

NY 6000004186

BUSH ROSS GARDNER WARREN & RUDY, P.A.

ATTORNEYS AT LAW

220 SOUTH FRANKLIN STREET  
TAMPA, FLORIDA 33602

(813) 224-9255

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JOHN R. BUSH  
JAMES O. DAVIS, III  
SAMUEL B. DOLCIMASCIOLO  
PATRICIA LAPARTA DOUGLAS  
LEE E. DRYER\*  
RICHARD K. FUEYO  
J. STEPHEN GARDNER  
JOHN N. GIORDANO  
JEFFREY P. GREENBERG  
RICHARD B. HADLOW  
LISA A. HOPPE  
PAUL L. HUEY

\* Admitted only in Tennessee

DAVID M. JEFFRIES  
CHRISTINE M. POLANS  
ALEXANDRA M. REYARD  
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EDWARD O. SAVITZ  
ALICIA J. SCHUMACHER  
DANIEL H. SHERMAN, IV  
H. BRADLEY STAOGS  
RANDY K. STERNS  
JEFFREY W. WARREN  
PAUL D. WATSON  
DAVID B. WILLIAMS

August 5, 1996

Division of Corporations  
P. O. Box 6327  
Tallahassee, FL 32314

100001917021  
-08/08/96--01098--003  
\*\*\*122.50 \*\*\*122.50

RE: Cypress Creek Masonry, Inc.  
Our File No. WARD-3

Gentlemen:

Enclosed please find the original and one copy of the Articles of Incorporation of Cypress Creek Masonry, Inc., together with our firm check in the amount of \$122.50 for payment of the following:

- |    |   |              |
|----|---|--------------|
| 1. | Fee for filing Articles of Incorporation                      | \$35.00      |
| 2. | Fee for obtaining certified copy of Articles of Incorporation | 52.50        |
| 3. | Filing a certificate designating Registered Agent             | <u>35.00</u> |
|    |   | \$122.50     |

Please file the original Articles of Incorporation and the certificate designating Registered Agent, and return a certified copy of the Articles to these offices in the self-addressed stamped envelope provided.

Thank you for assistance in this matter.

Sincerely,

Donna Slavik  
Assistant to Neal A. Sivyver

/ds  
Enc.

**ARTICLES OF INCORPORATION  
OF  
CYPRESS CREEK MASONRY, INC.**

In compliance with the requirements of Chapter 607 of Florida Statutes, the undersigned, all of whom are residents of Florida and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

**ARTICLE I**

**NAME**

The name of the corporation shall be CYPRESS CREEK MASONRY, INC., hereafter called the "Corporation."

**ARTICLE III**

**PRINCIPAL OFFICE**

The principal office of the Corporation shall be 600-10TH Ave. South Safety Harbor, Fl. 34695. The Board of Directors may from time to time move the principal office to any other address.

**ARTICLE III**

**DURATION**

The Corporation shall commence business as soon as practicable after these Articles are filed in the office of the Secretary of State of the State of Florida, and shall have perpetual existence.

## ARTICLE IV

### PURPOSE

This Corporation does not contemplate pecuniary gain or profit to the members thereof, and the specific purpose for which it is formed is to educate the public concerning private property rights and participation in legislative and judicial processes to protect private property rights, provide charitable assistance to the community, and to organize community functions.

The corporation shall have and exercise any and all powers, rights and privileges which a corporation organized under Florida Statute, Chapter 607 may now or hereafter have or exercise.

All of the assets and earnings shall be used exclusively for the purposes hereinabove set out, including payment of expenses incidental thereto; and no part of the net earnings shall inure to the benefit of any individual.

## ARTICLE V

### QUALIFICATIONS OF MEMBERS

The qualifications of members and the manner of admission of members shall be as specified in the Bylaws of the Corporation.

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**ARTICLE VI**  
**INCORPORATOR**

The names and addresses of the Incorporator of the Corporation is: Robert Ward, Jr.  
600-10th Ave. South Safety Harbor, Fl. 34695.

**ARTICLE VII**  
**INITIAL BOARD OF DIRECTORS**

The affairs of this Corporation shall be managed by a Board of two (2) Directors, initially, who shall be members of the Corporation, provided that the Corporation shall always have at least two (2) directors. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
Robert M. Ward, Jr.	600-10th Ave. South Safety Harbor, Fl. 34695
Gregory Foster	460 Cypress Creek Circle Oldsmar, Fl. 34677

At the first annual meeting the members shall elect a minimum two (2) directors for a term of two (2) years, and at each bi-annual meeting thereafter the members shall elect a minimum of two (2) directors for a term of two (2) years.

**ARTICLE VIII**  
**CAPITAL STOCK**

The Corporation shall have no capital stock and the private property of the incorporators and members shall not be liable for the debts of the Corporation.

## **ARTICLE IX**

### **DISSOLUTION**

The Corporation may be dissolved with the assent given in writing by not less than a majority of the Board of Directors. In the event of dissolution, all of the residual assets of the Corporation shall be distributed only for educational or charitable purposes to organizations which are exempt as organizations described in §501(c)(3) and §170(c)(2) of the Internal Revenue Code or corresponding sections of any prior or future law or to the Federal, State or Local Government for exclusive public purpose.

## **ARTICLE X**

### **INITIAL REGISTERED OFFICE AND AGENT**

The street address of the initial Registered Office of the Corporation is 220 S. Franklin St., Tampa, Florida, and the name of the initial Registered Agent of the Corporation at that address is Neal A. Sivyver, Esquire.

## **ARTICLE XI**

### **AMENDMENTS**

Amendment of these Articles shall require a majority vote of the Board of Directors.

The Bylaws of the Corporation shall be made, altered, amended or repealed by a majority vote of the Board of Directors.

ARTICLE XII

POWERS

The Corporation shall have the powers and authority conferred upon it by law.

IN WITNESS WHEREOF, the undersigned subscriber has executed these Articles of Incorporation this 30 day of July, 1996.

Signed, sealed and delivered in the presence of:

Swann K. Hiles - Budgett  
Joseph S. Ward

[Signature]

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

BEFORE ME, a Notary Public authorized to take acknowledgments in the State and County set forth above, personally appeared Robert M. Ward Jr, known to me and known by me to be the person who executed the foregoing ARTICLES OF

INCORPORATION, and he acknowledged before me that he executed those ARTICLES OF INCORPORATION.

Notary Public, State of Florida  
My Comm. Expires July 31, 1997  
No. CC302949

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,  
in the State and County aforesaid, this \_\_\_ day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF

FLORIDA

My Commission Expires:

**CERTIFICATE DESIGNATING REGISTERED AGENT**

In pursuance of Chapter 48.091 and Chapter 607.325, Florida Statutes, the following  
is submitted in compliance with said Act:

That CYPRESS CREEK MASONRY, INC., desiring to organize under the laws of  
the State of Florida with its principal office, as indicated in the Articles of Incorporation, at  
has named Neal A. Sivyler, Esquire, located at 220 S. Franklin St., City of Tampa, County  
of Hillsborough, State of Florida, as its agent to accept service of process within this State.

**ACKNOWLEDGEMENT:**

Having been named to accept service of process for the above-stated Corporation, at  
place designated in this Certificate, I hereby accept to act in this capacity, and agree to  
comply with the provisions of said Act relative to the proper and complete performance of  
my duties, and I accept the duties and obligations of Chapter 607325, Florida Statutes.

By:   
\_\_\_\_\_  
Neal A. Sivyler, Esquire  
REGISTERED AGENT

DATED: 8/2/96

102513.01

# N96000004186

**BUSH ROSS GARDNER WARREN & RUDY, P.A.**

**ATTORNEYS AT LAW**

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DANIEL H. SHERMAN, IV  
H. BRADLEY STAGGS  
RANDY K. STERNB  
JEFFREY W. WARREN  
PAUL D. WATSON

February 5, 1997

Corporate Records Bureau  
Division of Corporations  
Department of State  
P.O. Box 6327  
Tallahassee, Florida 32314

400002082614--1  
-02/10/97--01067--002  
\*\*\*\*\*87.50 \*\*\*\*\*87.50

Re: CYPRESS CREEK MASONRY, INC.,  
A FLORIDA NOT FOR PROFIT CORPORATION  
Our File No. WARD-3  
Your File No. N96000004186

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
97 FEB -10 PM 3:58

Dear Madam/Sir:

On behalf of our above captioned client, enclosed are an original and one copy of its Articles of Amendment to the Articles of Incorporation, changing its name from Cypress Creek Masonry, Inc., a Florida not for profit corporation, to Masonry, Inc., together with our firm check in the amount of \$87.50 in payment of the following charges:

- |    |  |         |
|----|--|---------|
| 1. | Filing Fee for Amendment to Articles of Incorporation    | \$35.00 |
| 2. | Certified copy of Amendment to Articles of Incorporation | 52.50   |

\$87.50

REC  
FEB 10 1997

Please file the original Amendment to the Articles of Incorporation and return to me a certified copy of the Amendment to the Articles as filed.

Our client also wishes to form a Florida for profit corporation under the former name of its not for profit corporation. Masonry, Inc., the not for profit corporation waives any and all rights and interests in the name Cypress Creek Masonry, Inc., and hereby immediately releases the name to the new for profit corporation. Please find an affidavit enclosed to this effect.

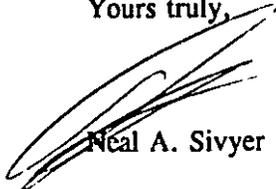
Also enclosed are an original and one copy of the for profit corporation's Articles of Incorporation, together with our firm check in the amount of \$122.50 in payment of the following charges:

- |    |   |              |
|----|---|--------------|
| 1. | Filing Fee for Articles of Incorporation    | \$35.00      |
| 2. | Certified copy of Articles of Incorporation | 52.50        |
| 3. | Registered Agent Fee                        | <u>35.00</u> |

\$122.50

Please file the original Articles of Incorporation and the certificate designating Registered Agent and return to me a certified copy of the Articles as filed. Thank you for your help in this matter. If you have any questions, please call me directly.

Yours truly,



Neal A. Sivyer

mlc  
Enclosures  
Robert M. Ward Jr.  
115378.01

ARTICLES OF AMENDMENT TO THE  
ARTICLES OF INCORPORATION OF  
CYPRESS CREEK MASONRY, INC.

SECRETARY FILED  
DIVISION OF CORPORATIONS  
97 FEB -10 PM 3: 58

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CYPRESS CREEK MASONRY, INC., a Florida not for profit corporation (the "Corporation"), hereby certifies as follows:

1. The Articles of Incorporation of the Corporation are hereby amended by deleting the present form of Article One in its entirety and by substituting, in lieu thereof, the following:

**\*ARTICLE I**

**NAME**

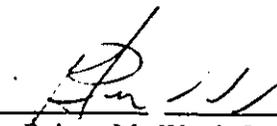
The name of the corporation shall be Masonry, Inc. (the "Corporation")."

2. The foregoing amendments shall become effective as of the close of business on the date these Articles of Amendment are approved by the Florida Department of State and all filing fees then due have been paid, all in accordance with the corporation laws of the State of Florida.

3. The amendment recited in Section 1. above has been duly adopted in accordance with the provisions of §§ 617.0821, .1006 and .1002, Florida Statutes, the Corporation not having members, and all Directors of the Corporation having adopted a resolution, dated January 27, 1997, setting forth such amendment and manifesting their intentions that the amendment be adopted.

IN WITNESS WHEREOF, the Corporation has caused these Articles of Amendment to be prepared under the signature of its President and the attestation of its Secretary this 27 day of January, 1997.

Masonry, Inc.

By:   
Robert M. Ward, Jr.  
President

Attest:

By: \_\_\_\_\_

*Gregory Foster*  
(Gregory Foster, Secretary)

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, under oath, this 27<sup>th</sup> day of January, 1997, by Robert M. Ward, Jr., an individual who is personally known to me or has produced \_\_\_\_\_ as identification, in his capacity as President of Masonry, Inc., a Florida corporation, on behalf of the corporation and for the uses and purposes described therein.

sign

*Susan K. Little-Badgett*

print

*Susan K. Little-Badgett*

NOTARY PUBLIC, State of Florida  
at Large

My Commission Expires:

115374.01

