

# H10818

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TALLAHASSEE, FLORIDA

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FORM 1000

**Kate Smith Law Group**  
*Wills, Trusts & Estates*  
*Business Planning, Mergers & Acquisitions*

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\*\* Admitted in Florida, Ohio &  
West Virginia

• LL.M. in Taxation

December 28, 2017

**VIA OVERNIGHT MAIL**

Registration Section  
Division of Corporations  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, Florida 32301

Re: Bradenton Fuel Oil, Inc.

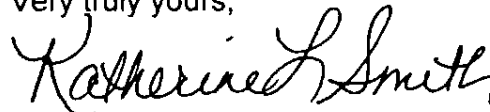
To Whom It May Concern:

Enclosed please find Articles of Amendment and Restatement to Articles of Organization of Bradenton Fuel Oil, Inc. for processing with your office. Also enclosed, please find check number 5209, payable to Florida Division of Corporations in the amount of Thirty-Five Dollars (\$35.00) to cover the filing fees for the foregoing.

**As confirmed with Irene of your office on this date, it is imperative that the filing date reflect the date of receipt by your office, December 29, 2017 regardless of the date of actual filing.**

I appreciate your attention to this matter. If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Very truly yours,



Katherine L. Smith

Enclosures

**ARTICLES OF AMENDMENT AND RESTATEMENT  
OF  
ARTICLES OF INCORPORATION  
OF  
BRADENTON FUEL OIL, INC.**

Pursuant to the provisions of Section 607.1007, Florida Statutes, this Corporation adopts the following Amended and Restated Articles of Incorporation.

1. This Corporation hereby amends and restates its Articles of Incorporation originally dated June 20, 1984 and filed on July 5, 1984, and filed as Document Number H10818.
2. The name of the Corporation is Bradenton Fuel Oil, Inc.
3. These Articles of Amendment and Restatement of the Articles of Incorporation of Bradenton Fuel Oil, Inc., were adopted on December 28, 2017, by the Board of Directors of the Corporation and the Shareholders. The number of votes cast for the Articles of Amendment and Restatement were sufficient for approval.
4. This Corporation's Articles of Incorporation are hereby amended and restated as follows:

**ARTICLE I - NAME**

The name of the corporation ("Corporation") is Bradenton Fuel Oil, Inc.

**ARTICLE II - TERM OF EXISTENCE**

The Corporation is to exist perpetually.

**ARTICLE III - PURPOSES**

The purposes of the Corporation are to engage in any lawful act, activity or business permitted under the laws of the United States and the State of Florida.

**ARTICLE IV - PRINCIPAL OFFICE AND MAILING ADDRESS**

The principal office and mailing address of this Corporation is 6116 21<sup>st</sup> Street East, Bradenton, FL 34203.

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CLERK OF CIRCUIT COURT  
BRADENTON, FLORIDA

## **ARTICLE V - CAPITAL STOCK**

The authorized capital stock of Corporation shall consist of five hundred thousand (500,000) shares, of which fifty thousand (50,000) shares are Class A Voting Common Stock, \$1.00 par value and four hundred fifty thousand (450,000) shares are Class B Non-Voting Common Stock, \$1.00 par value.

Except for voting rights attributable solely to the Class A Voting Common Stock, with respect to all other rights including but not limited to, distribution rights and liquidation rights, the Class A Voting Common Stock and the Class B Non-Voting Common Stock shall share all other rights equally.

The recapitalization of the Corporation's Capital Stock will be accomplished by the Corporation exchanging each share of the Corporation's existing Common Stock for (a) ten (10) share(s) of Class A Voting Common Stock, \$1.00 par value and (b) ninety (90) share(s) of Class B Non-Voting Common Stock, \$1.00 par value.

## **ARTICLE VI - REGISTERED AGENT AND ADDRESS**

The initial street address of the Corporation's registered office is 6116 21<sup>st</sup> Street, East, Bradenton, FL 34203. The initial registered agent for the Corporation at that address is Sally L. Baumgartner.

## **ARTICLE VII - INCORPORATOR**

The name(s) and street address(es) of the original incorporator(s) to these Articles of Incorporation is/are:

<u>Name</u>	<u>Address</u>
Sally L. Baumgartner	6458 Watercrest Way, Unit 301 Lakewood Ranch, FL 34202

## **ARTICLE VIII - INDEMNIFICATION**

The Corporation shall indemnify its directors, officers, employees, and agents to the fullest extent permitted by law.

## **ARTICLE IX - AMENDMENT**

The Articles of Incorporation may be amended in certain instances by the Board of Directors pursuant to applicable law and in certain instances by resolutions adopted by the Board of Directors, proposed by them to the Shareholders and approved at a Shareholders meeting by a majority of the stock entitled to vote thereon.

**ARTICLE XII - SHAREHOLDER ACTION**

An affirmative vote of fifty-one percent (51%) of the shares of the capital stock of the Corporation shall be required for any Shareholder action.

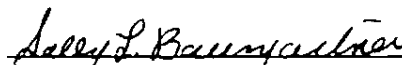
**IN WITNESS WHEREOF**, the undersigned incorporator has executed these Articles of Incorporation as of December 28, 2017.

Bradenton Fuel Oil, Inc.

By: Sally L. Baumgartner  
Sally L. Baumgartner, President

## ACCEPTANCE OF REGISTERED AGENT

Having been named to accept service of process for Bradenton Fuel Oil, Inc. at the place designated in the Articles of Incorporation, the undersigned hereby accepts the appointment as registered agent and agrees to act in this capacity. The undersigned further agrees to comply with the provisions of all statutes relating to the proper and complete performance of the undersigned's duties, and the undersigned is familiar with and accepts the obligations of the undersigned's position as registered agent.

  
\_\_\_\_\_  
Sally L. Baumgartner, Registered Agent  
Date: December 28, 2017