

48000127399

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

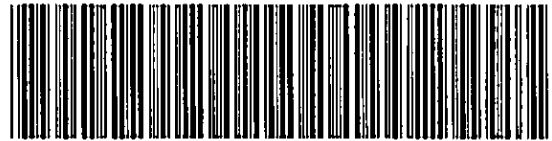
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



100313293361

05/18/18--01018--035 **125.00

FILED

2018 MAY 18 PM 2:05

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

K. PAGE
MAY 23 2018

The Law Offices of

ANDERSON & SHAFER

DONALD C. ANDERSON JR.
CREIGHTON P. SHAFER

JOEY OQUIST - OF COUNSEL

2101 5th Avenue North
St. Petersburg, FL 33713

Telephone: 727-323-8886
Fax: 727-323-3252

www.andersonshafer.com

May 14, 2018

***Certified Mail No.
7014 2120 0002 2910 3376
Return Receipt Requested***

New Filing Section
Division of Corporations
PO Box 6327
Tallahassee, FL 32314

RE: Application for D & W Heavy Machinery and Supply, Limited Liability Company

The enclosed Articles of Organization and fee are submitted for filing. Please return all correspondence concerning this matter to the following:

Donald C. Anderson, Jr., Esq.
Law Offices of Anderson & Shafer
2101 5th Avenue North
St. Petersburg, FL 33713
Email: dca@andersonshafer.com
Phone: (727)323-8886
Fax: (727)323-3252

Enclosed is a check for \$125.00 for the Limited Liability Company filing fee.

Very truly yours,



Donald C. Anderson, Jr., Esq.

DCA:ln

cc: Diane Weisner (via email)
Walter Anetsberger (via email)

D & H Heavy Machinery and Supply, LLC
FL LLLC Application

ARTICLES OF ORGANIZATION FOR FLORIDA LIMITED LIABILITY COMPANY.

ARTICLE I
NAME

D & W Heavy Machinery and Supplies, LLC.

ARTICLE II
ADDRESS

Principle Office Address
1434 Calvary Road
Holiday, FL 34691

Mailing Address
1434 Calvary Road
Holiday, FL 34691

FILED
2010 MAY 18 PM 2:05
CLERK OF STATE
TALLAHASSEE, FLORIDA

ARTICLE III

Registered Agent, Registered Office, & Registered Agent's Signature:

Anderson & Shafer
c/o Donald C. Anderson, Jr. Esq.
2101 5th Avenue N
St. Petersburg, FL 33713
Phone: (727)323-8886

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 I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 605, F.S.


Registered Agent's Signature

ARTICLE IV
MANAGERS

Title:

MGR

Name and Address

Diane Weisner
1434 Calvary Road
Holiday, FL 34691

D & H Heavy Machinery and Supply, LLC
FL LLLC Application

MGR

Walter Anetsberger
1434 Calvary Road
Holiday, FL 34691

ARTICLE V
EFFECTIVE DATE

Effective date is April 1, 2018.

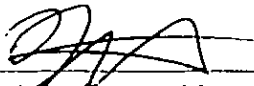
ARTICLE VI
OTHER PROVISIONS

Please see the attached Schedule A.

Signature of a Member



Diane Weisner, Manager



Walter Anetsberger, Manager

This document is executed in accordance with section 605.0203 (1) (b), Florida Statutes. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

FILED
2018 MAY 18 PM 2:05
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

6.3 **REPORTS.** The Managers will close the books of account after the close of each calendar year and will prepare and send to each member, a statement of such Member's distributive share of income and expense for income tax reporting purposes.

ARTICLE VII

Transfers

7.1 **ASSIGNMENT.** If a Member proposes to sell, assign, or otherwise dispose of all or any part of his or her interest in the Company, that Member must first make a written offer to sell his or her interest to the other Members at a price determined by mutual agreement. If the other Members decline or fail to elect such interest within thirty (30) days, and if the sale or assignment is made and the Members fail to approve this sale or assignment unanimously then, pursuant to the applicable law, the purchaser or assignee will have no right to participate in the management of the business and affairs of the Company. The purchaser or assignee will only be entitled to receive the share of the profits or other compensation by way of income and the return of contributions to which that Member would otherwise be entitled.

ARTICLE VIII


Dissolution

9.1 **DISSOLUTION.** The Member(s) may dissolve the company at anytime. The Member may NOT dissolve the company for a loss of membership interests. Upon dissolution the company must pay its debts first before distributing cash, assets, and/or initial capital to the Member or the Members interests. The dissolution may only be ordered by the Member(s), not by the owner of the Members interests.

CERTIFICATION OF MEMBER


The undersigned hereby agree, acknowledge, and certify that the foregoing operating agreement is adopted and approved by each member, the agreement consisting of 9 pages, constitutes, together with Exhibit 1, Exhibit 2 and Exhibit 3, the Operating Agreement of D & W Heavy Machinery & Supply, LLC. adopted by the members as of 23 day of April, 2018.

Members:



Signature
Percent: 60%

Walter Anetsberg
Printed Name



Signature
Percent: 40%

Diane Weisner
Printed Name

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

2018 MAY 18 PM 2:05

FILED

EXHIBIT 1

**LIMITED LIABILITY COMPANY OPERATING AGREEMENT FOR
D & W HEAVY MACHINERY AND SUPPLY, LLC.**

LISTING OF MANAGERS


By a majority vote of the Members the following Managers were elected to operate the Company pursuant to ARTICLE 4 of the Agreement

Walter Anetsberger
Manager
1434 Calvary Road
Holiday, FL 34691

Diane Weisner
Manager
1434 Calvary Road
Holiday, FL 34691

The above listed Manager(s) will serve in their capacities until they are removed for any reason by a majority vote of the Members as defined by ARTICLE 4 or upon their voluntary resignation. Signed and Agreed this 23 day of April, 2018.

Members :



Signature

Walter Anetsberger
Printed Name



Signature

Diane Weisner
Printed Name


REMAINDER OF PAGE INTENTIONALLY LEFT BLANK


FILED
2018 MAY 18 PM 2:05
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**LIMITED LIABILITY COMPANY OPERATING AGREEMENT FOR
D & W HEAVY MACHINERY AND SUPPLY , LLC.**

As of the 23 day of April, 2018 the following is a list of Members of the Company:

Diane Weisner, Manager Percent 40%
1434 Calvary Road
Holiday, FL 34691


Signature of Walter Anetsberger


Signature of Diane Weisner

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

FILED
2010 MAY 18 PM 2:05
CLERK OF STATE
TALLAHASSEE, FLORIDA

EXHIBIT 3

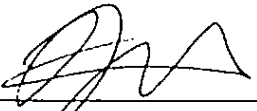
**LIMITED LIABILITY COMPANY OPERATING AGREEMENT FOR
D & W HEAVY MACHINERY AND SUPPLY , LLC.**

CAPITAL CONTRIBUTIONS

Pursuant to ARTICLE 2, the Members' initial contribution to the Company capital is stated to be \$100.00. The description and each individual portion of this initial contribution is as follows:

Walter Anetsberger	\$60.00
Diane Weisner	\$40.00

SIGNED AND AGREED this 23 day of April, 2018.



Member - Walter Anetsberger



Member - Diane Weisner

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

FILED
2018 MAY 18 PM 2:05
SECRETARY OF STATE
TALLAHASSEE, FLORIDA