# F03000003901

### TRANSMITTAL LETTER

TO: Registration Section Division of Corporations
SUBJECT: <u>Daily Enterprises of Destin Inc.</u> (Name of Superation - must include suffix)
Dear Sir or Madam: 124  BUDOD661985807/24/02010290 *****78.75 ******7
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. 00855-00734-02943 \$10515
Disease vety no ell component de la component
HON'S Content of Person
bailey enterprises of Destin Ine.
Destin, Florida 32550
(City/State and Zip code)
For further information concerning this matter, please call:  8000661985 08/05/03-01018-007 ***500.00
Name of Person)  (Name of Person)  (Area Code & Dayline Telephone Number 5)
(A) ca Code & Daylime Telephone (Dm bes), A
STREET ADDRESS:  Registration Section  Division of Corporations  409 E. Gaines Soo  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
-13-46.10 -00 {

#### John E. Venn, Jr., P.A.

220 W. Garden Street, Suite 603, Pensacola, Florida 32501 Telephone (850) 438-0005 • Fax (850) 438-1881

Attorney at Law

5/21/03

Gerard T. York, Assistant General Counsel Florida Department of State Tallahassee, Florida

Re: Bailey Enterprises of Destin, Inc.

Ref. Number: W02000021645

Dear Mr. York:

I represent David Bailey in a Chapter 11 presently pending in the U.S. Bankruptcy Court for the Northern District of Florida, case number 02-41571-PNS3. He is the owner of Bailey Enterprises of Destin, Inc. and has asked me to respond to your letter of April 17, 2003.

As you know, your letter was prompted by an assessment of penalties and fees as a result of the application of Bailey Enterprises to register in Florida. This effort was made in order to comply with Florida law. However, the assessment has made it impossible for the company to do so because it does not have the financial ability to pay the penalties that have been assessed.

Do you have any suggestions on how the company can proceed? It is a fishing boat that generates seasonal revenues. It is the sole source of income for the Baileys during the season. However, it only generates enough to cover their basic living expenses. In the off season he has to get a job off shore in order to pay such expenses.

Mr. Bailey is a resident of Destin, Florida. If he had known of the problem, he would have simply incorporated the business in Florida to begin with. Now that he is aware of the requirements he desires to comply.

The sole asset of the corporation is the fishing boat and it has a mortgage to SouthTrust for an amount in excess of \$200,000.

Mr. Bailey is willing to dissolve the Alabama corporation or form a new Florida corporation and merge the Alabama corporation into the Florida corporation. In addition, the corporation is willing to begin making monthly payments on the assessment of \$200 per month if that is acceptable to the Department of State.

Please let me know if there is any alternative that will be acceptable to the

Department short of closing the business.

John E. Venn, Jr.

cc: David Bailey

#### John €. Venn, Jr., P.A.

220 W. Garden Street, Suite 603, Pensacola, Florida 32501 Telephone (850) 438-0005 • Fax (850) 438-1881

Attorney at Law

July 29, 2003

Brenda Tadlock
Senior Section Administrator
Florida Dept. Of State
Division of Corporations
P. O. Box 6327
Tallahassee, FL 32314

Re: Bailey Enterprises of Destin, Inc.
Ref. Number W02000021645
Letter Number 803A00042453

Dear Ms. Tadlock:

Pursuant to the above-referenced letter dated July 21, 2003, enclosed please find a check in the amount of \$500.00 to settle the issue of the non-qualified penalty and annual report fees. It is our understanding that you currently have all other documents necessary and that upon receipt of this check, this resolves all issues relating to the registration of the corporation.

Please let us know if there is anything further you need.

Sincerely,

Joan E. Grabau Legal Assistant to

John E. Venn, Jr.

/jg

Enclosure

cc: David and Melissa Bailey



## FLORIDA DEPARTMENT OF STATE Katherine Harris Secretary of State

July 26, 2002

H. DAVID BAILEY BAILEY ENTERPRISES OF DESTIN, INC. 1096 SCENIC HWY 98 EAST, UNIT 1402 DESTIN, FL 32550

SUBJECT: BAILEY ENTERPRISES OF DESTIN, INC.

Ref. Number: W02000021645

We have received your document for BAILEY ENTERPRISES OF DESTIN, INC. and your check(s) totaling \$78.75. 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 \$10,515.00.

Please return 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) 245-6967.

Michelle Hodges Document Specialist

Letter Number: 602A00045456



#### FLORIDA DEPARTMENT OF STATE Ken Detzner Secretary of State

January 8, 2003

H. DAVID BAILEY BAILEY ENTERPRISES OF DESTIN, INC. 1096 SCENIC HWY 98 EAST, UNIT 1402 DESTIN, FL 32550

SUBJECT: BAILEY ENTERPRISES OF DESTIN, INC.

Ref. Number: W02000021645

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 BAILEY ENTERPRISES OF DESTIN, INC..

The referenced application states that the corporation has transacted business in the State of Florida since January 1, 1993. You were notified by letter dated July 26, 2002, that because of failure to obtain a certificate of authority prior to transacting business in the State of Florida, the corporation is liable for \$10515.00 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.

Diane Cushing Corporate Specialist

Letter No. 603A00001003

Enclosure



#### FLORIDA DEPARTMENT OF STATE Glenda E. Hood Secretary of State

April 17, 2003

H. DAVID BAILEY BAILEY ENTERPRISES OF DESTIN, INC. 1096 SCENIC HWY 98 EAST, UNIT 1402 DESTIN, FL 32550

SUBJECT: BAILEY ENTERPRISES OF DESTIN, INC.

Ref. Number: W02000021645

### CERTIFIED MAIL #7000 1530 0000 2407 9695 RETURN RECEIPT REQUESTED

This letter constitutes notice that the Department of State (Department) intends to pursue all legal remedies provided in Sections 607.0130(3) and 607.1502(4)/617.01301 and 617.502(4)/608.502(4), Florida Statutes, because of the failure of BAILEY ENTERPRISES OF DESTIN, INC. to pay the appropriate penalties and fees incurred by the transacting of business in Florida without authority. I have enclosed a copy of the applicable Florida Statutes, for your review.

The application submitted by BAILEY ENTERPRISES OF DESTIN, INC. for authority to transact business in Florida indicates that the entity transacted business in Florida prior to qualifying. As a result, associated penalties and fees imposed by Section 607.1502(4)/617.1502(4)/608.502(4), Florida Statutes, are due and owing the Department.

Penalties and fees in the amount of \$10515.00 are now due. To avoid further penalty, payment must be remitted within 45 days of receipt of this letter. Please make your check payable to the Department of State and forward it to this office.

In the event the date business was first transacted in Florida is incorrect or the activity falls under an enumerated exemption provided in Section 607.1501(2)/617.1501(2)/608.501(2), Florida Statutes, please provide this office with an affidavit to that effect. If it is determined that the affidavit establishes either circumstance, all penalties and fees previously imposed will either be withdrawn or will be recalculated in accordance with the corrected information, and the application will be processed accordingly. If you have any questions regarding this matter, please telephone (850) 245-6051. I look forward to your response.

Sincerely,

Gerard T. York, Assistant General Counsel

Enclosures Letter No. 003A00023157



#### FLORIDA DEPARTMENT OF STATE Glenda E. Hood Secretary of State

July 21, 2003

JOHN E. VENN, JR., ESQUIRE 220 W. GARDEN ST., SUITE 603 PENSACOLA, FL 32501

SUBJECT: BAILEY ENTERPRISES OF DESTIN, INC.

Ref. Number: W02000021645

We have received your document for BAILEY ENTERPRISES OF DESTIN, INC. and your check(s) totaling \$78.75. However, the document has not been filed and is being retained in this office for the following:

Based on the information you have provided, this office offers to settle the issue of non-qualified penalty and annual report fees for the sum of \$500.00. However, this offer will expire in 60 days. To take advantage of this offer, we must receive the total amount due prior to the expiration date.

If you have any questions concerning the filing of your document, please call (850) 245-6911.

Brenda Tadlock Senior Section Administrator

Letter Number: 803A00042453

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Postage \$ Certified Fee Endorsement Required) Restricted Delivery Fee Endorsement Required (Endorsement Required) Total Postage & Fees  Sent To Street, Apr. No.; or PO Box No. City, State, Zip+4 PS Form 3500, May 2000 See Reverse for Instructions  SENDER: COMPLETE THIS SECTION  Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  H. David Bailey Bailey Enterprises of Destin, Inc. 1096 Scenic Hwy 98 East, Unit 140 Destin, FL 32550  See Reverse for Instructions  COMPLETE THIS SECTION ON DELIVERY A. Received by (Please Print Clearly) B. Dite of Delivery A Date of Delivery A A Received by (Please Print Clearly) B. Dite of Delivery A Date of Delivery A A Received by (Please Print Clearly) B. Dite of Delivery A Date of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Date of Delivery A Date of Delivery A Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery address of Delivery A Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery address Print Clearly) B. Dite of Delivery A Date of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Date of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery A Received by (Please Print Clearly) B. Dite of Delivery B. Dite		(DOI	IISSII	CIVIAII	Only,	ÍAÓ	illis	uran	ce ce	overage		ovio	eaj ,				
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Sent To  Sireet, Apt. No.; or PO Box No.  City, State, ZiP+ 4  PS Form 3800, May 2000  See Reverse for Instructions  COMPLETE THIS SECTION ON DELIVERY  A. Received by (Please Print Clearly)  B. Date of Delivery is desired.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  1. Article Addressed to:  1. David Bailey  Bailey Enterprises of Destin, Inc.  1. 1096 Scenic Hwy 98 East, Unit 140  Destin, FL 32550  3. Service Type  C Certified Mail   Express Mail   Registered   Return Receipt for Merchandise   Insured Mail   C.O.D.  4. Restricted Delivery? (Extra Fee)   Yes  2. Article Number (Copy from service label)	000	(Endorse Restrict (Endorse	ement F ted Deli ement F	Required) very Fee Required)	\$				<u> </u>   		Hen	;					
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Domestic Return Receipt

102595-00-M-0952

PS Form 3811, July 1999

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

1. Daily Enterprises of Destin Inc.  (Name of corporation dues in actide the west "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. Haddama (State or country nader the law of which it is incorporated)  4. November 30 1990  (Bate of incorporation)  (Date of incorporation)  (Date of incorporation)  (Date first transacted business in Florida, If corporation has not transacted business in Florida, insert "upper publication of the principal office address)  (Parposets) of Corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country to be carried out in state of Florida)  (Parposets) of corporation anthorized in home state or country with the provisions of all states relative to the grouper and complete to accomply with the provisions o	IN COMPLIANCE WITH SECTION 607.1503, PLORIDA STATUTES. THE POLLOWING IS SUBMITTED TO REGISTER APPOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OPPLORIDA.
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1096 Scenic Nwy 98 East Unit 1402 Destin, FL 32550  (Paspose(s) of corporation authorized in home state or country to be carried out in state of Florida)  Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box NOT acceptable)  Name: N. David Dailey  Office Address: 1096 Scenic dwy 98 East Ust 1402  Districtive Florida 32550  (City)  © Registered agent's acceptance:  Laving been named as registered agent and to accept service of process for the above stated corporation at the place estimated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I wither agree to comply with the provisions of all statutes relative to the proper and complete performance of my	1096 Steph Huner Of Goth Dective Fl 375
(Pasposeis) of corporation authorized in home state or country to be carried out in state of Florida)  Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box NOT acceptable)  Name: H. David Dailey  Office Address: Dyb Stenic dwy 98 East Ust 1402  Carry Florida 32550  (City)  Carry Florida 32550  (Zip code)  O. Registered agent's acceptance:  I aving been named as registered agent and to accept service of process for the above stated corporation at the place estimated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I wither agree to comply with the provisions of all statutes relative to the proper and complete performance of my	(Principal office address)
(Paspose(s) of cosposation authorized in home state of country to be carried out in state of Florida)  Name and street address of Florida registered agent: (P.O. Box of Mail Drop Box 60 T acceptable)  Name: U. David Dailey  Pffice Address: 1096 Stenic dwy 98 East Util 1402  City: Florida 32550  (Zip code)  O. Registered agent's acceptance:  I aving been named as registered agent and to accept service of process for the above stated corporation at the place estimated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I wither agree to comply with the provisions of all statutes relative to the proper and complete performance of my	· · · · · · · · · · · · · · · · · · ·
Name: N. David Bailey  Office Address: 1096 Stenic Awy 98 East Utit 1402  Other City Steriods 32550  (City) (Zip code)  O. Registered agent's acceptance:  I aving been named as registered agent and to accept service of process for the above stated corporation at the place estignated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I wither agree to comply with the provisions of all statutes relative to the proper and complete performance of my	
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A Danie Back	laving been named as registered agent and to accept service of process for the above stated corporation at the place esignated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity urther agree to comply with the provisions of all statutes relative to the proper and complete performance of my uties, and I am familiar with and accept the obligations of my position as registered agent.
- represent to using	S. Danie Baily

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 A	•					
Chairman: N. David Bailey						
Address: 1304 Logan Lane						
Sylacouga AL 35150						
Vice Chairman: Melissa S. Bailey						
Address 1304 Rogan Lane						
Sylacauga AL 35750	SEC 03					
Director: <u>Brian 0° Bailey</u>	ARE AUG T					
Sylacauga Al 35150	SSE & T					
Sylacauga AL 35750	TO RECEIVED					
Director:	RATE O					
Address:						
B. OFFICERS A						
President: d. David Bailey						
Address 1304 Logan Lane						
Sylacauga AL 35150						
Vice President: Melissa S. Bailey						
Address: 1304 Logan Lane						
Sylacaucra AL 35750						
Secretary: Brian O Bailey						
Address: 1304 Logan Lane Sylacauga AL						
Treasgres:						
Address:						
	to the contract of					
NOTE: If necessary, you may attach an addendum to the application listing additional officers	and for directors.					
13. Signature of Chairman, Vige Chairman, Frank officer listed in number 12 of the	ne application)					
H David bailey President	••					
(Typed or printed name and capacity of person signing application)						

# STATE OF ALABAMA

I, Jim Bennett, Secretary of State of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that

the domestic corporation records on file in this office disclose that Bailey Enterprises of Destin, Inc. incorporated in Talladega County, Sylacauga, Alabama on November 30, 1990. I further certify that the records do not disclose that said Bailey Enterprises of Destin, Inc. has been dissolved.

03 AUG -5 AM 8: OU SECRETARY OF STATE TALLAHASSEE FLORINA



In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, on this day.

March 18, 2002

Date

Sin Burn

Jim Bennett

Secretary of State