

**Electronic Articles of Incorporation
For**

P18000018169
FILED
February 26, 2018
Sec. Of State
gmcleod

CAPITAL BANK

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

Article I

The name of the corporation is:

CAPITAL BANK

Article II

The principal place of business address:

333 FAYETTEVILLE STREET
700
RALEIGH, NC, . US 27601

The mailing address of the corporation is:

333 FAYETTEVILLE STREET
700
RALEIGH, NC, . US 27601

Article III

The purpose for which this corporation is organized is:

ANY AND ALL LAWFUL BUSINESS.

Article IV

The number of shares the corporation is authorized to issue is:

86

Article V

The name and Florida street address of the registered agent is:

KENNY PETER
6435 NAPLES BLVD
NAPLES, FL. 34109

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: PETER KENNY

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Article VI

The name and address of the incorporator is:

PETER KENNY
6435 NAPLES BLVD

NAPLES, FL., 34109

Electronic Signature of Incorporator: PETER KENNY

I am the incorporator submitting these Articles of Incorporation and affirm that the facts stated herein are true. I am aware that 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. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of this corporation and every year thereafter to maintain "active" status.

Article VII

The initial officer(s) and/or director(s) of the corporation is/are:

Title: VP
KENNETH KAVANAGH
121 ALHAMBRA PLAZA
CORAL GABLES, FL. 33134

Title: VP
TAMMY CRENSHAW
99451 OVERSEAS HIGHWAY
KEY LARGO, FL. 33037 US

Title: VP
PETER KENNY
6435 NAPLES BLVD.
NAPLES, FL. 34109 US

Article VIII

The effective date for this corporation shall be:

02/26/2018



FLORIDA OFFICE OF FINANCIAL REGULATION

www.FLOFR.com

DREW J. BREAKSPEAR
COMMISSIONER

February 21, 2018
P18000018169

Mr. Peter Kenny
6435 Naples Blvd.
Naples, Florida 34109

Re: Capital Bank

Dear Mr. Kenny:

Reference is made to your recent letter requesting approval to register the above-referenced fictitious name with the Florida Secretary of State by Capital Bank, which is a FDIC regulated national bank located in Raleigh, North Carolina.

Section 655.922, Florida Statutes, exempts a financial institution, holding company or its subsidiaries from the prohibition of using the word "bank," "banco," "banque," "banker," "banking," "trust company," "savings and loan association," "savings bank," or "credit union," or words of similar import, in any context or in any manner in its corporate name. Therefore, this Office will not object to the use of the above referenced name being registered to transact business in the state of Florida. However, this correspondence is not intended to grant the authority to act in any licensed capacity until all licensing requirements have been met within this state.

Sincerely,

Jeremy W. Smith
Director
Division of Financial Institutions

JWS:trd

cc: Lyn Shoffstall, Chief, Bureau of Commercial Recordings, Division of Corporations,
Department of State

OFFICE OF FINANCIAL REGULATION

CORPORATE NAME APPROVAL REQUEST

Pursuant to Section 655.922, Florida Statutes, no person other than a financial institution shall in this state transact business under any name or title that contains the words "bank," "banco", "banque", "banker," "banking," "trust company," "savings and loan association," "savings bank," or "credit union," or words of similar import, in any context or in any manner.

A proposed corporate name should be definitive enough to differentiate the business to be conducted from that of a commercial bank, trust company, savings and loan association, savings bank, or credit union. For example, a mortgage-related business should use the word "mortgage" in its corporate name.

In order for OFR to consider your request for approval to use "bank," "banco", "banque", "banker", "banking," "trust company," "savings and loan association," "savings bank," or "credit union," or words of similar import, in any context or in any manner in your corporate title, and ~~from a Pre-Application Letter~~ please provide the following information:

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DIRECTOR'S OFFICE
DIVISION OF FINANCIAL INSTITUTIONS
F/U _____ FILE _____

FEB 20 2018

The corporate name proposed is: Capital Bank

For Foreign Corporations: The alternate name (if necessary) is: N/A

The nature of the business to be transacted: National Bank

The proposed business will be located at: Corporate Address 333 Fayetteville Ste 400 Raleigh NC 27601

Street Address City State Zip Code Telephone

List the principals involved in the proposed company:
Gene Taylor (CEO)
Chris Marshall (CFO)

	Name	Address	Telephone
Contact Person:	Peter Kenny	6435 Naples Blvd, Naples FL 34109	616.368.9296

Return to:

Director, Division of Financial Institutions
Office of Financial Regulation
200 East Gaines Street