b>Infrastructure Improvement</b>									
<b>Subtotal Infrastructure Improvements</b>							<b>\$0.00</b>	<b>\$0.00</b>	
<b>Preparation of Brownfield Plan and MSF Act 381 Work Plan</b>									
<b>Subtotal Preparation of Brownfield Plan and MSF Act 381 Work Plan</b>							<b>\$0.00</b>	<b>\$0.00</b>	
<b>Contingency</b>									
<b>Subtotal Contingency</b>									

Work Completed Total	\$347,141.00
Retainage Balance	\$34,714.11
<b>Total Reimburseable Activities</b>	<b>\$312,426.89</b>



**Corporate Headquarters**  
Lansing, Michigan  
3340 Ranger Road, Lansing, MI 48906  
f: 877.884.6775  
t: 517.321.3331

**Michigan Locations**  
Berkley  
Grand Rapids  
Lansing  
Bay City  
Chesterfield  
Oak Park

November 7, 2022

Giles Tucker  
City of Madison Heights  
300 West Thirteen Mile Road  
Madison Heights, MI 48071

**RE: Tax Increment Financing Reimbursement Request for the Property Located at  
29101-29501 John R Road, Madison Heights, Michigan; Request 01  
PM Project: 01-09163-5-0002**

Mr. Tucker,

Enclosed is Tax Increment Financing (TIF) Reimbursement Request 01 for the facility located at 29101-29501 John R Road, Madison Heights, Michigan 48071, parcel numbers 44-25-11-476-014. and 44-25-11-476-013.

This request is being submitted on behalf of Madison Center Owner, LLC ("Developer"). The terms for reimbursement of eligible brownfield costs were set forth in the Brownfield Reimbursement Agreement executed by the City of Madison Height's Brownfield Redevelopment Authority (MHBRA) and Madison Center Owner, LLC on December 12, 2019. The entity making eligible investment is Madison Center Owner, LLC.

Enclosed is a description of each individual Eligible Activity, the associated costs of each activity, and documentation of the costs incurred including proof of payment and detailed invoices.

To the extent that this submission is approved, City of Madison Heights shall cause Developer to be paid the amounts approved as determined eligible under the Brownfield Plan and documented in the reimbursement request.

The total not to exceed cost for Eligible Activities approved in the Brownfield Plan is \$2,388,549.00. Request #1 was previously approved for an amount of \$2,086,645.88 and left a remaining balance \$291,353.12 available for reimbursement. The total amount of eligible activities incurred and requested in this Reimbursement Request total \$312,426.90 which exceeds \$291,353.12. Therefore this request is limited to a total of \$291,353.12.

The table provided in Appendix B summarizes the costs incurred to date by eligible activity. The table provided in Appendix C details the incurred expenses with the corresponding pay applications completed by that contractor and proof of payment.

**29101-29501 John R Road in Madison Heights, Michigan  
TIF Reimbursement Request  
PM Project No. 01-09163-5-0002**

If you have any questions related to this request, please do not hesitate to contact our office at (248) 336-9988 or email at [eliz.masserang@pmenv.com](mailto:eliz.masserang@pmenv.com).

Sincerely,  
**PM ENVIRONMENTAL, INC**



Elizabeth Masserang  
Regional Manager  
Brownfield & Economic Incentives

**Appendices:**

Appendix A: Description of Eligible Activities Conducted

Appendix B: Eligible Activities and Costs Incurred Table

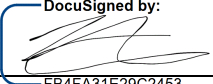
Appendix C: Documentation of Eligible Costs and Proof of Payment

**29101-29501 John R Road in Madison Heights, Michigan  
TIF Reimbursement Request  
PM Project No. 01-09163-5-0002**

I certify that the information submitted on and with this Request for Reimbursement is accurate and is an eligible cost described in the Brownfield Plan for this project approved by the City Council of Madison Heights.

**Developer:** Niko Moschouris

**Signature:**

DocuSigned by:  
  
FB4FA31E29C2453...

**Date:**

11/28/2022

**Title:**

Authorized Agent

**Address:**

28454 Woodward Ave, Royal Oak MI 48067

# Appendix A

## **Appendix A: Completed Eligible Activities Summary**

Below is a narrative of the eligible activities being sought for reimbursement.

### **Demolition:**

Demolition Activities approved within the Brownfield Plan.

Costs related to demolition were incurred to prepare the property for a future grocer tenant.

These activities are eligible as defined by Act 381, as amended. The Brownfield Plan approved cost of \$1,177,890.00 for activities related to demolition utilizing local tax revenue streams. Under the previous Reimbursement Request #1, a total of \$282,350.00 was requested and approved in July 2022 in demolition related expenses.

The current request totals \$312,426.90 in reimbursement for demolition activities. The associated pay application and contractor waiver are provided in Appendix C.

### **Summary**

The table provided in Appendix B summarizes the costs incurred to date by eligible activity. The table provided in Appendix C details the incurred expenses with the corresponding pay applications completed by that contractor and proof of payment.

In July 2022, the Madison Heights Brownfield Redevelopment Authority (MHBRA) approved Reimbursement Request #1 for an amount of \$2,086,645.88, which left a remaining available balance of \$291,353.12 for the current Reimbursement Request #2.

The total amount of eligible activities incurred and requested in this Reimbursement Request total \$312,426.90 which exceeds. \$291,353.12. Therefore this request is limited to a total of \$291,353.12. These costs were incurred after the approval of the Brownfield Plan in December 2019.



# Appendix B

Eligible Activities	381 Brownfield Plan Approved Costs	Code	Pay Request #1 Approved Amount	Pay Request #2	Amount Requested to Date
Brownfield TIF					
Task # 1 Pre-Approved Activities					
Phase I ESA	\$ 2,000.00	A1	\$ -	\$ -	\$ -
Phase II ESA/BEA	\$ 5,900.00	A2	\$ 10,150.00	\$ -	\$ 10,150.00
Hazmat Survey	\$ -	A3	\$ 2,200.00	\$ -	\$ 2,200.00
Task 1 Task Sub-Total	\$ 7,900.00		\$ 12,350.00	\$ -	\$ 12,350.00
Task #2 Department Specific Activities					
Dust Control	\$ 15,000.00	B1	\$ -		\$ -
Task 2 Task Sub-Total	\$ 15,000.00		\$ -		\$ -
Remaining Environmental Activities Budget					
Task # 3 Asbestos Activities					
Asbestos Abatement	\$ -	C1	\$ -	\$ -	\$ -
Task 3 Task Sub-Total	\$ -		\$ -	\$ -	\$ -
Task # 4 Demolition					
Site Demolition Activities	\$ 140,000.00	D1	\$ 282,350.00	\$ 291,353.12	\$ 573,703.12
Pre-Demolition Audit or Survey	\$ 5,000.00	D2	\$ -	\$ -	\$ -
Fill/Compaction/Rough Grading to Balance Site where Bldg. was Located	\$ 250,000.00	D3	\$ -	\$ -	\$ -
Removal of Abandoned Utilities	\$ 75,000.00	D4	\$ -	\$ -	\$ -
Removal of Parking Lots	\$ 392,890.00	D5	\$ -	\$ -	\$ -
Fill, Compaction & Rough Grading to Balance Site Where Improvements Were Located	\$ 300,000.00	D6	\$ -	\$ -	\$ -
Professional Fees Related to Geotechnical, Engineering & Design Work if Directly Related to Building and/or Site Demolition Activities	\$ 15,000.00	D7	\$ -	\$ -	\$ -
Task 4 Task Sub-Total	\$ 1,177,890.00		\$ 282,350.00	\$ 291,353.12	\$ 573,703.12
Task # 5 Infrastructure Improvements					
Urban Storm Water Management Systems (Traditional versus Low Impact Design)	\$ 700,000.00	E1	\$ 789,603.60	\$ -	\$ 789,603.60
Installation of Water Mains	\$ -	E2	\$ 122,000.00	\$ -	\$ 122,000.00
Curb and Gutter	\$ -	E3	\$ -	\$ -	\$ -
Landscaping in Public Right of Way	\$ -	E4	\$ 45,403.60	\$ -	\$ 45,403.60
Task 5 Task Sub-Total	\$ 700,000.00		\$ 957,007.20	\$ -	\$ 957,007.20
Task # 6 Site Preparation					
Temporary Facility	\$ 18,000.00	F1	\$ -	\$ -	\$ -
Temporary Traffic Control	\$ 15,000.00	F2	\$ -	\$ -	\$ -
Temporary Erosion Control	\$ 13,000.00	F3	\$ 5,035.35	\$ -	\$ 5,035.35
Temporary Site Control (fencing, gates, signage and/or lighting)	\$ 45,000.00	F4	\$ -	\$ -	\$ -
Staking	\$ 45,000.00	F5	\$ -	\$ -	\$ -
Geotechnical Engineering	\$ 7,500.00	F6	\$ -	\$ -	\$ -
Cut and Fill Operations	\$ 12,000.00	F7	\$ 809,903.33	\$ -	\$ 809,903.33
Task 5 Task Sub-Total	\$ 155,500.00		\$ 814,938.68	\$ -	\$ 814,938.68
Task # 7 Brownfield Plan Preparation and Implementation					
Brownfield Plan Preparation	\$ 15,000.00	G1	\$ 15,000.00	\$ -	\$ 15,000.00
Brownfield Plan Implementation	\$ 10,000.00	G2	\$ 5,000.00	\$ -	\$ 5,000.00
Task 6 Task Sub-Total	\$ 25,000.00		\$ 20,000.00	\$ -	\$ 20,000.00
3rd Party Oversight (up to 5%)					
Contingency (up to 15%)	\$ 307,259.00				\$ -
Remaining Environmental Activities Budget					
Total Brownfield TIF	\$ 2,388,549.00		\$ 2,086,645.88	\$ 291,353.12	\$ 2,377,999.00

# Appendix C

# APPLICATION FOR PAYMENT

TO OWNER: MADISON CENTER OWNER, LLC.  
28454 WOODWARD AVENUE  
ROYAL OAK, MI 48067

PROJECT: AMAZON - LANDLORD WORK

APPLICATION NO.: 3

DISTRIBUTE TO:

PERIOD TO: 4/30/2022

OWNER

PROJECT NO.: 22-22002

ARCHITECT

FROM CONTRACTOR: The Alan Group Constructors, LLC  
1800 Brinston  
Troy, MI 48083

ARCHITECT: ROGVOY ARCHITECTS  
32500 TELEGRAPH ROAD  
BINGHAM FARMS, MI 48025

CONTRACT DATE:

CONTRACTOR

CONTRACT FOR:

## CONTRACTOR'S APPLICATION FOR PAYMENT

1. ORIGINAL CONTRACT SUM ..... \$ 5,572,341.00
2. Net Change by Change Orders ..... \$ 234,036.00
3. CONTRACT SUM TO DATE (Line 1 + 2)..... \$ 5,806,377.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 1,149,756.49  
(From Continuation Sheet)
5. RETAINAGE:
  - a. 10.00% of Completed Work ..... \$ 114,975.66  
(From Continuation Sheet)
  - b. % of Stored Material .....  
(From Continuation Sheet)
- Total Retainage (Line 5a + 5b or  
Total From Continuation Sheet ) ..... \$ 114,975.66
6. TOTAL EARNED LESS RETAINAGE ..... \$ 1,034,780.83  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT ..... \$ 859,199.16
8. CURRENT PAYMENT DUE ..... \$ 175,581.67
9. BALANCE TO FINISH, PLUS RETAINAGE  
(Line 3 less Line 6) ..... \$ 4,771,596.17

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	6,237.00	-6,237.00
Total approved this Month	340,084.73	-106,048.73
TOTALS	346,321.73	-112,285.73
NET CHANGES by Change Order	234,036.00	

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: The Alan Group Constructors, LLC

By: \_\_\_\_\_ Date: 4.26.22

State of: Michigan

County of: Macomb

Subscribed and sworn to before  
me this 26 day of April, 2022

Notary Public: Renay Ann Rytlewski

My Commission expires 6.21.23

RENAY ANN RYTLEWSKI  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Jun. 29, 2023  
Acting in the County of Oakland

## 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 ..... \$ \_\_\_\_\_

ARCHITECT: ROGVOY ARCHITECTS

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

OWNER: MADISON CENTER OWNER, LLC.

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

## APPLICATION FOR PAYMENT CONTINUATION SHEET

Project: 22-22002 / AMAZON - LANDLORD WORK

Invoice: 222200203

Draw:3

Period Ending Date: 4/30/2022

Item ID	Description	Original Contract	Approved Change Orders	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Retainage Balance	Balance To Finish
1000	General Conditions	48,693.00		48,693.00	13,630.00			13,630.00	27.99	1,363.00	35,063.00
1002	Project Labor	140,454.00		140,454.00	26,068.10	4,000.00		30,068.10	21.41	3,006.81	110,385.90
1020	Testing	23,921.00	-701.25	23,219.75							23,219.75
1040	Insurance	27,000.00		27,000.00	5,940.00	500.00		6,440.00			20,560.00
1041	Builders Risk	0.00	7,462.00	7,462.00		7,462.00		7,462.00			
1051	Permit Allowance	55,000.00	21,792.02	76,792.02	55,000.00	21,792.02		76,792.02			
2100	Sitework	109,113.00		109,113.00							9,113.00
2104	Site Utilities	198,000.00	3,247.88	201,247.88							201,247.88
2230	Demolition	347,141.00		347,141.00	295,069.85	52,071.15		347,141.00	100.00	34,714.11	
2300	Asphalt Paving	208,700.00	-11,300.00	197,400.00							197,400.00
2373	Exterior Improvements	7,777.00	11,645.13	19,422.13							19,422.13
2374	Landscape & Irrigation Allowan	25,000.00	-28,029.02	-3,029.02							-3,029.02
2380	Fencing & Gates	9,780.00		9,780.00							9,780.00
3010	Foundations	140,000.00		140,000.00		34,000.00		34,000.00	24.29	3,400.00	106,000.00
3100	Concrete	120,300.00	28,705.00	149,005.00							149,005.00
4100	Masonry	83,000.00	7,475.00	90,475.00							90,475.00
5100	Structural Steel	930,000.00	39,800.00	969,800.00	15,000.00			15,000.00	1.55	1,500.00	954,800.00
6100	Rough Carpentry	470,476.00	3,553.00	474,029.00							474,029.00
7240	EIFS	1,715.00		1,715.00							1,715.00
7400	Metal Panels	334,100.00	47,704.00	381,804.00	42,570.00			42,570.00	11.15	4,257.00	339,234.00
7530	Roofing	597,365.00	28,118.00	625,483.00	461,500.00			461,500.00	73.78	46,150.00	163,983.00
7905	Expansion Control	8,500.00		8,500.00							8,500.00
7920	Sealants	28,000.00	-8,500.00	19,500.00							19,500.00
8105	Glass & Glazing	122,000.00	15,568.00	137,568.00	1,785.00			1,785.00	1.30	178.50	135,783.00
8210	Wood Doors	15,270.00		15,270.00							15,270.00

Total amount of  
\$347,141, less held  
retention of \$34,714.11 =  
request for \$312,426.89  
associated with  
demolition

Period Ending Date : 4/30/2022

Item ID	Description	Original Contract	Approved Change Orders	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Retainage Balance	Balance To Finish
8362	Roof Windows & Skylights	34,728.00		34,728.00							34,728.00
9900	Painting	15,750.00		15,750.00							15,750.00
10526	Fire Ext Cabinets	880.00		880.00							880.00
10905	Exterior Entry Canopies	175,900.00		175,900.00							175,900.00
11162	Loading Dock Equipment	65,970.00		65,970.00							65,970.00
15300	Fire Suppression	95,055.00		95,055.00							95,055.00
15400	Plumbing	145,000.00	4,200.00	149,200.00							149,200.00
15500	HVAC	527,500.00	20,323.37	547,823.37	13,250.00			13,250.00	2.42	1,325.00	534,573.37
16100	Electrical	315,000.00	37,634.00	352,634.00		70,000.00		70,000.00	19.85	7,000.00	282,634.00
18300	Fee	145,253.00	5,338.87	150,591.87	24,852.79	5,265.58		30,118.37	20.00	3,011.84	120,473.50
Totals		5,572,341.00	234,036.00	5,806,377.00	954,665.74	195,090.75		1,149,756.49	19.80	114,975.66	4,656,620.51

CONTRACTOR'S NAME: The Alan Group Constructors, L

PERIOD FROM: 4/1/22 TO: 4/30/22

REQUEST NO: 222200203

**SWORN STATEMENT FOR  
CONTRACTOR OR SUBCONTRACTOR**STATE OF Michigan  
COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

AMAZON - LANDLORD WORK

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/(subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names a follows:

No.	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Original Contract Price	Change Orders (+) or (-)	Adjusted Contract Price	Amount Already Paid	Amount Currently Owning	Total Retention Held	Balance To Complete
1000	The Alan Group Constructors, L	General Conditions	48,693.00	0.00	48,693.00	12,267.00	0.00	1,363.00	35,063.00
1002	The Alan Group Constructors, L	Project Labor	140,454.00	0.00	140,454.00	23,461.29	3,600.00	3,006.81	110,385.90
1020	The Alan Group Constructors, L	Testing	23,921.00	-701.25	23,219.75	0.00	0.00	0.00	23,219.75
1040	The Alan Group Constructors, L	Insurance	27,000.00	0.00	27,000.00	5,346.00	450.00	644.00	20,560.00
1041	The Alan Group Constructors, L	Builders Risk	0.00	7,462.00	7,462.00	0.00	6,715.80	746.20	0.00
1051	The Alan Group Constructors, L	Permit Allowance	55,000.00	21,792.02	76,792.02	49,500.00	19,612.82	7,679.20	0.00
2100	The Alan Group, Inc.	Sitework	109,113.00	0.00	109,113.00	0.00	0.00	0.00	109,113.00
2104	Simone Contracting	Site Utilities	198,000.00	3,247.88	201,247.88	0.00	0.00	0.00	201,247.88
2230	The Alan Group, Inc.	Demolition	347,141.00	0.00	347,141.00	265,562.86	46,864.03	34,714.11	0.00
2300	Asphalt Specialist, Inc.	Asphalt Paving	208,700.00	-11,300.00	197,400.00	0.00	0.00	0.00	197,400.00
2373	TBD	Exterior Improvements	7,777.00	11,645.13	19,422.13	0.00	0.00	0.00	19,422.13
2374	TBD	Landscape & Irrigation Allowan	25,000.00	-28,029.02	-3,029.02	0.00	0.00	0.00	-3,029.02
2380	TBD	Fencing & Gates	9,780.00	0.00	9,780.00	0.00	0.00	0.00	9,780.00
3010	Grit Services	Foundations	140,000.00	0.00	140,000.00	0.00	30,600.00	3,400.00	106,000.00
3100	Grit Services	Concrete	120,300.00	28,705.00	149,005.00	0.00	0.00	0.00	149,005.00
4100	ALEC Masonry	Masonry	83,000.00	7,475.00	90,475.00	0.00	0.00	0.00	90,475.00
5100	Sanilac Steel	Structural Steel	930,000.00	39,800.00	969,800.00	13,500.00	0.00	1,500.00	954,800.00
6100	EJ Kaneris	Rough Carpentry	470,476.00	3,553.00	474,029.00	0.00	0.00	0.00	474,029.00
7240	SC Construction	EIFS	1,715.00	0.00	1,715.00	0.00	0.00	0.00	1,715.00
7400	Liberty Sheet Metal	Metal Panels	334,100.00	47,704.00	381,804.00	38,313.00	0.00	4,257.00	339,234.00
7530	Esko Roofing & Sheet Metal	Roofing	597,365.00	28,118.00	625,483.00	415,350.00	0.00	46,150.00	163,983.00
7905	Grit Services	Expansion Control	8,500.00	0.00	8,500.00	0.00	0.00	0.00	8,500.00

**SWORN STATEMENT FOR  
CONTRACTOR OR SUBCONTRACTOR**

STATE OF Michigan  
COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

AMAZON - LANDLORD WORK

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/(subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names as follows:

No.	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Original Contract Price	Change Orders (+) or (-)	Adjusted Contract Price	Amount Already Paid	Amount Currently Owning	Total Retention Held	Balance To Complete
7920	Grit Services	Sealants	28,000.00	-8,500.00	19,500.00	0.00	0.00	0.00	19,500.00
8105	Rochester Hills Contracting	Glass & Glazing	122,000.00	15,568.00	137,568.00	1,606.50	0.00	178.50	135,783.00
8210	RK Hoppe Corp.	Wood Doors	15,270.00	0.00	15,270.00	0.00	0.00	0.00	15,270.00
8362	Esko Roofing & Sheet Metal	Roof Windows & Skylights	34,728.00	0.00	34,728.00	0.00	0.00	0.00	34,728.00
9900	Tom Furnari Painting	Painting	15,750.00	0.00	15,750.00	0.00	0.00	0.00	15,750.00
10526	The Alan Group Constructors, L	Fire Ext Cabinets	880.00	0.00	880.00	0.00	0.00	0.00	880.00
10905	Liberty Sheet Metal	Exterior Entry Canopies	175,900.00	0.00	175,900.00	0.00	0.00	0.00	175,900.00
11162	Miiner LTD, DBA Great Lakes	Loading Dock Equipment	65,970.00	0.00	65,970.00	0.00	0.00	0.00	65,970.00
15300	TSFP Holdings, LLC.	Fire Suppression	95,055.00	0.00	95,055.00	0.00	0.00	0.00	95,055.00
15400	Mills Mechanical	Plumbing	145,000.00	4,200.00	149,200.00	0.00	0.00	0.00	149,200.00
15500	Forced Air Systems	HVAC	527,500.00	20,323.37	547,823.37	11,925.00	0.00	1,325.00	534,573.37
16100	Advantage Electric & Controls	Electrical	315,000.00	37,634.00	352,634.00	0.00	63,000.00	7,000.00	282,634.00
18300	The Alan Group Constructors, L	Fee	145,253.00	5,338.87	150,591.87	22,367.51	4,739.02	3,011.84	120,473.50
<b>TOTALS</b>			<b>5,572,341.00</b>	<b>234,036.00</b>	<b>5,806,377.00</b>	<b>859,199.16</b>	<b>175,581.67</b>	<b>114,975.66</b>	<b>4,656,620.51</b>



CONTRACTOR'S NAME: The Alan Group Constructors, L

PERIOD FROM: 4/1/22 TO: 4/30/22

REQUEST NO: 222200203

## SWORN STATEMENT FOR CONTRACTOR OR SUBCONTRACTOR

STATE OF Michigan  
COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

AMAZON - LANDLORD WORK

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/(subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names a follows:

That the contractor has not procured material from, or subcontracted with, any person other than those set forth above and owes no money for the improvement other than the sums set forth above. Deponent further says that he or she makes the foregoing statement as the (contractor)(subcontractor) or as \_\_\_\_\_ of the (contractor)(subcontractor) for the purpose of representing to the owner or lessee of the above described premises and his or her agents that the above-described property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth above and except for claims of construction liens by laborers which may be provided pursuant to section 109 of the construction lien act, Act No. 497 of the Public Acts of 1980, as amended, being section 570.1109 of the Michigan Compiled Laws.

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE ABOVE-DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

**WARNING TO DEPONENT:** A PERSON, WHO WITH INTENT TO DEFAUD, GIVES A FALSE SWORN STATEMENT IS SUBJECT TO CRIMINAL PENALTIES AS PROVIDED IN SECTION 110 OF THE CONSTRUCTION LIEN ACT NO. 497 OF THE PUBLIC ACTS OF 1980, AS AMENDED, BEING SECTION 570.1110 OF THE MICHIGAN COMPILED LAWS.

For a Valuable Consideration, paid to the undersigned, the receipt whereof is hereby confessed and acknowledged, the undersigned hereby waive, release and relinquish any and all claims of right of lien which the undersigned now has or may have hereafter upon the premises described in the above sworn statement, for the labor and material, general supervision of construction, or otherwise.

The Alan Group Constructors, LLC. hereby agrees to indemnify and hold First American Title Insurance Company/ Title Connect, LLC harmless against any lien, claim or suit of or by any subcontractor, supplier, laborer, or other construction lien claimant if said lien, claim or suit is asserted by a claimant whose compensation for services or materials furnished was, or should have been, received whether directly or indirectly out of funds paid pursuant hereto. This indemnity includes,

but is not limited to, are reimbursement of all legal fees and other reasonable expenses connected with the proper defense by First American Title Insurance Company of its insureds against claims of construction liens.

By: \_\_\_\_\_  
Its: President

Deponent

Subscribed and sworn to before me this

26 day of April, 2022

Notary Public: Macomb County, Michigan

My commission expires 6-29-23

By: Renay Ann Rytlewski Date 4-26-22

RENAY ANN RYTLEWSKI  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Jun 29, 2023  
Acting in the County of Oakland

## PARTIAL CONDITIONAL WAIVER

My/our contract with \_\_\_Madison Center Owner, LLC.\_\_\_\_ to  
(other contracting party)

provide General Contracting Services \_\_\_\_\_ for improvement of the property  
described as: Amazon – Landlord Work \_\_\_\_\_  
and by signing this waiver waive my/our construction lien to the amount of \$ 175,581.67  
for labor/materials provided through 04/30/2022.

This waiver, together with all previous waivers, if any (circle one) does/does not cover all amount due to  
me/us for contract improvement provided through the date shown above. This waiver is conditioned on  
actual payment of the amount above.

If the owner or lessee of the property or the owner's or lessee's designee has received a notice of  
furnishing from me/one of us or if I/we are not required to provide one, and the owner, lessee, or designee  
has not received this waiver directly from me/one of us, the owner, lessee, or designee may not rely upon it  
without contacting me/one of us, either in writing, by telephone, or personally, to verify that it is authentic.

The Alan Group Constructors, LLC. \_\_\_\_\_

(company name)

(signature of lien claimant)

Address:

1800 Brinston \_\_\_\_\_

Troy, MI 48083 \_\_\_\_\_

Telephone:

248-298-0100 \_\_\_\_\_

Signed on: \_\_\_\_\_

(date)

4.26.22

DO NOT SIGN BLANK OR INCOMPLETE FORMS. RETAIN A COPY.

# APPLICATION FOR PAYMENT

TO OWNER: MADISON CENTER OWNER, LLC.  
28454 WOODWARD AVENUE  
ROYAL OAK, MI 48067

PROJECT: MADISON CENTER - WHITEBOX

APPLICATION NO.: 2

DISTRIBUTE TO:

PERIOD TO: 3/31/2022

OWNER

PROJECT NO.: 22-22002

ARCHITECT

FROM CONTRACTOR: The Alan Group Constructors, LLC  
1800 Brinston  
Troy, MI 48083

ARCHITECT: ROGVOY ARCHITECTS  
32500 TELEGRAPH ROAD  
BINGHAM FARMS, MI 48025

CONTRACT DATE:  
CONTRACT FOR:

CONTRACTOR

## CONTRACTOR'S APPLICATION FOR PAYMENT

1. ORIGINAL CONTRACT SUM ..... \$ 5,572,341.00
2. Net Change by Change Orders ..... \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)..... \$ 5,572,341.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 954,665.74  
(From Continuation Sheet)
5. RETAINAGE:
  - a. 10.00% of Completed Work ..... \$ 95,466.58  
(From Continuation Sheet)
  - b. % of Stored Material .....  
(From Continuation Sheet)
- Total Retainage (Line 5a + 5b or  
Total From Continuation Sheet ) ..... \$ 95,466.58
6. TOTAL EARNED LESS RETAINAGE ..... \$ 859,199.16  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT ..... \$ 675,374.13
8. CURRENT PAYMENT DUE ..... \$ 183,825.03
9. BALANCE TO FINISH, PLUS RETAINAGE  
(Line 3 less Line 6) ..... \$ 4,713,141.84

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month	6,237.00	-6,237.00
TOTALS	6,237.00	-6,237.00
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: The Alan Group Constructors, LLC

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

Date: 3-30-22

State of: Michigan

County of: Macomb

Subscribed and sworn to before  
me this 30 day of March, 2022

Notary Public: Renay Ann Rytlewski

My Commission expires: 6-29-23

RENAY ANN RYTLEWSKI  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Jun. 29, 2023  
Acting in the County of Oakland

## 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 ..... \$ \_\_\_\_\_

ARCHITECT: ROGVOY ARCHITECTS

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

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

OWNER: MADISON CENTER OWNER, LLC.

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

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

## APPLICATION FOR PAYMENT CONTINUATION SHEET

Project: 22-22002 / MADISON CENTER - WHITEB(

Invoice: 222200202

Draw:2

Period Ending Date : 3/31/2022

Item ID	Description	Original Contract	Approved Change Orders	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Retainage Balance	Balance To Finish
1000	General Conditions	48,693.00		48,693.00	13,130.00	500.00		13,630.00	27.99	1,363.00	35,063.00
1002	Project Labor	140,454.00		140,454.00	21,068.10	5,000.00		26,068.10	18.56	2,606.81	114,385.90
1020	Testing	23,921.00		23,921.00							23,921.00
1040	Insurance	27,000.00		27,000.00	4,050.00	1,890.00		5,940.00	22.00	594.00	21,060.00
1051	Permit Allowance	55,000.00		55,000.00	4,025.00	50,975.00		55,000.00	100.00	5,500.00	
2100	Sitework	109,113.00		109,113.00							109,113.00
2104	Site Utilities	198,000.00		198,000.00							198,000.00
2230	Demolition	347,141.00		347,141.00	156,213.45	138,856.40		295,069.85	85.00	29,506.99	52,071.15
2300	Asphalt Paving	208,700.00		208,700.00							208,700.00
2373	Exterior Improvements	7,777.00		7,777.00							7,777.00
2374	Landscape & Irrigation Allowan	25,000.00	-6,237.00	18,763.00							18,763.00
2380	Fencing & Gates	9,780.00		9,780.00							9,780.00
3010	Foundations	140,000.00		140,000.00							140,000.00
3100	Concrete	120,300.00		120,300.00							120,300.00
4100	Masonry	83,000.00		83,000.00							83,000.00
5100	Structural Steel	930,000.00		930,000.00	15,000.00			15,000.00	1.61	1,500.00	915,000.00
6100	Rough Carpentry	470,476.00		470,476.00							470,476.00
7240	EIFS	1,715.00		1,715.00							1,715.00
7400	Metal Panels	334,100.00		334,100.00	42,570.00			42,570.00	12.74	4,257.00	291,530.00
7530	Roofing	597,365.00		597,365.00	461,500.00			461,500.00	77.26	46,150.00	135,865.00
7905	Expansion Control	8,500.00		8,500.00							8,500.00
7920	Sealants	28,000.00		28,000.00							28,000.00
8105	Glass & Glazing	122,000.00		122,000.00		1,785.00		1,785.00	1.46	178.50	120,215.00
8210	Wood Doors	15,270.00		15,270.00							15,270.00
8362	Roof Windows & Skylights	34,728.00		34,728.00							34,728.00

## APPLICATION FOR PAYMENT CONTINUATION SHEET

Project: 22-22002 / MADISON CENTER - WHITEB

Invoice: 222200202

Draw:2

Period Ending Date : 3/31/2022

Item ID	Description	Original Contract	Approved Change Orders	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Retainage Balance	Balance To Finish
9900	Painting	15,750.00		15,750.00							15,750.00
10526	Fire Ext Cabinets	880.00		880.00							880.00
10905	Exterior Entry Canopies	175,900.00		175,900.00							175,900.00
11162	Loading Dock Equipment	65,970.00		65,970.00							65,970.00
15300	Fire Suppression	95,055.00		95,055.00							95,055.00
15400	Plumbing	145,000.00		145,000.00							145,000.00
15500	HVAC	527,500.00		527,500.00	13,250.00			13,250.00	2.51	1,325.00	514,250.00
16100	Electrical	315,000.00	6,237.00	321,237.00							321,237.00
18300	Fee	145,253.00		145,253.00	19,609.16	5,243.63		24,852.79	17.11	2,485.28	120,400.21

Totals		5,572,341.00	0.00	5,572,341.00	750,415.71	204,250.03		954,665.74	17.13	95,466.58	4,617,675.26
--------	--	--------------	------	--------------	------------	------------	--	------------	-------	-----------	--------------

CONTRACTOR'S NAME: The Alan Group Constructors, L  
 PERIOD FROM: 3/1/22 TO: 3/31/22  
 REQUEST NO: 222200202

## SWORN STATEMENT FOR CONTRACTOR OR SUBCONTRACTOR

STATE OF Michigan  
 COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

MADISON CENTER - WHITEBOX

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/ (subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names as follows:

No.	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Original Contract Price	Change Orders (+) or (-)	Adjusted Contract Price	Amount Already Paid	Amount Currently Owning	Total Retention Held	Balance To Complete
1000	The Alan Group Constructors, L	General Conditions	48,693.00	0.00	48,693.00	11,817.00	450.00	1,363.00	35,063.00
1002	The Alan Group Constructors, L	Project Labor	140,454.00	0.00	140,454.00	18,961.29	4,500.00	2,606.81	114,385.90
1020	The Alan Group Constructors, L	Testing	23,921.00	0.00	23,921.00	0.00	0.00	0.00	23,921.00
1040	The Alan Group Constructors, L	Insurance	27,000.00	0.00	27,000.00	3,645.00	1,701.00	594.00	21,060.00
1051	The Alan Group Constructors, L	Permit Allowance	55,000.00	0.00	55,000.00	3,622.50	45,877.50	5,500.00	0.00
2100	The Alan Group, Inc.	Sitework	109,113.00	0.00	109,113.00	0.00	0.00	0.00	109,113.00
2104	Simone Contracting	Site Utilities	198,000.00	0.00	198,000.00	0.00	0.00	0.00	198,000.00
2230	The Alan Group, Inc.	Demolition	347,141.00	0.00	347,141.00	140,592.10	124,970.76	29,506.99	52,071.15
2300	Asphalt Specialist, Inc.	Asphalt Paving	208,700.00	0.00	208,700.00	0.00	0.00	0.00	208,700.00
2373	TBD	Exterior Improvements	7,777.00	0.00	7,777.00	0.00	0.00	0.00	7,777.00
2374	TBD	Landscape & Irrigation Allowan	25,000.00	-6,237.00	18,763.00	0.00	0.00	0.00	18,763.00
2380	TBD	Fencing & Gates	9,780.00	0.00	9,780.00	0.00	0.00	0.00	9,780.00
3010	Grit Services	Foundations	140,000.00	0.00	140,000.00	0.00	0.00	0.00	140,000.00
3100	Grit Services	Concrete	120,300.00	0.00	120,300.00	0.00	0.00	0.00	120,300.00
4100	ALEC Masonry	Masonry	83,000.00	0.00	83,000.00	0.00	0.00	0.00	83,000.00
5100	Sanilac Steel	Structural Steel	930,000.00	0.00	930,000.00	13,500.00	0.00	1,500.00	915,000.00
6100	EJ Kaneris	Rough Carpentry	470,476.00	0.00	470,476.00	0.00	0.00	0.00	470,476.00
7240	SC Construction	EIFS	1,715.00	0.00	1,715.00	0.00	0.00	0.00	1,715.00
7400	Liberty Sheet Metal	Metal Panels	334,100.00	0.00	334,100.00	38,313.00	0.00	4,257.00	291,530.00
7530	Esko Roofing & Sheet Metal	Roofing	597,365.00	0.00	597,365.00	415,350.00	0.00	46,150.00	135,865.00
7905	TBD	Expansion Control	8,500.00	0.00	8,500.00	0.00	0.00	0.00	8,500.00
7920	TBD	Sealants	28,000.00	0.00	28,000.00	0.00	0.00	0.00	28,000.00

CONTRACTOR'S NAME: The Alan Group Constructors, L

PERIOD FROM: 3/1/22 TO: 3/31/22

REQUEST NO: 222200202

## SWORN STATEMENT FOR CONTRACTOR OR SUBCONTRACTOR

STATE OF Michigan

COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

MADISON CENTER - WHITEBOX

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/ (subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names as follows:

No.	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Original Contract Price	Change Orders (+) or (-)	Adjusted Contract Price	Amount Already Paid	Amount Currently Owning	Total Retention Held	Balance To Complete
8105	Rochester Hills Contracting	Glass & Glazing	122,000.00	0.00	122,000.00	0.00	1,606.50	178.50	120,215.00
8210	RK Hoppe Corp.	Wood Doors	15,270.00	0.00	15,270.00	0.00	0.00	0.00	15,270.00
8362	Esko Roofing & Sheet Metal	Roof Windows & Skylights	34,728.00	0.00	34,728.00	0.00	0.00	0.00	34,728.00
9900	Tom Furnari Painting	Painting	15,750.00	0.00	15,750.00	0.00	0.00	0.00	15,750.00
10526	The Alan Group Constructors, L	Fire Ext Cabinets	880.00	0.00	880.00	0.00	0.00	0.00	880.00
10905	Liberty Sheet Metal	Exterior Entry Canopies	175,900.00	0.00	175,900.00	0.00	0.00	0.00	175,900.00
11162	Miiner LTD, DBA Great Lakes	Loading Dock Equipment	65,970.00	0.00	65,970.00	0.00	0.00	0.00	65,970.00
15300	TSFP Holdings, LLC.	Fire Suppression	95,055.00	0.00	95,055.00	0.00	0.00	0.00	95,055.00
15400	Mills Mechanical	Plumbing	145,000.00	0.00	145,000.00	0.00	0.00	0.00	145,000.00
15500	Forced Air Systems	HVAC	527,500.00	0.00	527,500.00	11,925.00	0.00	1,325.00	514,250.00
16100	Advantage Electric & Controls	Electrical	315,000.00	6,237.00	321,237.00	0.00	0.00	0.00	321,237.00
18300	The Alan Group Constructors, L	Fee	145,253.00	0.00	145,253.00	17,648.24	4,719.27	2,485.28	120,400.21
<b>TOTALS</b>			<b>5,572,341.00</b>	<b>0.00</b>	<b>5,572,341.00</b>	<b>675,374.13</b>	<b>183,825.03</b>	<b>95,466.58</b>	<b>4,617,675.26</b>



CONTRACTOR'S NAME: The Alan Group Constructors, L

PERIOD FROM: 3/1/22 TO: 3/31/22

REQUEST NO: 222200202

## SWORN STATEMENT FOR CONTRACTOR OR SUBCONTRACTOR

STATE OF Michigan  
COUNTY OF Macomb

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

MADISON CENTER - WHITEBOX

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/(subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names a follows:

That the contractor has not procured material from, or subcontracted with, any person other than those set forth above and owes no money for the improvement other than the sums set forth above. Deponent further says that he or she makes the foregoing statement as the (contractor)(subcontractor) or as \_\_\_\_\_ of the (contractor)(subcontractor) for the purpose of representing to the owner or lessee of the above described premises and his or her agents that the above-described property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth above and except for claims of construction liens by laborers which may be provided pursuant to section 109 of the construction lien act, Act No. 497 of the Public Acts of 1980, as amended, being section 570.1109 of the Michigan Compiled Laws.

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE ABOVE-DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

**WARNING TO DEPONENT:** A PERSON, WHO WITH INTENT TO DEFAUD, GIVES A FALSE SWORN STATEMENT IS SUBJECT TO CRIMINAL PENALTIES AS PROVIDED IN SECTION 110 OF THE CONSTRUCTION LIEN ACT NO. 497 OF THE PUBLIC ACTS OF 1980, AS AMENDED, BEING SECTION 570.1110 OF THE MICHIGAN COMPILED LAWS.

For a Valuable Consideration, paid to the undersigned, the receipt whereof is hereby confessed and acknowledged, the undersigned hereby waive, release and relinquish any and all claims of right of lien which the undersigned now has or may have hereafter upon the premises described in the above sworn statement, for the labor and material, general supervision of construction, or otherwise.

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Deponent

Subscribed and sworn to before me this

30 day of March, 2022

Notary Public: Macomb County, Michigan

My commission expires 6.29.23

By Renay Ann Rytlewski Date 3.30.22

RENAY ANN RYTLEWSKI  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires: 06/29/2023  
Acting in the County of Oakland



**PARTIAL CONDITIONAL WAIVER**

My/our contract with \_\_\_Madison Center Owner, LLC.\_\_\_\_ to  
(other contracting party)  
provide General Contracting Services \_\_\_\_\_ for improvement of the property  
described as: Madison Center Whitebox \_\_\_\_\_  
and by signing this waiver waive my/our construction lien to the amount of \$ 183,825.03  
for labor/materials provided through 03/31/2022.

This waiver, together with all previous waivers, if any (circle one) does/does not cover all amount due to  
me/us for contract improvement provided through the date shown above. This waiver is conditioned on  
actual payment of the amount above.

If the owner or lessee of the property or the owner's or lessee's designee has received a notice of  
furnishing from me/one of us or if I/we are not required to provide one, and the owner, lessee, or designee  
has not received this waiver directly from me/one of us, the owner, lessee, or designee may not rely upon it  
without contacting me/one of us, either in writing, by telephone, or personally, to verify that it is authentic.

The Alan Group Constructors, LLC  
(company name)

(signature of lien claimant)

Address: 1800 Brinston \_\_\_\_\_  
Troy, MI 48083 \_\_\_\_\_  
Telephone: 248-298-0100 \_\_\_\_\_

Signed on: 3.30.22  
(date)

DO NOT SIGN BLANK OR INCOMPLETE FORMS. RETAIN A COPY.

# APPLICATION FOR PAYMENT

TO OWNER: MADISON CENTER OWNER, LLC.  
28454 WOODWARD AVENUE  
ROYAL OAK, MI 48067

PROJECT: MADISON CENTER - WHITEBOX

APPLICATION NO.: 1

DISTRIBUTE TO:

PERIOD TO: 2/28/2022

OWNER

PROJECT NO.: 22-22002

ARCHITECT

FROM CONTRACTOR: The Alan Group Constructors, LLC  
1800 Brinston  
Troy, MI 48083

ARCHITECT: ROGVOY ARCHITECTS  
32500 TELEGRAPH ROAD  
BINGHAM FARMS, MI 48025

CONTRACT DATE:  
CONTRACT FOR:

CONTRACTOR

## CONTRACTOR'S APPLICATION FOR PAYMENT

1. ORIGINAL CONTRACT SUM ..... \$ 5,572,341.00
2. Net Change by Change Orders ..... \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)..... \$ 5,572,341.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 750,415.71  
(From Continuation Sheet)
5. RETAINAGE:
  - a. 10.00% of Completed Work ..... \$ 29,391.57  
(From Continuation Sheet)
  - b. 10.00% of Stored Material ..... \$ 45,650.01  
(From Continuation Sheet)
- Total Retainage (Line 5a + 5b or  
Total From Continuation Sheet ) ..... \$ 75,041.58
6. TOTAL EARNED LESS RETAINAGE ..... \$ 675,374.13  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT ..... \$ 0.00
8. CURRENT PAYMENT DUE ..... \$ 675,374.13
9. BALANCE TO FINISH, PLUS RETAINAGE  
(Line 3 less Line 6) ..... \$ 4,896,966.87

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: The Alan Group Constructors, LLC

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

Date: 3-1-22

State of: Michigan

County of: Macomb

Subscribed and sworn to before  
me this 1 day of March, 2022

Notary Public: Renay Ann Rytlewski

My Commission expires: 6-29-23

RENAY ANN RYTLEWSKI  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires: June 29, 2023  
Acting in the County of Oakland

## 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 ..... \$ \_\_\_\_\_

ARCHITECT: ROGVOY ARCHITECTS

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

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

OWNER: MADISON CENTER OWNER, LLC.

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

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

## APPLICATION FOR PAYMENT CONTINUATION SHEET

Project: 22-22002 / MADISON CENTER - WHITEB

Invoice: 222200201

Draw: 1

Period Ending Date : 2/28/2022

Item ID	Description	Original Contract	Approved Change Orders	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Retainage Balance	Balance To Finish
1000	General Conditions	48,693.00		48,693.00		13,130.00		13,130.00	26.96	1,313.00	35,563.00
1002	Project Labor	140,454.00		140,454.00		21,068.10		21,068.10	15.00	2,106.81	119,385.90
1020	Testing	23,921.00		23,921.00							23,921.00
1040	Insurance	27,000.00		27,000.00		4,050.00		4,050.00	15.00	405.00	22,950.00
1051	Permit Allowance	55,000.00		55,000.00		4,025.00		4,025.00	7.32	402.50	50,975.00
2100	Sitework	109,113.00		109,113.00							109,113.00
2104	Site Utilities	198,000.00		198,000.00							198,000.00
2230	Demolition	347,141.00		347,141.00		156,213.45		156,213.45	45.00	15,621.35	190,927.55
2300	Asphalt Paving	208,700.00		208,700.00							208,700.00
2373	Exterior Improvements	7,777.00		7,777.00							7,777.00
2374	Landscape & Irrigation Allowan	25,000.00		25,000.00							25,000.00
2380	Fencing & Gates	9,780.00		9,780.00							9,780.00
3010	Foundations	140,000.00		140,000.00							140,000.00
3100	Concrete	120,300.00		120,300.00							120,300.00
4100	Masonry	83,000.00		83,000.00							83,000.00
5100	Structural Steel	930,000.00		930,000.00		15,000.00		15,000.00	1.61	1,500.00	915,000.00
6100	Rough Carpentry	470,476.00		470,476.00							470,476.00
7240	EIFS	1,715.00		1,715.00							1,715.00
7400	Metal Panels	334,100.00		334,100.00		42,570.00		42,570.00	12.74	4,257.00	291,530.00
7530	Roofing	597,365.00		597,365.00		5,000.00	456,500.00	461,500.00	77.26	46,150.00	135,865.00
7905	Expansion Control	8,500.00		8,500.00							8,500.00
7920	Sealants	28,000.00		28,000.00							28,000.00
8105	Glass & Glazing	122,000.00		122,000.00							122,000.00
8210	Wood Doors	15,270.00		15,270.00							15,270.00
8362	Roof Windows & Skylights	34,728.00		34,728.00							34,728.00

## APPLICATION FOR PAYMENT CONTINUATION SHEET

Project: 22-22002 / MADISON CENTER - WHITEB

Invoice: 222200201

Draw: 1

Period Ending Date : 2/28/2022

Item ID	Description	Original Contract	Approved Change Orders	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Retainage Balance	Balance To Finish
9900	Painting	15,750.00		15,750.00							15,750.00
10526	Fire Ext Cabinets	880.00		880.00							880.00
10905	Exterior Entry Canopies	175,900.00		175,900.00							175,900.00
11162	Loading Dock Equipment	65,970.00		65,970.00							65,970.00
15300	Fire Suppression	95,055.00		95,055.00							95,055.00
15400	Plumbing	145,000.00		145,000.00							145,000.00
15500	HVAC	527,500.00		527,500.00		13,250.00		13,250.00	2.51	1,325.00	514,250.00
16100	Electrical	315,000.00		315,000.00							315,000.00
18300	Fee	145,253.00		145,253.00		19,609.16		19,609.16	13.50	1,960.92	125,643.84

Totals		5,572,341.00	0.00	5,572,341.00		293,915.71	456,500.00	750,415.71	13.47	75,041.58	4,821,925.29
--------	--	--------------	------	--------------	--	------------	------------	------------	-------	-----------	--------------

CONTRACTOR'S NAME: The Alan Group Constructors, L

PERIOD FROM: 2/1/22 TO: 2/28/22

REQUEST NO: 222200201

## SWORN STATEMENT FOR CONTRACTOR OR SUBCONTRACTOR

STATE OF Michigan  
 COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

MADISON CENTER - WHITEBOX

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/(subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names as follows:

No.	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Original Contract Price	Change Orders (+) or (-)	Adjusted Contract Price	Amount Already Paid	Amount Currently Owning	Total Retention Held	Balance To Complete
1000	The Alan Group Constructors, L	General Conditions	48,693.00	0.00	48,693.00	0.00	11,817.00	1,313.00	35,563.00
1002	The Alan Group Constructors, L	Project Labor	140,454.00	0.00	140,454.00	0.00	18,961.29	2,106.81	119,385.90
1020	The Alan Group Constructors, L	Testing	23,921.00	0.00	23,921.00	0.00	0.00	0.00	23,921.00
1040	The Alan Group Constructors, L	Insurance	27,000.00	0.00	27,000.00	0.00	3,645.00	405.00	22,950.00
1051	The Alan Group Constructors, L	Permit Allowance	55,000.00	0.00	55,000.00	0.00	3,622.50	402.50	50,975.00
2100	The Alan Group, Inc.	Sitework	109,113.00	0.00	109,113.00	0.00	0.00	0.00	109,113.00
2104	Simone Contracting	Site Utilities	198,000.00	0.00	198,000.00	0.00	0.00	0.00	198,000.00
2230	The Alan Group, Inc.	Demolition	347,141.00	0.00	347,141.00	0.00	140,592.10	15,621.35	190,927.55
2300	Asphalt Specialist, Inc.	Asphalt Paving	208,700.00	0.00	208,700.00	0.00	0.00	0.00	208,700.00
2373	TBD	Exterior Improvements	7,777.00	0.00	7,777.00	0.00	0.00	0.00	7,777.00
2374	TBD	Landscape & Irrigation Allowan	25,000.00	0.00	25,000.00	0.00	0.00	0.00	25,000.00
2380	TBD	Fencing & Gates	9,780.00	0.00	9,780.00	0.00	0.00	0.00	9,780.00
3010	Grit Services	Foundations	140,000.00	0.00	140,000.00	0.00	0.00	0.00	140,000.00
3100	Grit Services	Concrete	120,300.00	0.00	120,300.00	0.00	0.00	0.00	120,300.00
4100	ALEC Masonry	Masonry	83,000.00	0.00	83,000.00	0.00	0.00	0.00	83,000.00
5100	Sanilac Steel	Structural Steel	930,000.00	0.00	930,000.00	0.00	13,500.00	1,500.00	915,000.00
6100	EJ Kaneris	Rough Carpentry	470,476.00	0.00	470,476.00	0.00	0.00	0.00	470,476.00
7240	SC Construction	EIFS	1,715.00	0.00	1,715.00	0.00	0.00	0.00	1,715.00
7400	Liberty Sheet Metal	Metal Panels	334,100.00	0.00	334,100.00	0.00	38,313.00	4,257.00	291,530.00
7530	Esko Roofing & Sheet Metal	Roofing	597,365.00	0.00	597,365.00	0.00	415,350.00	46,150.00	135,865.00
7905	TBD	Expansion Control	8,500.00	0.00	8,500.00	0.00	0.00	0.00	8,500.00
7920	TBD	Sealants	28,000.00	0.00	28,000.00	0.00	0.00	0.00	28,000.00

CONTRACTOR'S NAME: The Alan Group Constructors, L  
PERIOD FROM: 2/1/22 TO: 2/28/22  
REQUEST NO: 222200201

## SWORN STATEMENT FOR CONTRACTOR OR SUBCONTRACTOR

STATE OF Michigan  
COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

MADISON CENTER - WHITEBOX

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/(subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names a follows:

No.	Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Original Contract Price	Change Orders (+) or (-)	Adjusted Contract Price	Amount Already Paid	Amount Currently Owning	Total Retention Held	Balance To Complete
8105	Rochester Hills Contracting	Glass & Glazing	122,000.00	0.00	122,000.00	0.00	0.00	0.00	122,000.00
8210	RK Hoppe Corp.	Wood Doors	15,270.00	0.00	15,270.00	0.00	0.00	0.00	15,270.00
8362	Esko Roofing & Sheet Metal	Roof Windows & Skylights	34,728.00	0.00	34,728.00	0.00	0.00	0.00	34,728.00
9900	Tom Furnari Painting	Painting	15,750.00	0.00	15,750.00	0.00	0.00	0.00	15,750.00
10526	The Alan Group Constructors, L	Fire Ext Cabinets	880.00	0.00	880.00	0.00	0.00	0.00	880.00
10905	Liberty Sheet Metal	Exterior Entry Canopies	175,900.00	0.00	175,900.00	0.00	0.00	0.00	175,900.00
11162	Miiner LTD, DBA Great Lakes	Loading Dock Equipment	65,970.00	0.00	65,970.00	0.00	0.00	0.00	65,970.00
15300	TSFP Holdings, LLC.	Fire Suppression	95,055.00	0.00	95,055.00	0.00	0.00	0.00	95,055.00
15400	Mills Mechanical	Plumbing	145,000.00	0.00	145,000.00	0.00	0.00	0.00	145,000.00
15500	Forced Air Systems	HVAC	527,500.00	0.00	527,500.00	0.00	11,925.00	1,325.00	514,250.00
16100	Advantage Electric & Controls	Electrical	315,000.00	0.00	315,000.00	0.00	0.00	0.00	315,000.00
18300	The Alan Group Constructors, L	Fee	145,253.00	0.00	145,253.00	0.00	17,648.24	1,960.92	125,643.84
<b>TOTALS</b>			<b>5,572,341.00</b>	<b>0.00</b>	<b>5,572,341.00</b>	<b>0.00</b>	<b>675,374.13</b>	<b>75,041.58</b>	<b>4,821,925.29</b>

CONTRACTOR'S NAME: The Alan Group Constructors, L

PERIOD FROM: 2/1/22 TO: 2/28/22

REQUEST NO: 222200201

## SWORN STATEMENT FOR CONTRACTOR OR SUBCONTRACTOR

STATE OF Michigan

COUNTY OF Macomb

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Brad Chojnacki being duly sworn, deposes and says

(1) That the The Alan Group Constructors, LLC is the (contractor)(subcontractor) for an improvement to the following described real property situated in Oakland County, Michigan, described as follows:

MADISON CENTER - WHITEBOX

(2) That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payments of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)/(subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names a follows:

That the contractor has not procured material from, or subcontracted with, any person other than those set forth above and owes no money for the improvement other than the sums set forth above. Deponent further says that he or she makes the foregoing statement as the (contractor)(subcontractor) or as \_\_\_\_\_ of the (contractor)(subcontractor) for the purpose of representing to the owner or lessee of the above described premises and his or her agents that the above-described property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth above and except for claims of construction liens by laborers which may be provided pursuant to section 109 of the construction lien act, Act No. 497 of the Public Acts of 1980, as amended, being section 570.1109 of the Michigan Compiled Laws.

**WARNING TO OWNER:** AN OWNER OR LESSEE OF THE ABOVE-DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF SUBCONTRACTOR, SUPPLIER, OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

**WARNING TO DEPONENT:** A PERSON, WHO WITH INTENT TO DEFAUD, GIVES A FALSE SWORN STATEMENT IS SUBJECT TO CRIMINAL PENALTIES AS PROVIDED IN SECTION 110 OF THE CONSTRUCTION LIEN ACT NO. 497 OF THE PUBLIC ACTS OF 1980, AS AMENDED, BEING SECTION 570.1110 OF THE MICHIGAN COMPILED LAWS.

For a Valuable Consideration, paid to the undersigned, the receipt whereof is hereby confessed and acknowledged, the undersigned hereby waive, release and relinquish any and all claims of right of lien which the undersigned now has or may have hereafter upon the premises described in the above sworn statement, for the labor and material, general supervision of construction, or otherwise.

Deponent

Subscribed and sworn to before me this

1 day of March 2022

Notary Public: Macomb County, Michigan

My commission expires 6-29-23

By Renay Ann Rytlewski Date 3-1-22

RENAY ANN RYTLEWSKI  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Jun 29, 2023  
Acting in the County of Oakland

## PARTIAL CONDITIONAL WAIVER

My/our contract with \_\_\_ Madison Center Owner, LLC. \_\_\_ to  
(other contracting party)

provide General Contracting Services \_\_\_ for improvement of the property  
described as: Madison Center Whitebox \_\_\_

and by signing this waiver waive my/our construction lien to the amount of \$ 675,374.13  
for labor/materials provided through 02/28/2022.

This waiver, together with all previous waivers, if any (circle one) does/does not cover all amount due to  
me/us for contract improvement provided through the date shown above. This waiver is conditioned on  
actual payment of the amount above.

If the owner or lessee of the property or the owner's or lessee's designee has received a notice of  
furnishing from me/one of us or if I/we are not required to provide one, and the owner, lessee, or designee  
has not received this waiver directly from me/one of us, the owner, lessee, or designee may not rely upon it  
without contacting me/one of us, either in writing, by telephone, or personally, to verify that it is authentic.

The Alan Group Constructors, LLC. \_\_\_\_\_  
(company name)

\_\_\_\_\_  
(signature of lien claimant)

Address: 1800 Brinston \_\_\_\_\_  
Troy, MI 48083 \_\_\_\_\_

Telephone: 248-298-0100 \_\_\_\_\_

Signed on: 3-1-22  
(date)

DO NOT SIGN BLANK OR INCOMPLETE FORMS. RETAIN A COPY.