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SECHETARY OF STATE
TALLAHASSEE, FLORIDA



## SHEPPARD, BRETT, STEWART, HERSCH, KINSEY & HILL, P.A.

ATTORNEYS AT LAW FIRM ESTABLISHED 1924

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OF COUNSEL JOHN W. SHEPPARD

\* BOARD CERTIFIED: WILLS, TRUSTS & ESTATES
^ CERTIFIED PUBLIC ACCOUNTANT (FL)

+ ALSO ADMITTED IN IOWA

www.sbshlaw.com

September 5, 2007

Corporate Records Bureau Division of Corporations Department of State 409 E. Gaines Street P. O. Box 6327 Tallahassee, Florida 32301

Re: Honc Excavating, Inc.

### Dear Ladies and Gentlemen:

Enclosed herewith are proposed Articles of Incorporation in reference to the captioned corporation. Also enclosed is our check in the amount of \$78.75 to cover the following:

Filing Fee	\$ 35.00
Certified Copy of Charter	\$ 8.75
Resident Agent Fee	<u>\$ 35.00</u>
	\$ 78.75

If the Articles of Incorporation meet with your approval, we will appreciate your executing and sending to the undersigned a Certificate of Incorporation.

Sincerely yours,

John F

JFS: yp Enclosures A-5773

## ARTICLES OF INCORPORATION OF HONC EXCAVATING, INC.

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THE UNDERSIGNED does for the purpose of forming a corporation under the laws of the State of Florida under the corporate name of Honc Excavating, Inc. set forth and declare:

### **CHARTER**

### **ARTICLE I**

The name of the Corporation shall be Honc Excavating, Inc., located at 7015 Howard Road, Bokeelia, Florida, County of Lee, State of Florida.

### **ARTICLE II**

The Corporation may engage in any activity or business permitted under the laws of the United States and of the State of Florida.

### **ARTICLE III**

The amount of the capital stock of this Corporation shall be One Thousand (1,000) shares of One Dollar (\$1.00) par value stock, which said stock shall be non-assessable to be held, sold and paid for at such time and in such manner as the Board of Directors may from time to time determine. All of the capital stock shall be common stock.

### ARTICLE IV

The Corporation shall commence business upon the filing of these Articles with the Secretary of State, Division of Corporations, State of Florida.

### ARTICLE V

The Corporation shall have perpetual existence, except that the same may be dissolved, as provided by law.

### **ARTICLE VI**

The principal place for the transaction of its business shall be 7015 Howard Road, in the City of Bokeelia, County of Lee, State of Florida 33922. That said Corporation shall have the right and authority to do business at such other place or places within or without the State of Florida as the Corporation may, by resolution, designate.

### **ARTICLE VII**

The Corporation shall have a Board of Directors of not less than two (2) and may be increased to not more than five (5) Directors. The number of Directors each year may be determined by the shareholders at their annual meeting, or may be fixed by the By-Laws.

### **ARTICLE VIII**

The officers by whom the business of said Corporation shall be conducted shall be a President, who shall be a Director, a Secretary and Treasurer, and such other officers, agents and factors shall be chosen in such manner, hold their office for such term and have such powers and duties as may be prescribed by the By-Laws or determined by the Board of Directors. The names and post office addresses of the officers and first Board of Directors who shall conduct the business of the Corporation until their successors are elected and qualified following the first meeting of shareholders shall be:

<u>NAME</u>	<u>TITLE</u>	ADDRESS
Kenneth S. Honc	President	7015 Howard Road, Bokeelia, Fl. 33922
Penny Jo Honc	Secretary, Treasurer	7015 Howard Road, Bokeelia, Fl. 33922

### **ARTICLE IX**

The names and post office addresses of such subscribers of these Articles of Incorporation, with the amount of stock subscribed for and agreed to be taken by each are as follows:

<u>NAME</u>	NUMBER	OF SHARES	<u>ADDRESS</u>
Kenneth S. Honc, Trustee UTD	3-2-06	100	(same as above)
Penny Jo Honc, Trustee UTD 3-2	-06	100	(same as above)

### **ARTICLE X**

The amount of indebtedness or liability to which the Corporation at any time may subject itself shall be unlimited.

### ARTICLE XI

The street address of the initial registered office of this Corporation is 7015 Howard Road, Bokeelia, Florida, 33922, and the name of the initial registered agent of this Corporation at that address is: Penny Jo Honc. By executing these Articles, the initial registered agent acknowledges that she is familiar with and accepts the duties and responsibilities as registered agent for this corporation.

### **ARTICLE XII**

Each Director and officer of the Corporation, whether or not then in office, shall be indemnified by the Corporation against all cost and expense reasonably incurred or imposed upon him in connection with or arising out of any claim, demand, action, suit or proceeding in which he may be involved or to which they may be made a party by reason of his being or having been a Director or officer of the Corporation, said expense to include attorneys' fees and the cost of reasonable settlement made with a view to curtailment of cost of litigation, except in relation to matters as to which he or she finally shall be adjudged in any such action, suit or proceeding to have been derelict in the performance of their duty as such officer or Director. Such right of indemnification shall not be exclusive of any other rights to which they may be entitled as a matter of law; and the foregoing right of indemnification shall inure to the benefit of the heirs, executors and administrators of any such Director or officer.

IN WITNESS WHEREOF, the undersigned, being the incorporator of the Articles of Incorporation for the purpose of forming a corporation under the laws of the State of Florida, does make, subscribe, acknowledge, and file the foregoing Articles of Incorporation, hereby certifying that the facts therein stated are true, and accordingly sets his hand and seal this \_\_\_\_\_\_ day of August, 2007.

Kenneth S. Honc, Trustee UTD 3-2-06

Penny Jo Honc, Trustee UTD 3-2-06

Incorporator

### STATE OF FLORIDA

### COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this 30th day of August, 2007, by Kenneth S. Honc, Trustee UTD 3-2-06 and Penny Jo Honc, Trustee UTD 3-2-

06, (X) who is personally known to me or ( ) who produced

as identification.

Wotary Public

Printed Names of Notary: .

(SEAL)

Comm. Exp. Date:

Comm. Number:





### ACCEPTANCE BY REGISTERED AGENT

Having been named as registered agent and to accept service of process for the above stated corporation, at the place designated in the Articles of Incorporation, I hereby agree to act in this capacity, and I am familiar with and accept the obligations of the position as registered agent.

Penny Jo Hone, Registered Agent

Date: 8 30 07

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