

D97000000023

SAMUEL D. SHELLHAAS

ATTORNEY AT LAW  
277 ORCHARD RUN ROAD  
DAYTON, OHIO 45449

400002115364--4

-03/17/97--01123--001

\*\*\*350.00 \*\*\*350.00

City/State/Zip

Phone #

513-291-5314

Office Use Only

CORPORATION NAME(S) & DOCUMENT NUMBER(S), (if known):

1. The 5004 Trust  
(Corporation Name) (Document #)
2. \_\_\_\_\_  
(Corporation Name) (Document #)
3. \_\_\_\_\_  
(Corporation Name) (Document #)
4. \_\_\_\_\_  
(Corporation Name) (Document #)

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
97 JUL 25 AM 11:01

☐ Walk in

☐ Pick up time \_\_\_\_\_

☐ Certified Copy

☐ Mail out

☐ Will wait

☐ Photocopy

☐ Certificate of Status

NEW FILINGS	
<input type="checkbox"/>	Profit
<input type="checkbox"/>	NonProfit
<input type="checkbox"/>	Limited Liability
<input type="checkbox"/>	Domestication
<input type="checkbox"/>	Other

AMENDMENTS	
<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Resignation of R.A., Officer/ Director
<input type="checkbox"/>	Change of Registered Agent
<input type="checkbox"/>	Dissolution/Withdrawal
<input type="checkbox"/>	Merger

OTHER FILINGS	
<input type="checkbox"/>	Annual Report
<input type="checkbox"/>	Fictitious Name
<input type="checkbox"/>	Name Reservation

REGISTRATION/ QUALIFICATION	
<input type="checkbox"/>	Foreign
<input type="checkbox"/>	Limited Partnership
<input type="checkbox"/>	Reinstatement
<input type="checkbox"/>	Trademark
<input type="checkbox"/>	Other

12/1/96 W97-6564  
name change filed with the  
State of Ohio - returned to  
sender until info from Ohio  
was sent to him.  
H/24



**Samuel D. Shellhaas**

Attorney at Law

2777 Orchard Run Rd. Dayton, Ohio 45449  
(937) 291-5314 • FAX: (937) 291-5319

July 21, 1997

Florida Department of State  
Division of Corporations  
Attn: Sharon Tala  
P.O. Box 6327  
Tallahassee, FL 32314

Re: The 5004 Trust (Company) ; your Ref. # W97000006564.

Dear Ms. Tala:

Enclosed please find copies of documents necessary to register the above referenced trust. Also enclosed are copies of documents from the Ohio Secretary of State noting the name change (Company to Trust).

If additional problems arise, please contact me immediately.

Sincerely,

*Samuel D. Shellhaas*

Samuel D. Shellhaas

*New Filing  
6/4 - 466-8438  
spoke to Ingo - 4-24-97 Trust  
filed with Sec. of State as  
The 5004 TRUST -  
spoke to Mr. Shellhaas he  
gave permission to change  
name of the Trust  
from "The 5004 Company" to  
"The 5004 Trust" to  
ST 7/25*



**FLORIDA DEPARTMENT OF STATE**  
**Sandra B. Mortham**  
Secretary of State

April 24, 1997

**SAMUEL D. SHELLHAAS, ESQ.**  
**2777 ORCHARD RUN ROAD**  
**DAYTON, OH 45449**

**SUBJECT: THE 5004 COMPANY**  
**Ref. Number: W97000006564**

We have received your document for THE 5004 COMPANY and your check(s) totaling \$350.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

A copy of the name change amendment that you filed with the State of Ohio must be attached to your document before we can process this filing.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (904) 487-6924.

Sharon Tala  
Document Specialist Supervisor

Letter Number: 997A00021250



**FLORIDA DEPARTMENT OF STATE**  
**Sandra B. Mortham**  
Secretary of State

March 20, 1997

**SAMUEL D. SHELLHAAS, ESQ.**  
2777 ORCHARD RUN ROAD  
DAYTON, OH 45449

**SUBJECT: THE 5004 COMPANY**  
Ref. Number: W97000006564

We have received your document for THE 5004 COMPANY and your check(s) totaling \$350.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

Each Declaration of Trust must be in compliance with chapter 609, Florida Statutes. The Declaration of Trust must be sworn to by the Chairman of the Board as being a true and correct copy and must be notarized.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (904) 487-6924.

Sharon Tala  
Document Specialist Supervisor

Letter Number: 397A00014273

AFFIDAVIT TO THE SECRETARY OF STATE OF FLORIDA  
TO FILE OR QUALIFY

The 5004 Trust

A Business TRUST

In accordance with Section 609.02 of the Florida Statutes, pertaining to Common Law Declarations of Trust, the undersigned, the Chairman of the Board of Trustees of The 5004 Trust,

(Name of Trust)

a Ohio Trust hereby affirms in order to file or qualify

(State)

The 5004 Trust, in the State of Florida.  
(Name of Trust)

1. Two or more persons are named in the Trust.
2. The principal address is 50300 Hunter Circle  
Kissimmee, FL
3. The registered agent and office in the State of Florida is:  
Larry Hughes, 50300 Hunter Circle,  
Kissimmee, FL
4. Acceptance by the registered agent: Having been named as registered agent to accept service of process for the above named Declaration of Trust at the place designated in this affidavit, I hereby accept the appointment as registered agent and agree to act in this capacity.  
Larry Hughes  
(Signature of Registered Agent)
5. I certify that the attached is a true and correct copy of the Declaration of Trust under which the association proposes to conduct its business in Florida.

Larry Hughes

Name:

Chairman of the Board of Trustees

NOTARY

Samuel D. Shellhaas

SAMUEL D. SHELLHAAS, Attorney at Law

Notary Public, State of Ohio

My Commission has no expiration date

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
97 JUL 25 AM 11:00

## **Common Law Contract**

(With Certificates of Beneficial Interest)

THIS COMMON LAW CONTRACT FORMS A BUSINESS ENTITY. THESE DEVICES HAVE BEEN DESCRIBED AS A "PURE TRUST", "TRUST ORGANIZATION" OR "BUSINESS TRUST" AND HAVE BEEN HELD TO NOT BE A TRUE TRUST, BUT RATHER A COMMON LAW CONTRACT, AS HELD IN:

Baker v. Stern, 58 A.L.R. 462

"It is established by legal precedent that pure trusts are lawful, valid business organizations."

Berry v. McCourt, 204 N.E. 2d 235

"A Pure Trust is a contractual relationship in Trust Form."

Crocker v. Malley, 249 U.S. 233, 39 Sup. Ct 270

"A Trust organization created under the U.S. constitutional right of contract cannot be abridged. The agreement, when executed, creates a Federal organization not under the laws passed by any of the several (State) legislatures."

Elliot v. Freeman, 220 U.S. 178

"A Pure Trust is not subject to legislative control."

Smith v. Morse, 2 CA 524

"A Pure Trust is established by contract, and any law or procedure in its operation, denying or obstructing contract rights impairs contract obligation and is therefore, violative of the United States Constitution."

THIS COMMON LAW CONTRACT is created this October 28, 1996 between, Robert W. Hopper, the Creator and Offeror herein (hereinafter called Creator) and Larry E. Hughes, the Asset Manager herein (hereinafter called Asset Manager), and The JVH Limited Partnership, an Illinois limited partnership, as the Offeree (hereinafter called Offeree), and creates a "pure trust", "trust organization", or "business trust" as described above (hereinafter called the Business Organization).

The name of this Business Organization shall be:

**The 5004 TRUST**

### **WITNESSETH:**

Offeree hereby sells the assets listed on the Schedule "A" annexed hereto and made a part hereof, to the Asset Manager, their successors and assigns, together with any other property that may be from time to time added hereto (such assets and other property being hereinafter called the "principal") IN TRUST, NEVERTHELESS, for the following uses and purposes and upon the following terms and conditions:

The Creator hereby constitutes and appoints the above designated Asset Manager, to be, in fact, Asset Manager of the Business Organization hereby created and established. The Offeree, for and in consideration of the objects and purposes herein set forth, the cash sum of Ten Dollars in hand paid and other considerations of value, the receipt of which is hereby acknowledged, does hereby agree to sell, assign, convey, and deliver unto said Asset Manager, IN TRUST - who is to hold legal title in fee simple and, when there is more than one Asset Manager in office, as joint tenants and not as tenants in common, to collectively act by virtue of this covenant as a Board of Asset Managers under the name herein designated - certain properties, business projects, operations under way or contemplated, dealing in equities, formulae, entities, patents, copyrights, business good-will, or other business desired to be engaged in by said Asset Managers.

Asset Managers may use the title of "Trustee", and may take title to the assets of the Business Organization in either the name of the Business Organization, of in their names as Trustees, or as a combination of both.

The Business Organization name and other things of value constitute a Corpus, including rights in reversion or remainder wherever situate, and other things of value, and having its principal place of business at:

1705 Skylyn Place  
Spartanburg, South Carolina, Spartanburg County

Where applicable, the masculine includes the feminine, and vice versa, and the neuter includes the masculine or feminine, and vice versa. Where applicable, the singular includes the plural and vice versa.

The above named Asset Managers, for themselves and their successors IN TRUST, do hereby agree to accept properties real and personal to be conveyed and acknowledge acceptance of and delivery of all of the property specified, together with all the terms of the contract herein set forth agree to conserve and improve the Business Organization, to invest and reinvest the funds of said Business Organization in such manner as to increase the financial rating of the Business Organization during the period of outstanding liabilities of the various properties and enterprises in commerce for gain, exercise their best judgment and discretion, in accordance with The Business Organization Minutes, making distributions of portions of the proceeds and income as in their discretion, and according to the minutes, should be made, make complete periodic reports of business transactions and upon final liquidation, distribute the assets to the then holders of Certificates of Beneficial Interest, as their interests may appear, and in all other respects administer said Business Organization in good faith, strictly in conformity hereto.

**Asset Managers** shall not be less than one in number, but may be increased for practical reasons beneficial to the Business Organization. The Asset Managers herein mentioned by name, or their successors elected to fill vacancies, shall hold office, have and exercise collectively the exclusive management and control of the Business Organization property and business affairs;

PROVIDED, HOWEVER, that an Asset Manager may resign or be removed from office by a Resolution of unanimous concurrence of the remaining Asset Managers when, in their opinion, said Asset Manager shall have been guilty of fraud, malfeasance in office, gross neglect of duty, or for cause by the mandate of a court of competent jurisdiction and

PROVIDED FURTHER, that in the event of death, removal from office, or resignation, the Asset Managers shall appoint or elect a successor by the unanimous concurrence of the remaining Asset Managers. Should the entire Board of Asset Managers become vacant, a Court of Equity may appoint one Asset Manager, who, in turn, shall appoint the additional Asset Managers. Should objection be filed to appointment of additional Asset Managers, the same shall be spread upon the Minutes. Any such objection shall deprive the candidate from accepting the position of Asset Manager.

The signing and acknowledging of this Agreement by the hereinabove appointed Asset Managers, or the signing and acknowledging of appropriate Minutes by Asset Managers subsequently elected or appointed, shall constitute their acceptance of the terms of this common law contract and the Business Organization property, assets, and emoluments thereof shall immediately vest in the new Asset Manager or Asset Managers without any further act or conveyance.

**ASSET MANAGERS' MEETINGS:** By a regular act, Asset Managers may provide for meetings at stated intervals without notice, and special meetings may be called at any time by two or more Asset Managers upon three days' written notice, which may be waived. At any regular or special meeting, a MAJORITY of the Asset Managers shall constitute a quorum for conducting business, PROVIDED, affirmative action may be taken only upon a MAJORITY vote of all Asset Managers, whether present or absent except that at special meetings called by a special purpose the MAJORITY present may affirmatively act in emergency matters.

**POWERS OF ASSET MANAGERS:** Asset Managers may do anything any individual may legally do in any state or country, subject to the restrictions herein noted. They shall continue in business, conserve the property, commercialize the resources, extend any established line of business in industry or investment, as herein especially noted, at their discretion, for the benefit of the Business Organization, such as viz: buy, sell, or lease real estate for the surface or mineral rights, buy or sell mortgages, securities, bonds, notes, leases of all kinds, contracts or credits of any form, patents, trademarks, or copyrights, buy, sell or conduct mail-order business, or branches thereof, operate stores, shops, factories, warehouses, or other trading establishments or places of business of any kind, construct, buy, sell, lease, or rent suitable buildings or other places of

business, advertise different articles or business projects, borrow money for any business project, pledging the Business Organization property for the payment thereof, hypothecate assets, property, or both, of the Business Organization in business projects, own stock in, or entire charters of corporations, or other such properties, companies, or associations as they may deem advantageous.

A Minute of Resolutions of the Board of Asset Managers authorizing what they determine to do or have done shall be evidence that such an act is within their power. Anyone lending or paying money to the Asset Managers shall not be obliged to see the application thereof. All funds paid into the treasury are and become a part of the corpus of the Business Organization.

**ADMINISTRATION:** The Asset Managers shall regard this instrument as their sufficient guide, supplemented from time to time by their resolutions (said resolution to be ratified ALWAYS by a MAJORITY of the Asset Managers then in office and participating in the issuing meeting) covering contingencies as they arise and are recorded in the Minutes of their meetings, which are the By-laws, rules, and regulations of the Business Organization.

**OFFICERS AND MANAGEMENT:** The Asset Managers may in their discretion employ agents, executives, or other employees, or designate third persons to hold funds for specific purposes.

**EXPENDITURES:** The Asset Managers shall fix and pay compensation of all officers, employees, or agents in their discretion, and may pay themselves such reasonable compensation for their services as may be determined by a MAJORITY of the Board of Asset Managers.

**CONSTRUCTION:** The Asset Managers, officers, agents, or employees possess only such authority as awarded them herein. Authority is understood and meant to be similar to that awarded an Executor of an estate wherein the testator directs (illustration): "That my Executor is directed to handle the estate in the manner he thinks to be to the best interest, limited by the terms hereof, without the necessity of resort to the court for permission or approval of any transaction, intending herein to leave open for the court the question of conscientious dealing of my Executor only."

**THE ASSET MANAGERS** by their resolution of purpose may perform and function for any purpose on behalf of any individual, group, or combination of individuals, severally or collectively.

In such instances the powers and authority of the Asset Managers shall be defined and limited to the general purposes set forth by this contract.

The Business Organization shall have authority to provide itself with operating funds through commercial loans, directly secured by assets or income of the Business Organization.

Notice is hereby given to all persons, companies or corporations extending credit to, contracting with, or having claims against the Business Organization, that they must look only to the funds and property of the Business Organization for payment or for settlement of any debt, tort, damage, judgment or decree, or for any indebtedness which may become payable hereunder, that the Asset Managers are NOT personally liable when dealing with the Business Organization properties or matters.

**LIABILITIES:** The Asset Managers shall, in the capacity of Asset Managers and not individually, assume or incur only such liability as may attach to said Business Organization property assets. This Asset Manager liability shall not in any manner jeopardize their individual or personal holdings and for any losses they should suffer for any reason through services, they shall be reimbursed from Business Organization property to the same extent as would non-interested persons.



**DOCUMENTS:** It is expressly declared that a Common Law Trust Organization, also known as a Pure Trust, and not a partnership, is hereby created and that neither the Asset Managers, officers, or certificate holders, present or future, have or possess any beneficial interest in the property or assets of said Business Organization, nor shall they be personally liable hereunder, as partners or otherwise, that no Asset Manager shall be liable for the act or omission of a Co-Asset Manager, or any other person, whatsoever, whether employed by such Asset Manager or not, or for anything other than his own, personal breach of trust. It is further expressly intended that the Asset Managers and Certificate of Beneficial Interest holders are not associated together in the pursuit of the business purposes hereof in any way. The Asset Managers alone have the duty to carry out the business purposes of this contract. The Certificate holders have only a right to receive distributions, in the nature of a royalty, and not a dividend, when and if the Asset Managers in their sole discretion make such distributions.

**CERTIFICATES OF BENEFICIAL INTEREST:** The Beneficial Interests, as a convenience, for distribution are divided into One Hundred (100) Units, substantially in the certificate form hereto attached. They are non-assessable, non-taxable (under the provisions of Section 1001 of Internal Revenue Code), non-negotiable, non-transferable (except back to the Business Organization) and the lawful possessor thereof shall be construed the true and lawful owner thereof. The lawful owner may, if he so desires, cause his Beneficial Certificate to be registered with the Secretary of the Asset Managers. The Certificates of Beneficial Interest are to expressly state that the holder of the Certificate expressly agrees that the holder does not have any right, title, or legal interest in the assets of the Business Organization, in law or in equity, and that moreover, upon the death, insolvency, or dissolution of the holder hereof, the Certificates (and all rights thereunder) shall be absolutely NULL AND VOID. However, all or part of the Units represented by the Certificate may be transferred before death, insolvency, or dissolution of the holder, but only upon the prior approval of the Asset Managers, and in accordance with the provisions of this Indenture.

**SPENDTHRIFT:** The Asset Manager is not to recognize any transfer, encumbering, mortgage, pledge, hypothecation, order, or assignment of any holder of Certificates of Beneficial Interest by way of anticipation of any part of the income or principal hereof, and the income and principal of the Business Organization shall not be subject in any manner to transfer by operation of law, unless otherwise herein provided, and shall be exempt from the claims of creditors and other claimants and from orders, decrees, levies, attachments, garnishments and executions, and other legal or equitable process of proceedings to the fullest extent permissible by law. Each holder of Certificates of Beneficial Interest is expressly prohibited from any of the above.

**DEATH - INSOLVENCY - BANKRUPTCY:** The death, insolvency, or bankruptcy of any certificate holder, or the transfer of his certificate by gift, devise, or descent, shall not operate as a dissolution of the Business Organization, or in any manner affect the Business Organization or its operation or mode of business. Ownership of a Beneficial Certificate shall not entitle the holder to any legal title in or to the Business Organization property, nor any undivided interest therein, nor in the management thereof nor shall the death of a Certificate holder entitle his heirs or legal representatives to demand any partition or division of the property of the Business Organization, nor any special accounting but said successor may succeed to the same distributional interest upon the surrender of the certificate as held by the deceased for the purpose of reissue to the then lawful holder or owner.

**DURATION - CLOSURE:** This Business Organization shall continue for a period of twenty-five years from the above date, unless the Asset Managers shall unanimously determine upon an earlier date. The Asset Managers may at their discretion, and for good cause, because of threatened depreciation in values, or other good and sufficient reason necessary to protect or conserve Business Organization assets, liquidate the assets, distribute, and close the Business Organization at any earlier date determined by them. The Business Organization shall be proportionately and in a pro rata manner distributed to the then holders of the Certificates of Beneficial Interest.

**RENEWAL:** At the expiration of this common law contract the then Asset Managers, if they so desire and believe that said Business Organization should not be closed, may renew this Agreement for a like or shorter period. A Resolution of said renewal shall be entered upon the Minutes at least 120 days prior to the expiration hereof. Public notice shall be made in a county newspaper of general circulation not less than 60 days prior to the expiration hereof.

**RESTRICTIONS:** Nothing herein contained shall be construed to authorize the Business Organization to issue Certificates of Beneficial Interest in excess of the number herein provided, nor for a nominal value at variance with the provisions hereof.

**PURPORT:** The purport of this contract is to convey property to Asset Managers, to constitute a Business Organization corpus, held by the Asset Managers, in Trust and in joint tenancy for the duration hereof, and to provide for a prudent and economical administration to BEGIN AT ONCE and not to be deferred until after the death of any creator, settler, or maker, as occurs when such Trust Estates are created by Last Will and Testament. The creators, and/or makers of this covenant prefer that the Asset Managers act solely within their constitutional rights as based upon their common law contract rights and immunities vouchsafed to citizens of the United States of America and defined in Article IV, Section 2, PROVIDING, that "Citizens of each state shall be entitled to all privileges and immunities of citizens in the several states," and Article VI, Section 2, PROVIDING that "The Constitution of the United States and the laws made in pursuance thereof shall be the supreme law of the land" and the 14th Amendment thereof, PROVIDING, that "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." This contract is intended to create a common law trust organization with the following business purposes, including but not limited to, the protection of property and assets, insulation of personal or business liability, simplified distribution of property and assets, to increase profit structure, to become more competitive in the market place, to obtain more privacy in buying and selling properties or businesses, and to raise capital resources.

Nothing herein contained shall be construed as an intent to evade or contravene any Federal or State Law, nor to delegate to Asset Managers any special power belonging exclusively to franchise of incorporation. The intent of the Offeree in the Business Organization is to transfer to it certain real and personal properties and in so doing conveys all right, title and interest therein.

By creating this legal entity, the parties to this agreement have exercised their Constitutional Rights to create and execute a private contract to agree in a meeting of the minds and for an adequate consideration to create a common law trust organization for the business purposes set out herein.

IN WITNESS WHEREOF the Creator hereof, Offeree hereof and the Asset Managers hereof, for themselves, their heirs, successors, and assigns, have hereunto set their hands and seals in take of the conveyance, delivery, and acceptance of property, assets, or other things of value, and the obligations and duties as herein assumed as Asset Managers of said Business Organization and assent to all stipulations herein as imposed and expressed.

CREATOR:

Robert W. Hopper  
Robert W. Hopper, Creator

OFFEREE:

Heritage Management Services, Inc., General Partner of The JVH Limited Partnership

by: Michael Vallone  
Michael Vallone, its Vice-President, Offeree



STATE of Illinois SS. COUNTY of Cook

Before me, the undersigned authority, on this day personally appeared the above named Robert W. Hopper and Michael Vallone known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same, in their authorized capacities, for the purposes and consideration therein stated.

Given under my hand and seal this 11/15/96. My commission expires 9/5/2000  
NOTARY SEAL

NOTARY PUBLIC Karen J. Ritter

Larry E. Hughes  
Larry E. Hughes, General Partner

Christel Hughes  
Christel Hughes, General Partner

STATE of Ohio SS. COUNTY of Montgomery

Before me, the undersigned authority, on this day personally appeared the above named Larry E. Hughes and Christel Hughes known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same, in their authorized capacities, for the purposes and consideration therein stated.

Given under my hand and seal this 11/28/96. My commission expires      /      /       
NOTARY SEAL

NOTARY PUBLIC Samuel D. Shellhaas

SAMUEL D. SHELLHAAS, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 O. R. C.

ASSET MANAGER:

Larry E. Hughes  
Larry E. Hughes, Asset Manager

STATE of Ohio SS. COUNTY of Montgomery

Before me, the undersigned authority, on this day personally appeared the above named Larry E. Hughes known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same, in their authorized capacity, for the purposes and consideration therein stated.

Given under my hand and seal this 11/28/96. My commission expires      /      /       
NOTARY SEAL

NOTARY PUBLIC Samuel D. Shellhaas

SAMUEL D. SHELLHAAS, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 O. R. C.

05848-0789



# The State of Ohio

Bob Taft

Secretary of State

BT 285

## Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

Filings; that said records show the filing and recording of: BTS

of:

THE 5004 TRUST

United States of America  
State of Ohio  
Office of the Secretary of State



Recorded on Roll 5848 at Frame 0790 of  
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at

Columbus, Ohio, this 24TH day of APRIL

A.D. 1997

*Bob Taft*  
Bob Taft  
Secretary of State

05848-0792

another state in whose office an executed copy is on file.)

STATE OF: Ohio

COUNTY OF: Montgomery

I, Larry E. Hughes, being duly sworn, declare under oath, that I am trustee of The 5004 Trust, a business trust. I certify that attached hereto as an exhibit to this report is an executed copy of the trust instrument or a true and correct copy of it.

Sworn to before me and subscribed in my presence this 28th day of November, 1996.

(seal)

Samuel D. Shellhaas  
NOTARY PUBLIC

SAMUEL D. SHELLHAAS, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 O. R. C.

C-601

Prescribed by  
Bob Taft  
Secretary of State

05848-0790

Approved By: [Signature]

Date: 4/24/91

Fee: 875.00

15285

97042541601

REPORT OF OPERATION OF BUSINESS TRUST  
(pursuant to 1746.04, Ohio Revised Code)

- 1) Business name(s) of Business Trust (including any and all fictitious or assumed names) in its/their exact form:

The 5004 Trust

Formerly The 5004 Company

- 2) Name(s) and address(es) of its trustee(s):

Name

Complete Address

Larry E. Hughes

7697 Rambler Dr.  
Centerville, OH 45459

- 3) Date upon which the business trust began engaging in business in Ohio:

1 Dec. 1990  
(Day, Month, Year)

- 4) Is this report made to enable the business trust to maintain an action in a court of this state? yes X no

- 5) Does the business trust maintain a place of business in Ohio from which it regularly engages on its own behalf in activities permitted by its trust instrument and permitted under Chapter 1746, Ohio Revised Code? X yes no

- 6) Address of principal office of the business trust:

1705 Skylyn Place  
(street address)

Spartanburg  
(city or village)

Spartanburg  
(county)

SC  
(state)

29307  
(zip code)

05848-0791

- 7) If a foreign business trust, address of principal office within State of Ohio, if any:

7697 Rambler Dr.  
(street address)

Centerville Montgomery OH 45459  
(city or village) (county) (state) (zip code)

- 8) The name and address within Ohio of a designated agent upon whom process against the business trust may be served is:

Larry E. Hughes  
(name of agent)

7697 Rambler Dr.  
(complete street address)

Centerville, OH 45459  
(city or village)

Montgomery County, Ohio

- 9) The above named business trust irrevocably consents to service of process upon its designated agent and to service of process upon the Secretary of State if, without the registration of another agent with the Secretary of State, its designated agent has died, resigned, lost authority, dissolved, become disqualified, or has removed from this state, or if its designated agent cannot, with due diligence, be found.
- 10) Not more than ninety days after the occurrence of any event causing any filing of the above information or any previous filing with respect thereto, to be inaccurate or incomplete, the above named business trust agrees to furnish all information necessary to maintain the accuracy and completeness of such filing.

AN EXECUTED COPY OF THE TRUST INSTRUMENT OR A TRUE AND CORRECT COPY OF IT, CERTIFIED TO BE SUCH BY A TRUSTEE BEFORE AN OFFICIAL AUTHORIZED TO ADMINISTER OATHS OR BY A PUBLIC OFFICIAL IN ANOTHER STATE IN WHOSE OFFICE AN EXECUTED COPY IS ON FILE, MUST BE ATTACHED AS AN EXHIBIT TO THIS REPORT.

Date: 11/28/96

The 5004 Trust  
(name of Business Trust)

By:

Larry E. Hughes  
(Trustee)

- 11) Certification of Copy of Business Trust Instrument by a Trustee:

(NOTE: This section need not be completed if the copy of the business trust instrument attached hereto is certified by a public official in