

PO0000044033

BLACK DIAMOND
4680 KUMQUAT ST.
COCOA, FL 32926
321-638-0083

APRIL 26, 2000

RE: DIVISION OF CORPORATIONS
P.O. BOX 6327
TALLAHASSEE, FL 32314


SECRETARY OF STATE:

600003232796--1
-05/01/00--01100--006
*****78.75 *****78.75

Please file the two original documents that are found enclosed and
send back a certified copy. For your convenience, I have enclosed a self
addressed stamped envelope.

Thank you for your cooperation with this matter.

SINCERELY,


TERRY MARCUM, PRESIDENT
4680 KUMQUAT ST.
COCOA, FL 32926
321-638-0083

00 MAY -1 PM 2:58
FILED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

TOM/en

T. Burch MAY 2 2000

ARTICLES OF INCORPORATION
OF
BLACK DIAMOND COAL COMPANY, INC.

FILED
00 MAY -1 PM 2: 58
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The undersigned, for the purpose of forming a corporation under the Florida General Corporation Act, do hereby adopt the following Articles of Incorporation:

ARTICLE I

NAME

The name of the Corporation is: Black Diamond Coal Company, Inc.

ARTICLE II

DURATION

The duration of the Corporation is perpetual.

ARTICLE III

PURPOSE

The general purposes for which the Corporation is organized are the following:

A. To engage in and transact any lawful business for which corporations may be incorporated under the Florida General Corporation Act. No other purpose limits this general purpose in any way.

B. To do such other things as are incidental to the purposes of the Corporation or necessary or desirable in order to accomplish them.

ARTICLE IV

CAPITAL STOCK

The aggregate number of shares which the Corporation is authorized to issue is 1,000 shares of common stock. Such shares shall be of a single class and shall have a par value of \$0.10 per share.

ARTICLE V

INITIAL PRINCIPAL OFFICE AND REGISTERED AGENT

The street address of the initial principal Office of the Corporation is 4680 Kumquat Street, Cocoa, FL 32926, and the name of its initial Registered Agent is Donna Dressler, 110 Dixie Lane Cocoa Beach, Florida 32931.

ARTICLE VI

INITIAL BOARD OF DIRECTORS

The number of Directors constituting the initial Board of Directors is one (1). The number of Directors may be increased or decreased from time to time in accordance with the By-Laws, but shall never be less than one. The name and address of the initial Director of the Corporation is as follows: Terry O. Marcum, 4680 Kumquat Street, Cocoa, Florida 32926

ARTICLE VII

INCORPORATOR

The name and address of the incorporator is as follows: Terry O. Marcum, 4680 Kumquat Street, Cocoa, Florida 32926.

ARTICLE VIII

AMENDMENT

The Corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation or any amendment to them, and any right conferred upon the Shareholders is subject to this reservation.

ARTICLE IX

COMMENCEMENT OF CORPORATE EXISTENCE

In accordance with Section §607.167, Florida Statutes, the date when corporate existence shall commence is the date of subscription and acknowledgment of these Articles of Incorporation.

ARTICLE X

INDEMNIFICATION

The Corporation shall indemnify each Officer, including any former Officers, to the full extent permitted by law.

IN WITNESS WHEREOF, the undersigned have signed these Articles of Incorporation on this ____ day of April, 2000.

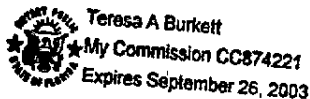

TERRY O. MARCUM

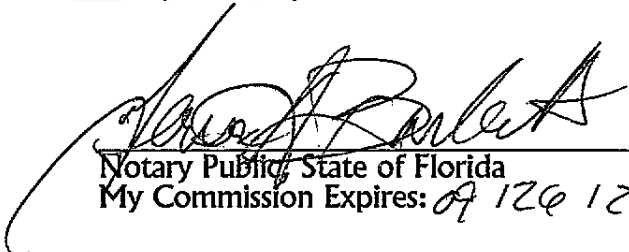
STATE OF FLORIDA

COUNTY OF ORANGE

Before me personally appeared, TERRY O. MARCUM, to me well known and known to me to be the person(s) described in and who executed the foregoing Articles of Incorporation and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal this 19 day of April, 2000.

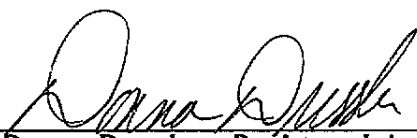



Notary Public, State of Florida
My Commission Expires: 09 12 03

ACCEPTANCE BY REGISTERED AGENT

The undersigned hereby accepts the appointment as Registered Agent of Black Diamond Coal Company, Inc., which is contained in the foregoing Articles of Incorporation. The undersigned is a resident of Florida and is familiar with, and accepts, the obligations of this position.

DATED this 19th day of April, 2000.


Donna Dressler, Registered Agent