

P96000054585

TRANSMITTAL LETTER

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

000001874140  
-06/25/96--01017--006  
\*\*\*\*131.25 \*\*\*\*131.25

SUBJECT: TWISTEE TRZAT CORPORATION  
(Proposed corporate name - must include suffix)

Enclosed is an original and one (1) copy of the articles of Incorporation and a check for :

☐ \$70.00  
Filing Fee

☐ \$78.75  
Filing Fee  
& Certificate

☐ \$122.50  
Filing Fee  
& Certified Copy

☒ \$131.25  
Filing Fee,  
Certified Copy  
& Certificate

Additional Copy Required

FROM:

Stephen Wells

Name (printed or typed)

2201 E. 12th St.

Address

Kansas City MO 64126

City, State & Zip

(816) 483-9191

Daytime Telephone number

FILED  
96 JUN 24 PM 4:07  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

NOTE: Please provide the original and one copy of the articles.

JUN 26 1996

## ARTICLES OF INCORPORATION

*The undersigned incorporator(s), for the purpose of forming a corporation under the Florida Business Corporation Act, hereby adopt(s) the following Articles of Incorporation.*

### ARTICLE I NAME

The name of the corporation shall be:

TWISTEE TREAT CORPORATION

### ARTICLE II PRINCIPAL OFFICE

The principal place of business and mailing address of this corporation shall be:

5436 Clifton Road  
Jacksonville, FL 32211

### ARTICLE III SHARES

The number of shares of stock that this corporation is authorized to have outstanding at any one time is: The authorized capital of the corporation shall consist of Twenty Thousand (20,000) shares with voting rights and without nominal or par value, the corporation may from time to time issue additional shares.

### ARTICLE IV INITIAL REGISTERED AGENT AND STREET ADDRESS

The name and address of the initial registered agent is:

Stephen Wells  
5436 Clifton Rd  
Jacksonville, FL 32211

FILED  
36 JUL 24 PM 4:07  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**ARTICLE V INCORPORATOR(S)**

**See Instructions for officers/directors**

The name(s) and street address(es) of the incorporator(s) to these Articles of Incorporation is(are):

Stephen Wells  
5434 Clifton Rd  
Jacksonville, FL 32211

The undersigned incorporator(s) has(have) executed these Articles of Incorporation this

19<sup>th</sup> day of June, 19 96.

(An additional article must be added if an effective date is requested.)

  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

**Notarization is not required**

**NOTE:** Affixing an officer title after a signature of an incorporator does not constitute the designation of officers.

**CERTIFICATE OF DESIGNATION OF  
REGISTERED AGENT/REGISTERED OFFICE**

PURSUANT TO THE PROVISIONS OF SECTION 607.0501, FLORIDA STATUTES, THE UNDERSIGNED CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF FLORIDA, SUBMITS THE FOLLOWING STATEMENT IN DESIGNATING THE REGISTERED OFFICE/REGISTERED AGENT, IN THE STATE OF FLORIDA.

1. The name of the corporation is: TWISTEE TRAT CORPORATION

2. The name and address of the registered agent and office is:

Stephen Wells  
(NAME)

5436 Clifton Rd.  
(P.O. Box or Mail Drop Box **NOT** ACCEPTABLE)

Jacksonville, FL 32211  
(CITY/STATE/ZIP)

**FILED**  
95 JUN 24 PM 4:07  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

*Having been named as registered agent and to accept service of process for the above stated corporation 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.*

  
(SIGNATURE)

6/19/96  
(DATE)

P96000054585

RICHARD G. HATHAWAY, P.A.

BUILDING 100 - SUITE 250  
10151 DEERWOOD PARK BOULEVARD  
JACKSONVILLE, FLORIDA 32256  
POST OFFICE BOX 88188, 32288-1188

TELEPHONE (904) 996-1122  
TELECOPIER (904) 996-1130

October 31, 1996

Corporations Division  
Office of the Secretary of State  
State of Florida  
Post Office Box 6327  
Tallahassee, Florida 32314

300001996793--1  
-11/05/96--01169--017  
\*\*\*\*\*70.00 \*\*\*\*\*70.00

Re: Twistee Treat Southeast, Inc.

Gentlemen:

Enclosed is the original Amended Articles of Incorporation for the above corporation.  
Also enclosed is our check in the amount of \$70.00 to cover the following fees:

Filing Fees	\$ 35.00
Registered Agent	
Designation	\$ 35.00
	\$ 70.00

~~100-11227~~

Please file the Articles and confirm the filing as quickly as possible.

With kindest regards,

*Elizabeth Bogdan*

Elizabeth Bogdan  
Legal Assistant

Enclosure(s)

/eb

SH 11/22

FILED  
96 NOV 21 PM 12:02  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Refunded \$35 Overpayment  
SH



**FLORIDA DEPARTMENT OF STATE**

**Sandra B. Mortham**  
Secretary of State

November 12, 1996

Elizabeth Bogdan  
Richard G. Hathaway, P.A.  
P.O. Box 551165  
Jacksonville, FL 32255-1165

**SUBJECT: TWISTEE TREAT CORPORATION**  
Ref. Number: P96000054585

We have received your document for TWISTEE TREAT CORPORATION and your check(s) totaling \$70.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

The word "Initial" or "first" should be removed from the article regarding directors, officers, and/or registered agent, unless these are the individuals originally designated at the time of incorporation.

The incorporator(s) cannot be amended or changed. Please correct your document accordingly.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (904) 487-6908.

Steven Harris  
Corporate Specialist

Letter Number: 496A00051586

LAW OFFICES OF  
**RICHARD G. HATHAWAY, P.A.**

BUILDING 100 - SUITE 250  
10151 DEERWOOD PARK BOULEVARD  
JACKSONVILLE, FLORIDA 32256  
POST OFFICE BOX 851185, 32256-1185

TELEPHONE (904) 998-1122  
TELECOPIER (904) 998-1130

November 19, 1996

Corporations Division  
Office of the Secretary of State  
State of Florida  
Post Office Box 6327  
Tallahassee, Florida 32314

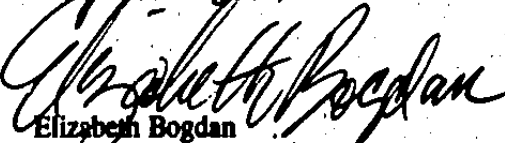
Re: Twistee Treat Southeast, Inc.

Gentlemen:

I sent you a check in the amount of \$70.00 for filing charges on the Amended and Restated Articles of Incorporation for the above referenced company. It has come to my attention that the amount is only \$35.00. Please refund the difference of \$35.00 at your earliest convenience.

Thank you.

With kindest regards,

  
Elizabeth Bogdan  
Legal Assistant

Enclosure(s)

/eb

**ARTICLES OF AMENDMENT AND RESTATEMENT  
OF  
ARTICLES OF INCORPORATION  
OF  
TWISTEE TREAT CORPORATION**

FILED  
95 NOV 21 PM 12:02  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned does hereby certify as follows:

1. He is the President of Twistee Treat Corporation, a Florida corporation, whose original Articles of Incorporation were filed with the Secretary of State on June 24, 1996 under the name of Twistee Treat Corporation [the document number for such Corporation is P96000054585].

2. The following amendment to and restatement of the Corporation's Articles of Incorporation was recommended to the Corporation's shareholders by the Corporation's directors, and duly adopted by the Corporation's shareholders, effective as of this date.

**RESOLVED**, that the Articles of Incorporation of this Corporation are hereby amended in their entirety and restated to read as follows:

**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION OF  
TWISTEE TREAT SOUTHEAST, INC.**

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

Article I  
Name

The name of this Corporation shall be **TWISTEE TREAT SOUTHEAST, INC.**

Article II  
Principal Office and Mailing Address

The principal place of business and mailing address of this Corporation shall be c/o Richard G. Hathaway, 10151 Deerwood Park Blvd, Bldg 100, Ste. 250, Jacksonville, FL 32256.

Article III  
Capital Stock

The maximum number of shares of stock which this Corporation is authorized to have outstanding at any one time is 1,000,000 shares of common stock having a par value of \$0.01 per share.



**Article V**  
**Incorporator**

The names and street addresses of the incorporators of this corporation are as stated in the original Articles of Incorporation filed on June 24, 1996.

**Article IV**  
**Registered Agent and Address**

The street address of the registered office of this Corporation is 10151 Deerwood Park Blvd, Bldg 100, Ste. 250, Jacksonville, FL 32256 registered agent at that office is Richard G. Hathaway.

**Article VI**  
**Duration**

This Corporation shall exist perpetually.

**Article VII**  
**Purposes**

This Corporation is organized for the purpose of transacting any or all lawful business permitted under the laws of the United States of America and of the State of Florida.

**Article VIII**  
**Directors**

(a) This Corporation shall have three (3) director. The number of directors may be increased or decreased from time to time as provided in the bylaws, but shall never be less than one (1).

(b) The name and street address of the directors of the Corporation are:

Stephen B. Wells  
5436 Clifton Road  
Jacksonville, FL 32211

Ronald M. Markis  
3635 Holly Grove Avenue  
Jacksonville, FL 32217

Howard C. Hochrad  
2944 Evercharm Place East  
Jacksonville, FL 32257

(c) The board of directors is hereby specifically authorized to make provision for indemnification of directors, officers, employees and agents to the full extent permitted by law.

IN WITNESS WHEREOF, the incorporator has executed these Articles of Incorporation the 8th day of August, 1996.

  
STEPHEN B. WELLS

  
RONALD M. MARKIS

  
HOWARD C. HOCHRAD

**CERTIFICATE DESIGNATING REGISTERED OFFICE AND REGISTERED  
AGENT FOR THE SERVICE OF PROCESS WITHIN FLORIDA**

In compliance with Sections 48.091, 607.0501 and 607.0505, Florida Statutes, the following is submitted:

Twistee Treat Southeast, Inc., desiring to organize or qualify under the laws of the State of Florida hereby designates Richard G. Hathaway as its registered agent to accept service of process within the State of Florida and the address of its registered office shall be 10151 Deerwood Park Blvd, Bldg 100, Ste. 250, Jacksonville, FL 32256.

DATED this 8th day of August, 1996.

  
STEPHEN B. WELLS

  
RONALD M. MARKIS

  
HOWARD C. HOCHRAD

Having been named as registered agent to accept service of process for the above stated Corporation, at the place designated in this certificate, I hereby agree to 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.

DATED this 8th day of August, 1996.

  
RICHARD G. HATHAWAY

3. These Articles of Amendment and Restatement were duly approved by shareholder action and approval in accordance with provisions of Section 617.1003, Florida Statutes.

4. These Articles of Amendment and Restatement will be effective upon filing.

Dated August 21<sup>st</sup> 1996.

  
STEPHEN B. WELLS, PRESIDENT

#### SHAREHOLDER AND DIRECTOR CONSENT

The undersigned, being the sole shareholders and directors of Twistee Treat Southeast, Inc., f/k/a Twistee Treat Corporation hereby hold a special meeting of shareholders and directors for the purpose of ratifying, confirming and consenting to the foregoing resolution.

Dated effective as of August 21<sup>st</sup> 1996.

  
STEPHEN B. WELLS

  
RONALD M. MARKIS

  
HOWARD C. HOCHRAD



**FLORIDA DEPARTMENT OF STATE**

**Sandra B. Mortham**  
Secretary of State

November 12, 1996

Elizabeth Bogdan  
Richard G. Hathaway, P.A.  
P.O. Box 551165  
Jacksonville, FL 32255-1165

**SUBJECT: TWISTEE TREAT CORPORATION**  
Ref. Number: P96000054585

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Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (904) 487-6908.

Steven Harris  
Corporate Specialist

Letter Number: 496A00051586

RECEIVED  
96 NOV 21 PM 1:15  
DIVISION OF CORPORATIONS

P96000054585

STATE OF FLORIDA  
OFFICE OF THE COMPTROLLER  
APPLICATION FOR REFUND

Section 215.26, Florida Statutes, states in part: "Applications for refunds as provided in this section shall be filed with the Comptroller, except as otherwise provided herein, within 3 years after the right to such refund shall have accrued plus such right shall be barred." Three years is generally interpreted as meaning three years from the date of payment into the State treasury. The Comptroller has delegated the authority to accept applications for refund to the unit of State government which initially collected the money.

Pursuant to the provisions of Rule 3A-44.020, Florida Administrative Code, and Section 215.26, Florida Statutes, or Section \_\_\_\_\_, Florida Statutes, I hereby apply for a refund of moneys I paid into the State treasury, which are subject to refund. The following information is submitted to substantiate the claim.

Name: Richard G. Hathaway, PA. EIN or SS#: 59-380836  
Address: 10151 Deerwood Park Blvd Bldg 100 Ste. 250  
Jacksonville, FL 32256

Amount: \$35.00 Date Paid Oct 31, 1996

Reason for claim: Overpayment of amendment filing fees.  
S. Harris/Amendments

TWISTIE TREAT SOUTHEAST, INC., P96-54585

Certified true and correct this 2nd day of December, 1996.

Signature Elizabeth G. Bogdan

\* Must be completed if authority is other than Section 215.26, Florida Statutes.

**For Agency Use Only**

Agency recommends approval of above claim and submits the following information to substantiate the claim: Amount of recommended refund \$ 35.00

The amount requested above was originally deposited into the State Treasury as a part of the funds deposited on State Treasurer's Receipt No. 01169-017 dated 11/05/96

Name of Account 45202130001453000000000010000

Statutory Authority for Collection 607.0122

It is requested that payment be made from the following account:

NAME OF ACCOUNT 45202130001453000000022002000

Certified true and correct this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Department of State, Division of Corporations (Agency) \_\_\_\_\_ (Authorized Signature and Title)