

W98000093978

Ms. Nancy DiCaprio  
5130 Linton Blvd. Bldg. H  
Delray Beach, Florida 33484  
(561) 496-5301

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
98 NOV - 5 PM 2:46

October 30, 1998

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

700002669617--2  
-10/22/98-01013-020  
\*\*\*\*131.25 \*\*\*\*\*87.50

Re: Ref. Number: W98000024083

To Whom it may concern:

Please find enclosed the following:

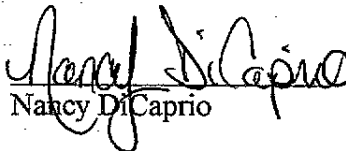
- 1) Copy of letter from the Florida Department of State
- 2) Articles of Incorporation of DVN Restaurant, Inc. (changes made as requested)
- 3) Copy of the Articles of Incorporation of DVN Restaurant, Inc.

Please forward the certified copy of the Articles of Incorporation and the Certificate to the following address:

Ms. Nancy DiCaprio  
5130 Linton Blvd. Bldg. H  
Delray Beach, Florida 33484.

If you have any questions, please contact me at the number above. Thank you for your assistance in this matter.

Sincerely,

  
Nancy DiCaprio

789,2544,558,2551,2550  
W98-24083



FLORIDA DEPARTMENT OF STATE  
Sandra B. Mortham  
Secretary of State

October 23, 1998

NANCY DICAPRIO  
5130 LINTON BOULEVARD  
BUILDING H2  
DELRAY BEACH, FL 33484

SUBJECT: DVN, INC., (D.B.A. CAPRIO'S OF BOYNTON)  
Ref. Number: W98000024083

DVN Restaurant, Inc.

We have received your document for DVN, INC., (D.B.A. CAPRIO'S OF BOYNTON) and your check(s) totaling \$131.25. However, the enclosed document has not been filed and is being returned for the following correction(s):

The name designated in your document is unavailable since it is the same as, or it is not distinguishable from the name of an existing entity. Simply adding "of Florida" or "Florida" to the end of a name is not acceptable. Please select a new name and make the correction in all appropriate places. One or more words may be added to make the name distinguishable from the one presently on file.

Corporations may file using only the corporate name. Please delete any reference to the "doing business as name" in your document. If you wish to register your fictitious name, you may do so by filing the enclosed application and submitting the appropriate fees to this office.

We regret that we were unable to contact you by phone. Please return the corrected document with a letter providing us with an address and telephone number where you can be reached during working hours.

Please return the original and one copy of 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 (850) 487-6972.

Doris Brown  
Document Specialist

Letter Number: 698A00052254

ARTICLES OF INCORPORATION  
OF  
DVN RESTAURANT, INC.

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
98 NOV -5 PM 2:46

The undersigned, being a natural person, does hereby act as Incorporator in adopting the following Articles of Incorporation for the purpose of organizing a business corporation pursuant to the provisions of the Florida General Corporation Act.

**Article I**

The name of the Corporation (hereinafter called the "Corporation") is **DVN Restaurant, Inc..**

**Article II**

The address of the principal office of the Corporation is 1470 Southwest 8th Street, Boynton Beach, Florida, 33426.

**Article III**

The purpose or purposes for which the Corporation is organized is to transact all lawful business for which Corporations may be organized under the Business Corporation Act of Florida.

**Article IV**

The corporate existence of the Corporation shall commence upon the filing of these Articles of Incorporation with the Department of State, State of Florida.

**Article V**

The term of existence of the Corporation shall be perpetual.

**Article VI**

The aggregate number of shares which the Corporation shall have authority to issue is one thousand five hundred (1500), all of which shall have a par value of One Dollar (\$1.00) and are the same class and are to be common shares.

*Articles of Incorporation  
of DVN Restaurant, Inc.*

**Article VII**

The initial Board shall consist of three (3) Directors and the names and addresses of the persons who shall serve as Directors until the first annual meeting of Stockholders or until their successors can be elected and qualified are:

1. Nancy DiCaprio: 1470 Southwest 8th Street, Boynton Beach, Florida, 33426
2. Vincent Robert Pitts: 1470 Southwest 8th Street, Boynton Beach, Florida, 33426
3. Daniel J. Samela Jr.: 1470 Southwest 8th Street, Boynton Beach, Florida, 33426

**Article VIII**

The address of the initial registered office of the Corporation in the State of Florida is 1470 Southwest 8th Street, Boynton Beach, Florida, 33426, and the name of its initial registered agent at said address is Nancy DiCaprio.

**Article IX**

The name and address of the incorporator is Nancy DiCaprio, 1470 Southwest 8th Street, Boynton Beach, Florida, 33426.

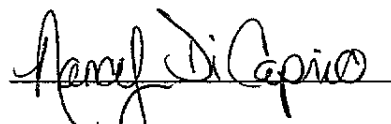
**Article X**

The Corporation shall, to the fullest extent permitted by the provisions of the Florida General Corporation Act, as the same may be amended and supplemented, and in a manner provided for in the By-Laws, indemnify any and all persons whom it shall have power to indemnify under said provision.

**Article XI**

The Corporation reserves the right to amend or repeal any provision in these Articles of Incorporation in the manner provided by law.

IN WITNESS WHEREOF, the undersigned, the Incorporator of the above-named Corporation, has hereunto signed these Article of Incorporation on this 30th day of October, 1998.

  
Nancy DiCaprio, Incorporator

Articles of Incorporation  
of DVN Restaurant, Inc.

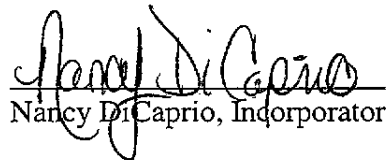
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**CERTIFICATE OF DESIGNATION  
REGISTERED AGENT/REGISTERED OFFICE**

Pursuant to the provisions of Section 607.0505, Florida Statutes, the undersigned corporation organized under the laws of the State of Florida, submits the following statement in designating the registered agent/registered office, in the State of Florida.

1. The name of the Corporation is DVN Restaurant, Inc.
2. The name and address of the registered agent and office is:

Nancy DiCaprio  
1470 Southwest 8th Street  
Boynton Beach, Florida, 33426

  
Nancy DiCaprio, Incorporator

Date: October 30, 1998

HAVING BEEN NAMED TO ACCEPT SERVICE OF PROCESS FOR THE ABOVE STATED CORPORATION, AT THE PLACE DESIGNATED IN THIS CERTIFICATE, I HEREBY AGREE TO ACT IN THIS CAPACITY, AND I FURTHER AGREE TO COMPLY WITH THE PROVISIONS OF ALL STATUTES RELATIVE TO THE PROPER AND COMPLETE PERFORMANCE OF MY DUTIES, AND I ACCEPT THE DUTIES AND OBLIGATIONS OF SECTION 607.0505, FLORIDA STATUTES.

  
Nancy DiCaprio, Registered Agent

Date: October 30, 1998