

FO3000003901

TRANSMITTAL LETTER

TO: Registration Section
Division of Corporations

SUBJECT:

Bailey Enterprises of Destin Inc
(Name of Corporation - must include suffix)

Dear Sir or Madam:

7/24

800006619858--3

-07/24/02--01029--001

*****78.75 *****78.75

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.

00855-00734-02963

\$10,515

Please return all correspondence concerning this matter to the following:

H David Bailey

(Name of Person)

WD2-21645

Bailey Enterprises of Destin Inc.

(Firm/Company)

1096 Scenic Hwy 98 East Unit 1402

(Address)

Destin, Florida 32550

(City/State and Zip code)

800006619858

08/05/03--01018--007 **500.00

For further information concerning this matter, please call:

H. David Bailey

(Name of Person)

at 850 650-5420

(Area Code & Daytime Telephone Number)

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

0 700 5 M 3 30

1 1 1 1 1

Name	STREET ADDRESS:
Registration Section	
Division of Corporations	
409 E. Gaines St	
Tallahassee, FL 32399	
Enclosed is a check for the following amount:	
<input type="checkbox"/> \$70.00 Filing Fee	<input checked="" type="checkbox"/> \$78.75 Filing Fee & Certificate of Status
<input type="checkbox"/> PF/UBR - \$500	<input type="checkbox"/> \$78.75 Filing Fee & Certified Copy
<input type="checkbox"/> W. F. F. \$70	<input type="checkbox"/> \$87.50 Filing Fee, Certificate of Status & Certified Copy

cus 8.75

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

FILED
03 AUG -5 PM 8 00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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.

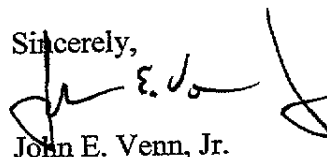
Mr. Bailey is a resident of Destin, Florida. If he had known of the problem, he would have simply incorporated the business in Florida to begin with. Now that he is aware of the requirements he desires to comply.

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.

Sincerely,



John E. Venn, Jr.

cc: David Bailey

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

July 29, 2003

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

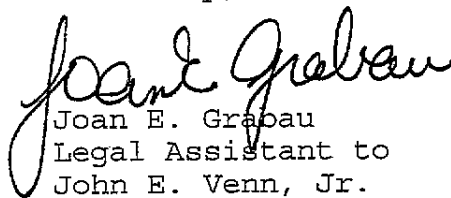
Re: Bailey Enterprises of Destin, Inc.
Ref. Number W02000021645
Letter Number 803A00042453

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

11/193

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

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 1530 0000 2407 9695
OFFICIAL USE

Postage \$
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)
Total Postage & Fees \$

Postmark
Here *

Sent To

Street, Apt. No.; or PO Box No.

City, State, ZIP+4

PS Form 3800, 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 1402
Destin, FL 32550

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

4/21/03

C. Signature

X

H. David Bailey

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ 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)

7000 1530 0000 2407 9695

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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. Bailey Enterprises of Destin 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. Alabama 3. 63-1035628
(State or country under the law of which it is incorporated) (FEI number, if applicable)

4. November 30, 1990 5. perpetual
(Date of incorporation) (Duration: Year corp. will cease to exist, or "perpetual")

6. 1993
(Date first transacted business in Florida. If corporation has not transacted business in Florida, insert "upon qualification". SEE SECTIONS 607.1501, 607.1502 and 607.155, F.S.)

7. Unit 1402 1096 Scenic Hwy 98 East Destin, FL 32550
(Principal office address)

1096 Scenic Hwy 98 East Unit 1402 Destin, FL 32550
(Current mailing address)

8. Charter Boat Business
(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: H. David Bailey

Office Address: 1096 Scenic Hwy 98 East Unit 1402
Destin Florida 32550
(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.

H. David Bailey
(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: H. David Bailey
Address: 1304 Logan Lane
Sylacauga AL 35150
Vice Chairman: Melissa S. Bailey
Address: 1304 Logan Lane
Sylacauga AL 35150
Director: Brian D Bailey
Address: 1304 Logan Lane
Sylacauga AL 35150
Director:
Address:

FILED
03 AUG -5 AM 8:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

B. OFFICERS

President: H. David Bailey
Address: 1304 Logan Lane
Sylacauga AL 35150
Vice President: Melissa S. Bailey
Address: 1304 Logan Lane
Sylacauga AL 35150
Secretary: Brian D Bailey
Address: 1304 Logan Lane Sylacauga AL
Treasurer:
Address:

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

13. H. David Bailey
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)
14. 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.

FILED
03 AUG -5 AM 8:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA



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

Jim Bennett

Jim Bennett

Secretary of State