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## ARTICLES OF INCORPORATION

OF

### CREATIVE EXCAVATING, INC.

In compliance with the requirements of F.S. Chapter 607, the undersigned, being a natural person, does hereby act as an incorporator in adopting and filing the following Articles of Incorporation for the purpose of organizing a business corporation.

#### ARTICLE I

The name of the corporation ("Corporation") is:

**CREATIVE EXCAVATING, INC.**

#### ARTICLE II

The corporate existence of the Corporation shall commence as of the date and time upon which the incorporator named in these Articles of Incorporation shall have subscribed and acknowledged the same.

#### ARTICLE III

The street address of the principal office of the Corporation is:

1805 CR 951  
Suite F  
Naples, Florida 34118

#### ARTICLE IV

The maximum number of shares this Corporation is authorized to issue is 1,000 all of which shall be Common Shares. All Common Shares shall be identical with each other in every respect and the holders thereof shall be entitled to one vote for each share on all matters on which shareholders have the right to vote. The par value for each share shall be \$1.00.

#### ARTICLE V

The address of the initial registered agent of the Corporation in the State of Florida is: 412 Southeast 23rd Street, Fort Lauderdale, Florida 33316 and the name of the initial registered agent of the Corporation at such address is Paul D. Gottfried.

Prepared by:  
Paul D. Gottfried, Sec.  
AMSTER, GOMEZ & GOTTFRIED, P.A.  
412 Southeast 23rd Street  
Fort Lauderdale, Florida 33316  
T-FL (954) 487-7610  
Florida Bar Number: 00322112

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#### ARTICLE VI

This corporation shall have two Directors, initially. The name and street address of the initial officers and directors who shall hold office for the first year of the corporation, or until their successor(s) are elected or appointed are:

NAME.....  
Lawrence R. Huss  
18360 Shamrock Drive Southeast  
Fort Myers, Florida

Dir./President

Steven J. Magner.....  
18285 Columbine Rd.  
Fort Myers, Florida 33912

Dir./Vice Pres./Treas./Secret.

#### ARTICLE VII

The names and street addresses of the person signing these articles of incorporation is:

Steven J. Magner  
18285 Columbine Rd.  
Fort Myers, Florida 33912

#### ARTICLE VIII

The Corporation shall, to the fullest extent permitted by law, indemnify any and all persons whom it shall have power to indemnify under said provisions from and against any and all of the expenses, liabilities or other matters referred to in or covered by said provisions, and the indemnification provided for herein shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any bylaw, agreement, vote of shareholders or disinterested directors, or otherwise, both as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director or officer, and shall inure to the benefit of the heirs, executors and administrators of such a person.

#### ARTICLE IX

The purposes for which the Corporation is initially organized, which shall continue to be the purposes of the Corporation same shall be to transact any lawful business for which corporations may be incorporated under the Florida Law.

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IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation this 9 <sup>August</sup> ~~July~~ day of ~~July~~, 1996.

Steven J. Wagner  
Steven J. Wagner

STATE OF FLORIDA

COUNTY OF COLLIER

On this 9 <sup>August</sup> ~~July~~ day of ~~July~~, 1996, before me, a Notary Public in and for the state and county aforesaid, personally appeared STEVEN J. MAGNER who is to me known to be the person named as the incorporator in the foregoing Articles of Incorporation of CREATIVE EXCAVATING, INC. and who duly acknowledged to me that he signed said Articles of Incorporation as the incorporator of said Corporation.

Witness my hand and seal of office on the day and year aforesaid.

Leslie R. Landrum  
Notary Public State  
of Florida at Large

LESLIE R. LANDRUM

[Notarial Seal]

My Commission Expires:



LESLIE R. LANDRUM  
My Comm Exp. 4/1/96  
Bonded By Service Inc  
No. C0347103

[[Personally Known]] [[Other I.D.]]

Acceptance of Appointment by Registered Agent

Pursuant to the provisions of the Florida General Corporation Act, the undersigned does hereby accept its appointment as registered agent on which process may be served within the State of Florida for the proposed domestic corporation named in the foregoing Articles of Incorporation.

Paul D. Gottfried  
Paul D. Gottfried

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