

F000000001201
TRANSMITTAL LETTER

RECEIVED
JAN 26 1998

To: Qualification/Tax Lien Section
Division of Corporations

SUBJECT: Creekwood Construction, Inc. 209 W. Loveland Avenue, Suite 200,
Loveland, OH 45140

(Name of corporation - must include suffix)

Dear Sir or Madam:

500002768935--0
-02/09/99--01023--001
*****70.00 *****70.00

The enclosed "Application by Foreign Corporation for Authorized to Transact Business in Florida", "Certificate of Existence", and check are submitted to register the above referenced foreign corporation to transact business in Florida.

500002768935--0
-03/02/00--01003--002
***1965.00 ***1965.00

Please return all correspondence concerning this matter to the following:

Edgar C. Booth, Esquire

Booth & Horton, P.A.

522 E. Park Avenue

Tallahassee, Florida 32301

W99-3228
pg 671

Should you need to call someone concerning this matter, please call:

Edgar C. Booth
(Name of Person)

at (850) 224-47000
(Area Code & Daytime Telephone Number)

COURIER ADDRESS:

Qualification/Tax Lien Section
Division of Corporations
409 E. Gaines Street
Tallahassee, FL 32399

MAILING ADDRESS:

Qualification/Tax Lien Section
Division of Corporations
Post Office Box 6327
Tallahassee, FL 32314

00 FEB 29 PM 1:00
SECTION OF THE
DIVISION OF CORPORATIONS

ALI



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

February 9, 1999

EDGAR C. BOOTH, ESQ.
BOOTH & HORTON, P.A.
522 E. PARK AVE.
TALLAHASSEE, FL 32301

SUBJECT: CREEKWOOD CONSTRUCTION, INC.
Ref. Number: W99000003228

RECEIVED
DIVISION OF CORPORATIONS
FEB 29 PM 1:00

We have received your document for CREEKWOOD CONSTRUCTION, INC. and your check(s) totaling \$70.00. However, the document has not been filed and is being retained in this office for the following:

Based upon information provided by the Florida Department of Revenue, pursuant to section 213.053(14), Florida Statutes, it appears that CREEKWOOD CONSTRUCTION, INC. has transacted business in Florida prior to submitting an "Application for Authority to Transact Business in Florida". The information received from the Florida Department of Revenue indicates, as the initial date of transacting business in the State of Florida. Please contact this office concerning the date first transacted business in Florida.

03/12/96

Pursuant to section 607.1502(4), 617.1502(4) or 608.502(4), Florida Statutes, this office collects a civil penalty of \$1000 for each year this entity transacted business or conducted its affairs in Florida prior to qualification and the appropriate annual report fees that would have been due this office had the entity qualified the year it began operations in this state. The amount due this office to cover both annual report and penalty fees is \$3465.00.

If it is determined that the corporation's previous activities in Florida that warranted compliance with Florida's revenue laws did not constitute the transaction of business within the meaning of s. 607.1501, F.S., please provide a sworn affidavit to that effect.

If you have any questions concerning the filing of your document, please call (850) 487-6094.

Agnes Lunt
Document Specialist

Letter Number: 199A00005670



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

June 8, 1999

EDGAR C. BOOTH, ESQ.
BOOTH & HORTON, P.A.
522 E. PARK AVE.
TALLAHASSEE, FL 32301

SUBJECT: CREEKWOOD CONSTRUCTION, INC.
Ref. Number: W99000003228

RECEIVED
DIVISION OF CORPORATIONS
00 FEB 29 PM 1:00

This letter is in response to the application by foreign corporation for authorization to transact business in Florida that was previously submitted to this office for CREEKWOOD CONSTRUCTION, INC..

This office received information provided by the Florida Department of Revenue, pursuant to section 213.053(14), Florida Statutes, which indicates that the corporation has transacted business in the State of Florida since March 12, 1996. You were notified by letter dated February 9, 1999, that because of failure to obtain a certificate of authority prior to transacting business in the State of Florida, the corporation is liable for \$3465.00 in appropriate fees and penalties as set forth in Section 607.1502(4), Florida Statutes, (copy enclosed).

Until a response is received by this office concerning the prior notification, the application by foreign corporation for authorization to transact business in Florida will not be processed. If erroneous information was reflected on the previously submitted application, a sworn affidavit may be filed stating the correct date the corporation first transacted business in Florida, that the corporation did not transact business in Florida prior to the application filing year and that the information entered on such application is incorrect. Any such affidavit will be included with your original qualification documents.

Please provide your response to this letter within 30 days to avoid the necessity of further action.

If you have further questions concerning the filing of your document, please telephone the Foreign Qualification/Tax Lien Section at (850) 487-6051.

Gretchen Harvey
Document Specialist Supervisor Letter No. 499A00030855

Enclosure



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

October 25, 1999

EDGAR C. BOOTH, ESQ.
BOOTH & HORTON, P.A.
522 E. PARK AVE.
TALLAHASSEE, FL 32301

SUBJECT: CREEKWOOD CONSTRUCTION, INC.
Ref. Number: W99000003228

RECEIVED
SECTION 607.1501
FEB 29 PM 1:00

CERTIFIED MAIL #Z 311 649 578 RETURN RECEIPT REQUESTED

This is the Department of State's third request for information to establish the date CREEKWOOD CONSTRUCTION, INC. first transacted business in Florida. Failure to respond to this letter may result in legal action against the corporation pursuant to Sections 607.0130(3) and 607.1502(4), Florida Statutes (copies enclosed).

Based upon information provided by the Florida Department of Revenue, it appears that CREEKWOOD CONSTRUCTION, INC. has transacted business in Florida since March 12, 1996. This date is not the same as the date indicated on the corporation's previously submitted application.

If erroneous information was listed on the application or the date the corporation began conducting its affairs in Florida falls under an enumerated exemption provided for in Section 607.1501, Florida Statutes (copy enclosed), an affidavit to clarify this discrepancy must be sent to this office.

Until this office is notified otherwise, penalties and fees in the amount of \$3465.00 are now due. To avoid further penalty, either payment or an affidavit must be remitted within 45 days of receipt of this letter. Please make your check payable to the Department of State and send it to the address indicated below. If you have any questions regarding this matter, please telephone (904) 487-6051.

I look forward to your response.

Sincerely,

Gerard T. York, Assistant General Counsel

Enclosures Letter No. 799A00051191

Booth & Horton, P.A.

Edgar C. Booth
J. Wiley Horton

Attorneys at Law

522 E. Park Ave.
Post Office Drawer 840
Tallahassee, Florida 32302
(904) 224-4700

Facsimile
(904) 224-7442

January 4, 2000

Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Re: Creekwood Construction, Inc.
File No.: W99000003228

Attn.: Gerald T. York
Assistant General Counsel

Dear Mr. York:

I regret the delay in making response to earlier inquiries concerning Creekwood and its operations in 1996. I enclose a copy of a 1997 letter received from the department of business and professional regulations forwarded to me by my client. Apparently, there is expectation that the information which you seek and we have had difficulty in providing also may have been the subject of this inquiry.

Efforts continue to locate the documents you request. In the mean time, I would appreciate the opportunity to further discuss this matter with you.

With best wishes,

Sincerely,

Edgar C. Booth

ECB:mep

FILED
FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS
09 FEB 29 PM 1:00

Booth & Horton, P.A.

Edgar C. Booth
J. Wiley Horton

Attorneys at Law
522 E. Park Ave.
Post Office Drawer 840
Tallahassee, Florida 32302
(850) 224-4700

Facsimile
(850) 224-7442

February 4, 2000

Gerald T. York, Esquire
Assistant General Counsel
Florida Department of State
The Capital
LL -10
Tallahassee, FL 32301

Re: Creekwood Construction Company

Dear Mr. York:

My clients have accepted the suggestion that you made in your fax to me of January 10, 2000. I enclose their check for the total amount of \$1,965.00, which I understand to be the appropriate amount. I would appreciate your proceeding as indicated in your fax.

I appreciate your help in bringing this matter to a close.

With best wishes,

Sincerely,

Edgar C. Booth

ECB/vlp

Enclosure as stated

cc: Vicki L. Brown, Creekwood Construction Company, Inc.

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
00 FEB 29 PM 1:00

**DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION**

Linda G. Chiles, Governor

Richard F. Parrish, Secretary

1/21

MAY 12 1997

RECEIVED
MAY 14 1997

Douglas A. Kendle
10823 Montgomery Road
Cincinnati, OH 45242

Case No: 97-05409
Complaint By: DBPR/Tallahassee

Dear Mr. Kendle:

Please be advised the Department of Business and Professional Regulation has the authority, pursuant to Chapter 455.228, Florida Statutes, to seek a fine of up to \$5,000.00 against you for each incident of unlicensed contracting you are responsible for in this complaint. You are hereby notified that the Department has determined that probable cause exists to believe a violation of the provisions of Chapter 489, Florida Statutes has occurred. However, the referenced DBPR complaint is to be dismissed without prejudice. Our records indicate you have been issued a Notice/Order To Cease and Desist from the unlicensed practice of contracting. This complaint may be reopened if further action is warranted, and becomes a part of the public records of the Department.

Yours,

Gary L. Asbell
Senior Attorney

GLA/abr

RECEIVED
DIVISION OF REGULATION
00 FEB 29 PM 1:00



Department of State

Memorandum Office of the General Counsel

TO: File

FROM: Gerard York, Assistant General Counsel

DATE: February 7, 2000

RE: Creekwood Construction, Inc.

Based on my review of the file and the payments received from the corporation, it is my recommendation that this file be closed. Corporation has paid outstanding report fees from 1996 of \$465 and foreign non-qualified penalties for the same period of \$ 1500 assessed at the statutory minimum of \$ 500 per year and wishes to be qualified to do business in the State of Florida. Accordingly, it is recommended corporation be issued a certificate of authority.

/gty

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
00 FEB 29 PM 1:00

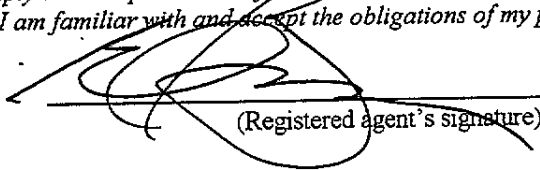
**APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION
TO TRANSACT BUSINESS IN FLORIDA**

*IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO
REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:*

1. Creekwood Construction, Inc.
(Name of corporation: must include the word "INCORPORATED", COMPANY", "CORPORATION" or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present.)
2. Ohio
(State or country under the law of which it is incorporated)
3. 31-1463906
(FEI number, if applicable)
4. April 1, 1996
(Date of Incorporation)
5. Perpetual
(Duration: Year corp. will cease to exist or "perpetual")
6. See Attached
(Date first transacted business in Florida. (SEE SECTIONS 607.1501, 607.1502, AND 817.155 F.S.)
7. 209 W. Loveland Avenue, Suite 200
Loveland, Ohio 45140
(Current mailing address)
8. Any lawful activity as permitted by law
(Purpose(s) of corporation authorized in home state or country to be carried out in the state of Florida)
9. **Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box NOT acceptable)**
Name: Edgar C. Booth
Office Address: 522 E. Park Avenue
Tallahassee, Florida, 32301

10. Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.


(Registered agent's signature)

11. Attached is certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors: (Street address **ONLY** - P.O. Box **NOT** acceptable)

A. DIRECTORS (Street address only - P.O. Box NOT acceptable)

Chairman: _____

Address: _____

Vice Chairman: _____

Address: _____

Director: Douglas A. Kendle

Address: 209 W. Loveland Avenue; Suite 200

Loveland, OH 45140

Director: _____

Address: _____

B. OFFICERS (Street address only - P.O. Box NOT acceptable)

President: Douglas A. Kendle

Address: 209 W. Loveland Avenue; Suit 200

Loveland, OH 45140

Vice President: _____

Address: _____

Secretary: _____

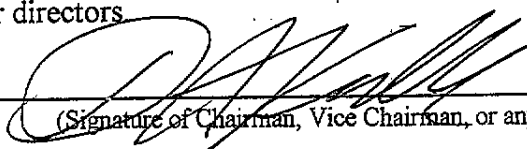
Address: _____

Treasurer: _____

Address: _____

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors

13.



(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14.

Douglas A. Kendle, President

(Typed or printed name and capacity of person signing application)

00 FEB 29 PM 11:00
SECRETARY OF STATE
DIVISION OF RECORDS

ATTACHMENT

In 1996, for a brief period, the corporation in response to a request of a long time customer undertook some responsibilities in connection with facilities at the Tallahassee Mall, Tallahassee, Florida. When it was determined that the corporation was not authorized to conduct activity, operations by the corporation ceased. Since that time no business operations have been conducted by the corporation in the state of Florida.

11:00
STATE
DIVISION OF CORPORATIONS
00 FEB 29 PM 1:00

**UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.**



I, J. Kenneth Blackwell, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign corporations; that said records show CREEKWOOD CONSTRUCTION, INC., an Ohio Corporation, Charter No. 938984, having its principal location in Cincinnati, County of Hamilton, was incorporated on April 14, 1996, is currently in GOOD STANDING upon the records of this office.

STATE OF OHIO
DIVISION OF CORPORATIONS
00 FEB 29 PM 1:00



*WITNESS my hand and official
seal at Columbus, Ohio on
January 28, 1999*

J. Kenneth Blackwell

J. Kenneth Blackwell
Secretary of State