

F03000000081

TRANSMITTAL LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Harry Rust Construction Co., Inc.
(Name of corporation - must include suffix)

Dear Sir or Madam:

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

Please return all correspondence concerning this matter to the following:

Thomas W. Rumpke, Esq.
(Name of Person)

Boggs & Colvin, LLC
(Firm/Company)

73 Cavalier Blvd., Suite 316
(Address)

Florence, Kentucky 41042
(City/State and Zip code)

For further information concerning this matter, please call:

Thomas W. Rumpke at (859) 647-9100
(Name of Person) (Area Code & Daytime Telephone Number)

STREET ADDRESS:
Registration Section
Division of Corporations
409 E. Gaines St.
Tallahassee, FL 32399

MAILING ADDRESS:
Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Enclosed is a check for the following amount:

- ☐ \$70.00 Filing Fee ☐ \$78.75 Filing Fee & Certificate of Status ☐ \$78.75 Filing Fee & Certified Copy ☒ \$87.50 Filing Fee, Certificate of Status & Certified Copy

00855-00734-00647-00671
\$11,715.00

1/8/03

W02-16495



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

June 6, 2002

THOMAS W. RUMPKE, ESQ.
BOGGS & COLVIN, LLC
73 CAVALIER BLVD., STE. 316
FLORENCE, KY 41042

SUBJECT: HARRY RUST CONSTRUCTION CO., INC.
Ref. Number: W02000016495

We have received your document for HARRY RUST CONSTRUCTION CO., INC. and your check(s) totaling \$87.50. However, the document has not been filed and is being retained in this office for the following:

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/uniform business 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/uniform business report and penalty fees is \$11,715.00.

A certificate of existence or a certificate of good standing, dated no more than 90 days prior to the delivery of the application to the Department of State, duly authenticated by the secretary of state or other official having custody of the records in the jurisdiction under the laws of which it is incorporated/organized, must be submitted to this office. A translation of the certificate under oath of the translator must be attached to a certificate which is in a language other than the English language. A photocopy of this certificate is not acceptable.

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 (850) 245-6025.

Trevor Brumbley
Document Specialist

Letter Number: 902A00037359



FLORIDA DEPARTMENT OF STATE

Jim Smith

Secretary of State

OFFICE OF THE GENERAL COUNSEL

F A C S I M I L E T R A N S M I T T A L

TO FAX NUMBER: 859-283-7534

Please deliver the following pages to:

NAME: Thomas W. Rumpke

COMPANY: Harry Rust Construction, Co. Inc.

CITY/STATE: Florence, Kentucky

**SENDER: Gerard T. York, Esq.,
 Assistant General Counsel**

DATE/TIME: 11/08/02 1:16 PM

NUMBER OF PAGES (including transmittal sheet):2

FROM FAX: 850/245-6125

COMMENTS: Thank you for contacting the Florida Department of State. This facsimile is in response to your letter of October 18, 2002 and our conversation today regarding annual report fees and statutory penalties due from Harry Rust Construction Co., Inc.

We would offer to settle this matter of annual report fees and statutory penalties for the amount of \$5,715.00, reflecting annual report fees from 1992 of \$1,715.00 and statutory penalties assessed in a lump sum of \$4,000.00 to avoid litigation. This offer remains in effect until December 31, 2002.

11/08/02 1:16 PM
FAXED
11/08/02 1:16 PM

AD
FAX
11/08/02 1:16 PM



Department of State

Memorandum Office of the General Counsel

TO: File

FROM: Gerard York, Assistant General Counsel

DATE: December 31, 2002

RE: Harry Rust Construction Co. 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 1992 of \$1,715.00 and foreign non-qualified penalties of \$ 4,000.00 assessed in a lump sum. Corporation wishes to be qualified to do business in the State of Florida. Accordingly, it is recommended that corporation be issued a certificate of authority.

/gty

APPROVED
FILED
JAN 7 2003
13:07 1-7-03



December 21, 2002

Mr. Gerald York
Florida Department of State
119 The Collins Bldg.
107 W. Gaines Street
Tallahassee, Florida 32399-0250

RE: Harry Rust Construction Co., Inc.

Dear Gerry:

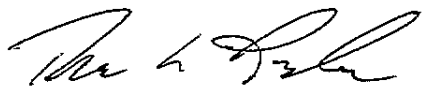
I am writing in response to your letter dated November 8, 2002 and our phone conversation of December 20, 2002. Pursuant to your letter, enclosed is a check for \$5,717.00.

It is my understanding from our conversation that payment of this amount should complete Harry Rust Construction Co., Inc.'s application for a certificate to do business in Florida. The initial filing fee was submitted with the original application in May 2002. If any additional documents are needed to establish Harry Rust Construction's authority to do business in Florida, please contact me at the number below.

Per your advice, I have notified my client that it may be required to complete a corporate update form for the year 2003 depending upon the timing of this application.

Thank you for all your help in this matter.

Sincerely,


Thomas W. Rumpke

enc: check

Attorneys at Law
Turfway Commercial Park
73 Cavalier Blvd., Suite 316
Florence, KY 41042
(859) 647-9100
(859) 283-7534 Fax
www.boggsandcolvin.com

Upon receipt of a check for \$5,715.00 payable to the Department of State, Division of Corporations, I will instruct the Division of Corporations to issue Harry Rust Construction Co., Inc., a Certificate of Authority to transact business in Florida. Please mail the check to this attorney at: Office of General Counsel, PL-02, The Capitol, Tallahassee, Florida 32399-0250.

Please do not hesitate to contact me at 850-245-6514 should you have any questions.

PL-02 • THE CAPITOL • TALLAHASSEE, FLORIDA 32399-0250

APPROVED
AND
FILED
JUL 17 1997
16:17:57
JUL 17 1997

TO: Gerry York, General Counsel's Office
FROM: Gretchen S. Harvey, Registration Section
DATE: November 7th, 2002
SUBJECT: HARRY RUST CONSTRUCTION CO., INC.
REFERENCE: W02000016495

Pursuant to Mr. Rumpke's letter of October 18th, the attached documents and correspondence are being forwarded to you for appropriate handling.

Please note the attached documents appear to meet the filing requirements stipulated in Chapter 607, Florida Statutes, with the exception of any penalty or annual report fees that may be due this office.

Should you have any further questions concerning this matter, please do not hesitate to get in touch.

/gsh

employees

~~\$600,000.00~~

\$63.

unemployment tax
pay rents
rec'd

~~10000.00~~ - 1992
1,715.00 ARS ✓

6,715.00

5715
/

06 OCT 07 04 18:51
FILED
HARRIS COUNTY
CLERK OF COURT

AMERICAN
ARL



October 18, 2002

Ms. Trevor Brumbley
Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

RE: Harry Rust Construction Co., Inc.
Letter Number 902A00037359

Dear Ms. Brumbley:

I am writing in response to your letter dated June 6, 2002 (Letter Number 902A00037359). Enclosed are the following documents:

- 1) An Original Certificate of Good Standing from the Kentucky Secretary of State;
- 2) Certificate of Liability Insurance
- 3) IRS FORM 940 for years 1994 through 2001

As you can see from my earlier correspondence, our firm represents Harry Rust Construction Company, Inc., a Kentucky corporation (herein "Harry Rust Construction"). Harry Rust Construction has had business activity in the State of Florida since approximately 1992.

As you can see from the enclosed documentation, Harry Rust Construction has properly remitted all unemployment taxes to Florida and has maintained worker's compensation coverage for its workers in Florida. In fact, it seems the only thing that Harry Rust Construction failed to do was properly register with the Secretary of State's office. Therefore, I am requesting that the penalty referenced in your June 6, 2002 letter be waived in light of Harry Rust Construction's substantial compliance with all other Florida laws. In the alternative, Harry Rust Construction requests that the penalties in this case be reduced to the minimum penalties permitted by law.

While Harry Rust Construction appreciates the importance of registering with the Secretary of State's office, Harry Rust Construction submits that the substantial penalty (over \$11,000) is unwarranted in this case because Harry Rust Construction has made sure that Florida received the unemployment taxes it was entitled to receive and made sure that its Florida workers were covered by worker's compensation insurance.

Attorneys at Law

Turfway Commercial Park

73 Cavalier Blvd., Suite 316

Florence, KY 41042

(859) 647-9100

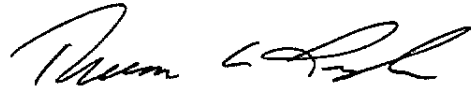
(859) 283-7534 Fax

www.boggsandcolvin.com

Please register Harry Rust Construction Company, Inc. to do business in the State of Florida. The registration fee was previously tendered, along with its earlier application.

If you need any additional information, please do not hesitate to call or write.

Best regards,

A handwritten signature in black ink, appearing to read 'Thomas W. Rumpke', written in a cursive style.

Thomas W. Rumpke

enc:

APPROVED
APR 11
03:13:51
FBI

**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. Harry Rust Construction Co., 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. Commonwealth of Kentucky 3. 61-0989736
(State or country under the law of which it is incorporated) (FEI number, if applicable)
4. August 24, 1981 5. Perpetual
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")
6. approx. 1992
(Date first transacted business in Florida. If corporation has not transacted business in Florida, insert "upon qualification.")
(SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)
7. 8689 Decoursey Pike, Covington, Kentucky 41015
(Principal office address)
8689 Decoursey Pike, Covington, Kentucky 41015
(Current mailing address)
8. All legal purposes including, but not limited to, construction.
(Purpose(s) of corporation authorized in home state or country to be carried out in state of Florida)
9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box **NOT** acceptable)
Name: Harry Rust
Office Address: 2462 SE 14th Street
Pompano Beach, , Florida 33062
(City) (Zip code)

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.

Harry Rust
(Registered agent's signature)

11. Attached is a 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 business addresses of officers and/or directors:

A. DIRECTORS

Chairman: Harry Rust

Address: 15 W. Southern Avenue
Covington, Kentucky 41015

Vice Chairman: _____

Address: _____

Director: _____

Address: _____

Director: _____

Address: _____

B. OFFICERS

President: Harry Rust

Address: 15 W. Southern Avenue
Covington, Kentucky 41015

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

14. Sole Director/Sole Officer
(Typed or printed name and capacity of person signing application)



John Y. Brown III
Secretary of State

Certificate of Existence

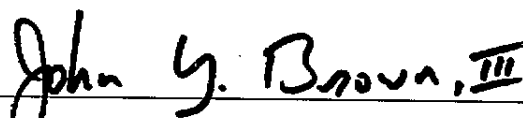
I, John Y. Brown III, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

HARRY RUST CONSTRUCTION CO., INC.

is a corporation duly organized and existing under KRS Chapter 271B, whose date of incorporation is April 24, 1981 and whose period of duration is perpetual.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that articles of dissolution have not been filed; and that the most recent annual report required by KRS 271B.16-220 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 18th day of October, 2002.


JOHN Y. BROWN III
Secretary of State
Commonwealth of Kentucky
Tmorgan/0155761