

# F98000004352

## TRANSMITTAL LETTER

To: Qualification/Tax Lien Section  
Division of Corporations

SUBJECT: Malachi Intrest, 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:

500002563315--2

-06/17/98--01101--001

\*\*\*\*\*70.00 \*\*\*\*\*70.00

James Prince

(Name of Person)

Malachi Mattress-Tampa, LTP.

(Firm/Company)

9473 Forest Hills Place

(Address)

Tampa, FL 33612

(City/State/Zip)

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

James Prince

(Name of Person)

at (813) 418-2483

(Area Code & Daytime Telephone Number)

W98-13975  
Pg. 615

4/30/98

### 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

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

98 JUL 30 PM 1:34

FILED



FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham  
Secretary of State

June 17, 1998

JAMES PRINCE  
MALACHI MATTREST - TAMPA LTD  
9473 FOREST HILLS PLACE  
TAMPA, FL 33612

SUBJECT: MALACHI INTEREST, INC.  
Ref. Number: W98000013975

We have received your document for MALACHI INTEREST, INC. and your check(s) totaling \$70.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

PLEASE DELETE THE NAME MALACHI MATTRESS-TAMPA LTD. FROM THE APPLICATION AS ONLY THE CORPORATE NAME MAY BE LISTED IN BLOCK ONE.

A certificate of existence, 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.

The document must have original signatures.

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.

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STATE  
FLORIDA

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

Agnes Lunt  
Document Specialist

Letter Number: 598A00033696

**FILED**  
98 JUL 30 PM 1:35  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

July 28, 1998

RE: W980000139757 and letter #598A00033696

Agnes Lunt  
Division of Corporations  
P.O. Box 6327  
Tallahassee, Florida 32314

Dear Agnes Lunt,

SUBJECT: MALACHI INTEREST, INC.

Thank you for your instructions concerning our filing. I hope we have met all criteria as of these documents, but if not please inform me of what I can do to make this filing complete. Thanks again for your considerate attention.

Sincerely,

JAMES PRINCE  
The Mattress Firm

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98 JUL 30 PM 1:35  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

9473 FOREST HILLS PLACE  
TAMPA, FLORIDA 33612

**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. Malachi Intrest, 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. Texas 3. 76-0490013  
(State or country under the law of which it is incorporated) (FEI number, if applicable)
4. January 8, 1996 5. Perpetual  
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")
6. December 1, 1997  
(Date first transacted business in Florida.) (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)
7. 4665 Sweetwater Blvd., Suite 105  
Sugar land, TX 77479  
(Current mailing address)
8. Retail stores selling mattresses and related items.  
(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: James Prince  
Office Address: 9473 Forest Hills Place  
Tampa, Florida, 33612  
(Zip code)

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TALLAHASSEE, FLORIDA

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.*

James H Prince  
(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 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: \_\_\_\_\_

Address: \_\_\_\_\_

Director: \_\_\_\_\_

Address: \_\_\_\_\_

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

President: Gregory L. Feste

Address: 4665 Sweetwater Blvd., Suite 105  
Sugar Land TX 77479

Vice President: S. Chris Herndon

Address: 4665 Sweetwater Blvd., Suite 105  
Sugar Land TX 77479

Secretary: \_\_\_\_\_

Address: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Address: \_\_\_\_\_

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

13. [Signature]

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

14. S. Chris Herndon CFO

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

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA



# The State of Texas

SECRETARY OF STATE

IT IS HEREBY CERTIFIED that  
Articles of Incorporation of

MALACHI INTERESTS, INC.  
File No. 1382291-00

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

were filed in this office and a certificate of incorporation was issued to this corporation,  
and no certificate of dissolution is in effect and the corporation is currently in existence.



*IN TESTIMONY WHEREOF, I have hereunto  
signed my name officially and caused to be  
impressed hereon the Seal of State at my office in  
the City of Austin, on July 17, 1998.*

Alberto R. Gonzales  
Secretary of State

MAC