

FO4000004913

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

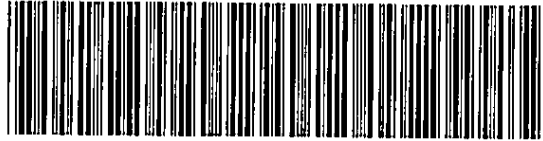
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



200315785432

07/18/18--01029--008 **43.75

FILED
18 JUL 18 AM 8:50
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

JUL 20 2018

S. YOUNG

COVER LETTER

TO: Amendment Section
Division of Corporations

SUBJECT: Bank of the Ozarks
Name of Corporation

DOCUMENT NUMBER: F04000004913

The enclosed Amendment and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Nicholas Alvarez

Name of Contact Person

Kutak Rock LLP

Firm/Company

124 W. Capitol Avenue, Suite 2000

Address

Little Rock, AR 72201

City/State and Zip Code

nicholas.alvarez@kutakrock.com

E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Nicholas Alvarez

Name of Contact Person

at (501) 975-3130
Area Code & Daytime Telephone Number

Enclosed is a check for the following amount:



\$35.00 Filing Fee



\$43.75 Filing Fee &
Certificate of Status



\$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed)



\$52.50 Filing Fee,
Certificate of Status &
Certified Copy
(Additional copy is
enclosed)

Mailing Address:

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address:

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

KUTAKROCK

Kutak Rock LLP
124 West Capitol Avenue, Suite 2000, Little Rock, AR 72201-3740
office 501.975.3000

Nicholas R. Alvarez
501.975.3000
nicholas.alvarez@kutakrock.com

July 17, 2018

VIA FEDEX

Florida Division of Corporations
Amendment Section
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

Re: Bank of the Ozarks - Foreign Qualification Amendment
Florida ID F04000004913

Dear Sir/Madam:

On behalf of our client, Bank of the Ozarks now known as Bank OZK in its home state of Arkansas as of July 16, 2018, enclosed are the following to effect the filing of the name change in Florida:

1. An original and one copy of the Application by Foreign Profit Corporation to File Amendment to Application for Authorization to Transact Business in Florida;
2. An original Certificate from the Arkansas State Bank Department setting forth the new name, the previous name and the effective date of the change, which is the equivalent of an Arkansas Certificate of Fact;
3. Our firm's check in the amount of \$43.75 payable to the Florida Department of State, which amounts includes \$8.75 for a certified copy; and
4. A prepaid FedEx envelope for your use in returning the filing evidence to our office.

Also enclosed for your records is a copy of the No Objection Letter from the Florida Office of Financial Regulation dated July 11, 2018.

Thank you in advance for your assistance. If you have any questions or comments, please contact me at the information above.

Sincerely,



Nicholas R. Alvarez

NRA:crv
Enclosures



FLORIDA OFFICE OF FINANCIAL REGULATION

www.FLOFR.com

PAMELA P. EPTING
INTERIM COMMISSIONER

July 11, 2018

Mr. Nicholas Alvarez
124 W. Capitol Avenue, Suite 2000
Little Rock, AR 72211

Re: Bank OZK

Dear Mr. Alvarez:

Reference is made to your recent letter requesting approval to register the above-referenced fictitious name with the Florida Secretary of State by Bank OZK which is a FDIC regulated state chartered bank located in Little Rock, Arkansas.

Section 655.922, Florida Statutes, exempts a financial institution, holding company or its subsidiaries from the prohibition of using the word "bank," "banco," "banque," "banker," "banking," "trust company," "savings and loan association," "savings bank," or "credit union," or words of similar import, in any context or in any manner in its corporate name. Therefore, this Office will not object to the use of the above referenced name being registered to transact business in the state of Florida. However, this correspondence is not intended to grant the authority to act in any licensed capacity until all licensing requirements have been met within this state.

Sincerely,

Jeremy W. Smith
Director
Division of Financial Institutions

JWS:trd

cc: Lyn Shoffstall, Chief, Bureau of Commercial Recordings, Division of Corporations,
Department of State

FILED
18 JUL 18 AM 8:50
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Certificate

BANK OF THE OZARKS LITTLE ROCK, ARKANSAS

On May 10, 2018, Bank of the Ozarks, Little Rock, Arkansas, submitted to the Bank Commissioner a proposed amendment to its Articles of Agreement and Incorporation to which this Certificate is attached. Said application for charter amendments having been on file with the Bank Commissioner for more than seven days, and no protest on file against the application, it was submitted for approval or disapproval to each member of the State Banking Board through the mailing procedure provided in A.C.A. § 23-46-402(g), The Arkansas Banking Code of 1997.

Paragraph (a) of Article I of the Amended and Restated Articles of Incorporation of the Bank are hereby amended in its entirety to read as follows:

(a) The name of the Bank is Bank OZK, effective July 16, 2018

At least four members of the Board having approved the proposed charter amendment, it is ordered by the State Banking Board, with the concurrence of the State Bank Commissioner, that the proposed charter amendment is hereby approved.

STATE BANKING BOARD

In Concurrence:

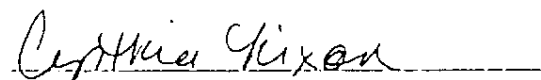

Zach McClendon, Chairman


Candace A. Franks, Bank Commissioner

Date 6/4/2018

Date 6/5/18

ATTEST:


Cynthia Nixon, Secretary



I do hereby certify that this is a true copy
taken from the files of the Arkansas State
Bank Department on the 17th day
of July, 20 18.

(name) Baranagh Marshall
(title) Deputy Commissioner

CERTIFICATE OF AMENDMENT TO
AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
BANK OF THE OZARKS

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

The undersigned George G. Gleason, as Chairman of the Board, and Helen W. Brown, as Secretary, respectively, of Bank of the Ozarks (the "Bank"), of Little Rock, Arkansas, certify that at the annual meeting of the stockholders of said bank held on the 7th day of May, 2018, paragraph (a) of Article I of the Amended and Restated Articles of Incorporation of the Bank was amended in its entirety to read as follows:

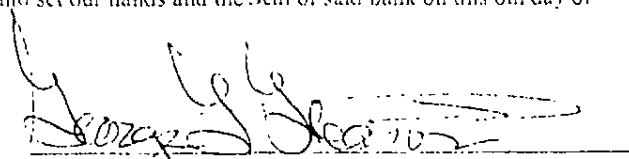
(a) The name of the Bank is Bank OZK, effective July 16, 2018.

The number of shares outstanding on the record date of the stockholders' meeting and entitled to vote on the adoption of the charter amendment was 128,595,345, and the number of shares outstanding on the date of said meeting was 128,614,971. The number of shares whose owners were present in person or by proxy at said meeting was 114,375,279. The owners of 112,927,783 shares who were present or represented by proxy at said meeting voted for the adoption of said charter amendment.

On February 26, 2018, the Board of Directors of said bank adopted a resolution providing that at the annual meeting to be held on May 7, 2018, a proposal to amend paragraph (a) of Article I of the Amended and Restated Articles of Incorporation to read as above set out would be submitted to all stockholders present or represented at said annual meeting. On or about March 15, 2018, notice and a description of the proposal was mailed by first class mail to each stockholder of the bank at the address of such stockholder as shown on the books of the bank.

[Remainder of page intentionally left blank – signature page follows]

IN WITNESS WHEREOF we have hereunto set our hands and the Seal of said bank on this 8th day of May, 2018.

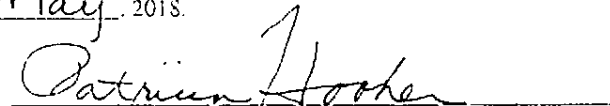


George G. Glason
Chairman of the Board



Helen W. Brown
Secretary of the Bank

Sworn and subscribed before me this 9th day of May, 2018.



Notary Public

My Commission Expires:

9-17-2022

