

F98000002283

POHL & SHORT, P.A.

ATTORNEYS AT LAW

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MAILING ADDRESS:
POST OFFICE BOX 3208
WINTER PARK, FLORIDA 32790

COURIER ADDRESS:
280 WEST CANTON AVENUE, SUITE 410
WINTER PARK, FLORIDA 32789

TELEPHONE (407)647-7645
FAX (407)647-2314

February 3, 1998

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

Re: Maxx Parts & Equipment, Inc. (the "Corporation")
Our File No. 2344-1

W98-2677

Dear Sir/Madam:

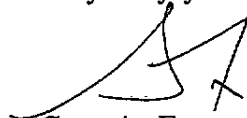
Enclosed please find the following items:

400002422144--8
-02/05/98--01043--003
*****78.75 *****78.75

1. Transmittal Letter;
2. Application by Foreign Corporation for Authorization to Transact Business in Florida, filed on behalf of the Corporation;
3. Corporation's Certificate of Existence issued by the Georgia Secretary of State; and
4. Pohl & Short, P.A. check number 107859 in the amount of \$78.75; \$70.00 is to cover filing fee for Application, and \$8.75 is fee for Certificate of Status.

Please do not hesitate to contact me with any questions you may.

Very truly yours,


Gary A. Forster

GAF/lmf
Enclosures
cc: Frank L. Pohl, Esquire

9/4/22
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DIVISION OF CORPORATIONS
98 APR 22 AM 10:37

TRANSMITTAL LETTER

To: Qualification/Tax Lien Section
Division of Corporations

SUBJECT: Maxx Parts & Equipment, 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:

Houston E. Short, Esquire
(Name of Person)

Pohl & Short, P.A.
(Firm/Company)

280 West Canton Avenue, Suite 410
(Address)

Winter Park, FL 32789
(City/State/Zip)

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

Houston E. Short, Esquire at (407) 647-7645
(Name of Person) (Area Code & Daytime Telephone Number)

COURIER ADDRESS:

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

MAILING ADDRESS:

Qualification/Tax Lien Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

February 5, 1998

HOUSTON E. SHORT, ESQ.
POHL & SHORT, P.A.
280 WEST CANTON AVE., STE. 410
WINTER PARK, FL 32789

SUBJECT: MAXX PARTS AND EQUIPMENT, INC.
Ref. Number: W98000002677

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DIVISION OF CORPORATIONS
98 APR 22 AM 10:37

We have received your document for MAXX PARTS AND EQUIPMENT, 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 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 \$1150.00.

Enclosed please find a copy of section 607.1501 or 617.1501, Florida Statutes, which lists those activities that do not constitute transacting business in this state. If after reviewing this section you determine erroneous information was inserted on the application, a sworn affidavit containing the following information must be submitted: 1.) a statement indicating erroneous information was listed on the application; and 2.) the correct date the corporation began transacting business in Florida prior to the year the application was submitted did not constitute transacting business pursuant to section 607.1501 or 617.1501, Florida Statutes.

If you have any questions concerning the filing of your document, please call (850) 487-6095.

Jennifer Sindt
Document Examiner

Letter Number: 198A00006756



FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham
Secretary of State

April 8, 1998

HOUSTON E. SHORT, ESQ.
POHL & SHORT, P.A.
280 WEST CANTON AVE., STE. 410
WINTER PARK, FL 32789

SUBJECT: MAXX PARTS AND EQUIPMENT, INC.
Ref. Number: W98000002677

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
98 APR 22 AM 10:37

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 MAXX PARTS AND EQUIPMENT, INC..

The referenced application states that the corporation has transacted business in the State of Florida since January 1, 1997. You were notified by letter dated February 5, 1998, that because of failure to obtain a certificate of authority prior to transacting business in the State of Florida, the corporation is liable for \$1150.00 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) 487-6091.

Jennifer Sindt
Document Examiner Letter No. 998A00018569

Enclosure

POHL & SHORT, P.A.
ATTORNEYS AT LAW

DWIGHT I. (IKE) COOL
GARY A. FORSTER
E. GIVENS GOODSPEED
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TELEPHONE (407) 647-7645
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MAILING ADDRESS:
POST OFFICE BOX 3208
WINTER PARK, FLORIDA 32790

COURIER ADDRESS:
280 WEST CANTON AVENUE, SUITE 410
WINTER PARK, FLORIDA 32789

April 20, 1998

Ms. Jennifer Sindt
Document Examiner
Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

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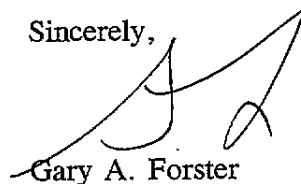
RE: Maxx Parts and Equipment, Inc. - Application by Foreign Corporation for
Authorization to Transact Business in Florida (the "Application")
Reference No. W98000002677

Dear Ms. Sindt:

In response to your Letter No. 998A00018569 (a copy of which is enclosed) to Houston E. Short, Esq., dated February 5, 1998, regarding the above-referenced Application, we have enclosed is an Affidavit from the President and Chief Executive Officer of Maxx Parts & Equipment, Inc. (the "Corporation"). The Affidavit regards erroneous information contained in the previously submitted Application and asserts the statutory exemption described in §607.1501(2)(f), Florida Statutes, with respect to the Corporation's activities in Florida prior to the submission of the Application.

If you have any questions, please do not hesitate to call me. Thank you for your assistance in this matter.

Sincerely,



Gary A. Forster

GAF/mrw
Enclosures
cc: Houston E. Short, Esq. (w/o enc.)

AFFIDAVIT

STATE OF GEORGIA

COUNTY OF CLAYTON

BEFORE ME, the undersigned authority, personally appeared **STEVE McCONDICHIE** (the "Affiant"), who being first duly sworn, deposes and says that:

1. Affiant represents that he is over the age of nineteen years, and can speak factually and from personal experience as to the matters addressed in this Affidavit.
2. Affiant has been employed by Maxx Parts & Equipment, Inc., a Georgia corporation (the "Corporation"), in the capacity of President and Chief Executive Officer for the past 2 years to the present.
3. Erroneous information is contained in the Corporation's application for registration to do business in Florida, recently filed with the Florida Secretary of State, in that the Corporation has not conducted business in Florida prior to the date of said application, and the Corporation's activities in Florida have been limited only to the extent exempted by §607.1501(2)(f), Florida Statutes, to wit:

(f) Soliciting or obtaining orders, whether by mail or through employees, agents, or otherwise, if the orders require acceptance outside this state before they become contracts.

FURTHER, AFFIANT SAYETH NAUGHT.

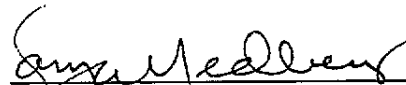


Steve McCondichie, Affiant

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DIVISION OF CORPORATIONS
98 APR 22 AM 10:37

Sworn to and subscribed before me this 13th day of April, 1998, by STEVE McCONDICHIE who (check one) ☒ is personally known to me, ☐ produced a driver's license (issued by a state of the United States within the last five (5) years) as identification, or ☐ produced other identification, to wit: _____

(SEAL)


Print Name: Sonya Medbery
Notary Public, State of Georgia
Commission No.: 11252001
My Commission Expires: _____

Notary Public, Clayton County, Georgia
My Commission Expires Nov. 25, 2001

**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. Maxx Parts and Equipment, 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. Georgia
(State or country under the law of which it is incorporated)
3. 58-1943158
(FEI number, if applicable)
4. 09/18/86
(Date of incorporation)
5. Perpetual
(Duration: Year corp. will cease to exist or "perpetual")
6. January 1, 1997
(Date first transacted business in Florida.) (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)
7. 1264 Sullivan Creek Road
Atlanta, GA 30349
(Current mailing address)
8. Sale of Heavy Equipment and Parts
(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: Houston E. Short, Esquire
Office Address: Pohl & Short, P.A., 280 W. Canton Ave., Ste. 410
Winter Park, Florida, 32789
(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.



(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.

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DIVISION OF CORPORATIONS
98 APR 22 AM 10:37

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: H. D. McCondichie

Address: 61 Ponte Vedra Blvd.

Ponte Vedra Beach, FL 32082

Vice Chairman: _____

Address: _____

Director: Steve H. McCondichie

Address: 133 Trent Jones Court

Newnan, GA 30265

Director: _____

Address: _____

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

President: Steven H. McCondichie

Address: 133 Trent Jones Court

Newnan, GA 30265

Vice President: J. Bradley Fawcett

Address: 4200 Turner Church Road

McDonough, GA 30253

Secretary: TREASURER: Katherine McCondichie

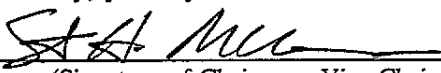
Address: 61 Ponte Vedra Blvd.

Ponte Vedra Beach, FL 32082

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. Steven H. McCondichie - President
(Typed or printed name and capacity of person signing application)

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DIVISION OF CORPORATIONS
98 APR 22 AM 10:37

**Secretary of State
Corporations Division
Suite 315, West Tower
2 Martin Luther King Jr. Dr.
Atlanta, Georgia 30334-1530**

DOCKET NUMBER : 980130449
CONTROL NUMBER : 8613985
DATE INC/AUTH/FILED: 09/18/1986
JURISDICTION : GEORGIA
PRINT DATE : 01/13/1998
FORM NUMBER : 211

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98 APR 22 AM 10:37

MAXX PARTS AND EQUIPMENT, INC.
ATTN: GEORGE PIRKLE
1264 SULLIVAN CREEK
ATLANTA GA 30349

CERTIFICATE OF EXISTENCE

I, Lewis A. Massey, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that

**MAXX PARTS AND EQUIPMENT, INC.
A DOMESTIC PROFIT CORPORATION**

was formed in the jurisdiction stated above or was authorized to transact business in Georgia on the above date. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation, or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up, or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.

Lewis A. Massey
LEWIS A. MASSEY
SECRETARY OF STATE

