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#### ROBERT H. HEISE ATTORNEY & COUNSELOR AT LAW

April 4, 2006

994 N. WATERWAY Dr. - Ft. MYERS, FLORIDA 33919 (239) 482-0613

Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

Re: Filing of Restated Articles of

Organization for

COLLINS EVANS, LLC a limited liability company

### ARTICLES OF AMENDMENT OF ARTICLES OF ORGANIZATION OF COLLINS EVANS, LLC

#### Gentlemen:

Please find enclosed an original and one copy of the Restated Articles of Organization of COLLINS EVANS, LLC, for filing by the Department of State in accordance with the Florida Limited Liability Company Act.

The Articles of Organization were filed on March 9, 2006 and assigned document number L06000025526.

Also enclosed is a check in the amount of \$155.00 made payable to the Department of State to cover the following fees:

Filing fee for Restate Articles of Organization \$25.00
Certified copy fee \$30.00
Total Check Amount \$55.00

Please mail the certified copy of the Restated Articles of Organization Incorporation to Robert H. Heise, Esq., 994 N. Waterway Dr., Fort Myers, Florida 33919.

Thank you for your cooperation in this matter.

Robert H. Heise, Esq.

Singerely,

Encls. Restated Articles of Organization Check in the amount of \$ 55.00

## RESTATED ARTICLES OF ORGANIZATION OF COLLINS EVANS, LLC

The undersigned, for the purpose of forming a limited liability company under the Florida Limited Liability Company Act, F.S. Chapter 608, hereby make, acknowledge, and file the following Articles of Organization.

#### ARTICLE I

#### NAME

The name of the limited liability company shall be COLLINS EVANS, LLC ("Company").

#### **ARTICLE II**

#### **ADDRESS**

The mailing address and street address of the principal office of the company shall be P.O. Box 2104, Fort Myers, Florida 33902 and 2229 Brevard Ave., Fort Myers, Florida 33901, respectively.

#### ARTICLE III

#### DURATION

The company shall commence its existence on March 9, 2006, the date articles of organization were filed by the Florida Department of State. The company's existence shall be perpetual unless the company is earlier dissolved as provided in these articles of organization.

#### **ARTICLE IV**

#### REGISTERED AGENT, REGISTERED OFFICE, & REGISTERED AGENT'S SIGNATURE

The name and street address of the registered agent of the company in the State of Florida are:

#### HARLAND F. SIMONDS, Jr.

#### 2229 Brevard Ave., Fort Myers, Florida 33901

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, 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 relating to the proper and complete performance of my duties, and am familiar with and accept the obligations of my position as registered agent as provided in Chapter 608, Florida Statutes.

HARLAND F. SIMONDS, Jr., Registered Agent

#### **ARTICLE V**

#### **MANAGEMENT**

The Company is to be managed by the Members in accordance with regulations of the Operating Agreement adopted by the Members for the management of the business and affairs of the company. These regulations may not contain any provisions for the regulation and management of the affairs of the company inconsistent with law or these articles of organization. The names and addresses of the managing Members are:

NAME

#### **ADDRESS**

DANIEL FOWLER

3237 Unit 3, Fowler Street, Fort Myers, Florida 33901

HARLAND F. SIMONDS, Jr.

2229 Brevard Ave., Fort Myers, Florida 33901

#### **ARTICLE VI**

#### **ADMISSION OF NEW MEMBERS AND**

#### TRANSFER OF INTEREST

No additional members shall be admitted to the company except with the unanimous written consent of all the Members of the company and on such terms and conditions as shall be determined by all the Members. A member may transfer his or her interest in the company as set forth in the operating agreement of the company, but the transferee shall have no right to participate in the management of the business and affairs of the company or become a member

unless all the other Members of the company other than the member proposing to dispose of his or her interest approve of the proposed transfer by unanimous written consent. Except as provided hereinabove, a Member's interest in the Company is not subject to assignment, however, the Members economic interest may pass by inheritance. Any Member who wishes to transfer his or her interest shall first obtain the consent of all other Members in writing prior to such transfer. When such transfer is allowed the transferee shall be entitled only to the transferring Member's proportionate share of the capital and profits of the Company but shall have no other rights, including the right to participate in management unless later elected by the Members to membership.

#### **ARTICLE VIII**

#### **AMENDMENT OF ARTICLES**

These articles may be amended only by a unanimous vote of the Members.

#### **ARTICLE IX**

#### **AGENCY AUTHORITY**

All authority to contract and otherwise act for the Company is vested in its Members, acting as the Board of Members, and evidenced by a written Resolution of the Board.

#### ARTICLE X

#### CONTINUITY

The remaining Members of the limited liability company, if there are two or more, have the right to continue the business by a majority in interest vote upon the death, retirement, resignation, expulsion, bankruptcy or dissolution of a Member or occurrence of any other event which terminates the continued Membership of a Member in this company. Any return of capital or distribution of profits shall be determined from the Company's books by the Board, and paid at the direction of the Board, at a time determined by the Board, without diminishing the prospects of the

Company's ventures and subject to the limitations of Florida law.

IN WITNESS WHEREOF, the undersigned organizers have made and subscribed these articles of organization at Fort Myers, Lee County, Florida, on this 474 day of April, 2006.

**UNDER PENALTIES OF PERJURY**, each of the undersigned declare that I have read the foregoing Articles of Organization for COLLINS EVANS, LLC, a Florida limited liability company and that the facts stated therein are true upon information and belief.

HARLAND F. SIMONDS, Jr., Member