

CERTIFICATE OF INCORPORATION
OF
THE PUBLIC PARK AND RECREATION BOARD
OF THE CITY OF PELHAM

TO: THE HONORABLE JUDGE OF PROBATE OF
SHELBY COUNTY, ALABAMA

The undersigned Eddie R. Gentry, John A. Lockhart and Coy L. South desiring to incorporate a public corporation under the provisions of Code of Alabama 1975, §§11-60-1 through 11-60-20, inclusive (herein called the "Authorizing Statute"), and being all of the incorporators of the corporation hereby incorporated, do make, sign, execute, acknowledge and file this Certificate of Incorporation as follows:

1. The names and residences of the incorporators are as follows:

BOOK 23 PAGE 646

<u>NAME</u>	<u>RESIDENCE</u>
Eddie R. Gentry	621 Valley View Drive Pelham, Alabama 35124
John A. Lockhart	1804 Indian Hill Road Pelham, Alabama 35124
Coy L. South	1409 Adams Street Pelham, Alabama 35124

Each of the aforesaid incorporators is a duly qualified elector of and a taxpayer in the City of Pelham, Alabama (herein called the "City").

2. The name of the corporation is and shall be:

"THE PUBLIC PARK AND RECREATION BOARD
OF THE CITY OF PELHAM".

3. Permission and authority to organize the corporation has been granted by a resolution duly adopted by the governing body of the City on the 13th day of September, 1982.

W. H. Lockhart

4. The location of the principal office of the corporation shall be in the City Hall of the City, and the post office address of such corporation shall be c/o City of Pelham, City Hall, Pelham, Alabama 35124.

5. The purposes for which the corporation is organized are the acquisition, enlargement, improvement, expansion, ownership, operation, leasing and disposition of properties to the end that the corporation may be able to promote public interest and participation in sports, athletics and recreational activities and to provide or improve public parks in the State of Alabama, including all buildings, facilities and improvements incident thereto or useful in connection therewith. Without limiting the generality of the foregoing, and as stated in the application submitted to the City for permission to organize the corporation, the initial project to be acquired or improved by the corporation shall consist of facilities for a recreational them park. In furtherance of said purposes, the corporation shall have all powers conferred on corporations of like nature by the provisions of the Authorizing Statute and any amendment thereof heretofore or hereafter made, and all other powers conferred upon corporations generally by the laws of the State of Alabama not in conflict with the provisions of the Authorizing Statute, as heretofore or hereafter amended.

6. The board of directors of the corporation shall consist of three members, who shall be elected by the governing body of the City, in the manner and for the terms of office provided by law.

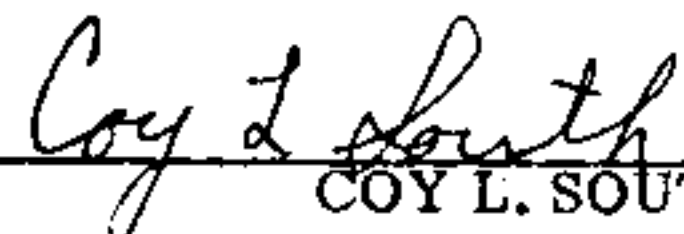
7. The duration of the existence of the corporation shall be perpetual, unless it shall be sooner dissolved by proceedings taken pursuant to the applicable provisions of the Authorizing Statute or other applicable law.

8. The corporation shall be a nonprofit corporation, and no part of the net earnings thereof shall inure to the benefit of any individual or private corporation.

IN WITNESS WHEREOF, the undersigned incorporators have hereunto subscribed their signatures this 13th day of October, 1982.


EDDIE R. GENTRY


JOHN A. LOCKHART

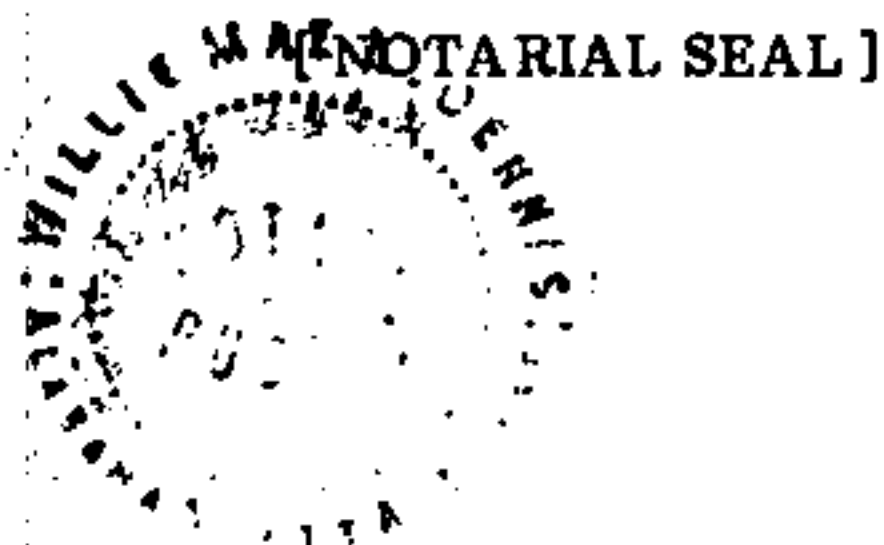

COY L. SOUTH

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that EDDIE R. GENTRY, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the said Certificate of Incorporation, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office, this 11 day of Oct., 1982.



Willie Mae Dennis
Notary Public

My Commission Expires: July 1984

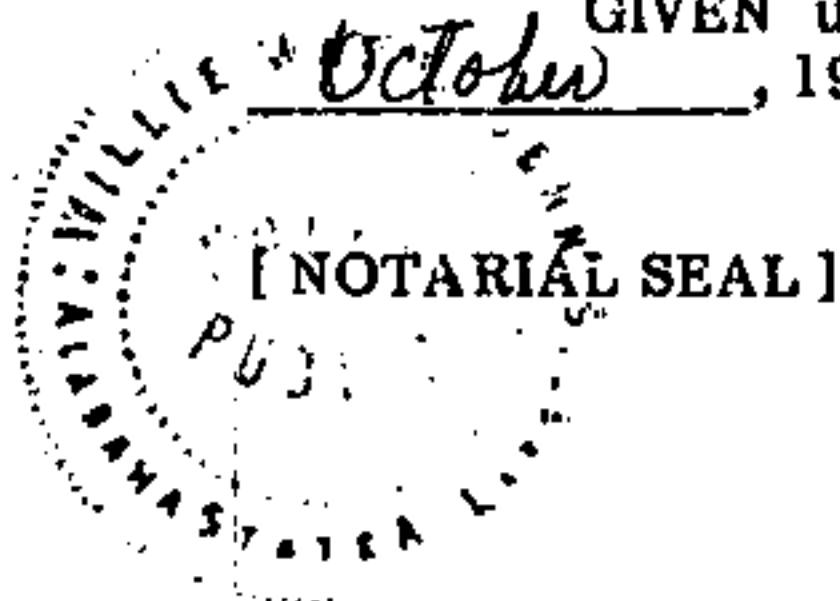
23 PAGE 848

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that JOHN A. LOCKHART, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the said Certificate of Incorporation, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office, this 13 day of October, 1982.



Willie Mae Dennis
Notary Public

My Commission Expires: July 1984

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that COY L. SOUTH, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the said Certificate of Incorporation, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office, this 12 day of Oct., 1982.

[NOTARIAL SEAL]

Willie Mae Dennis
Notary Public

My Commission Expires:

July 1984



BOOK 23 PAGE 649

I, the undersigned City Clerk of the CITY OF PELHAM, ALABAMA, hereby certify that the attached pages numbered consecutively from 1 to 10, inclusive, constitute a true, correct and complete copy of excerpts from all those portions of the minutes of a regular meeting of the Mayor and Council of said City held on Sept 13th, 1982, pertaining to the matters therein set out, as the same appear in the records of said City.

WITNESS my signature as said City Clerk, under the seal of said City, this 13 day of Sept., 1982.

[SEAL]

Heidi Mae Dennis
City Clerk

BOOK 23 PAGE 050

The Regular meeting of the Mayor and City Council of the City of Pelham, Alabama met in open session on Monday Night, September 13th, 1982, at 6:30 p.m. in the Council room of the City Hall. The Mayor ask for a roll call and answering were Councilmen:

Ray Hamilton
John Tanner
Willard Payne
Ken Maynard
Bob Cleveland

A quorum being present, the Mayor called the meeting to order and ask for the reading of the minutes of the last meeting. They were read by the Clerk and on motion duly made and seconded accepted by the Council.

BOOK 23 PAGE 651

* * *

The Mayor stated that an application in writing had been filed with the City Council for permission to incorporate a public park and recreation board in the City. Said application was exhibited to the meeting, after which the following resolution was introduced in writing by Councilmember Ken Maynard.

RESOLUTION NO. 74

A RESOLUTION APPROVING AN APPLICATION
FOR PERMISSION TO INCORPORATE
A PUBLIC CORPORATION
FOR THE PURPOSE OF ACQUIRING, ENLARGING, IMPROVING,
EXPANDING, OWNING, OPERATING, LEASING
AND DISPOSING OF
ONE OR MORE PUBLIC PARK AND RECREATION FACILITIES
UNDER THE PROVISIONS OF
CODE OF ALABAMA 1975,
§§11-60-1 THROUGH 11-60-20, INCLUSIVE,
AND AUTHORIZING THE PERSONS FILING SAID APPLICATION
TO PROCEED TO FORM SUCH CORPORATION

BE IT RESOLVED by the CITY COUNCIL OF THE CITY OF PELHAM,
ALABAMA, as follows:

Section 1. Findings. The City Council upon evidence duly submitted to and considered by it, hereby finds and determines that Eddie R. Gentry, John A. Lockhart and Coy L. South have filed with the City Council an application in writing for permission to apply for the incorporation, under the provisions of Code of Alabama 1975, §§11-60-1 through 11-60-20, inclusive, of a public corporation to be known as "The Public Park and Recreation Board of the City of Pelham"; that there was attached to said application a proposed form of certificate of incorporation for said public corporation; that said application, together with the attached certificate of incorporation, was in words and figures as follows:

APPLICATION FOR AUTHORITY TO INCORPORATE
A PUBLIC PARK AND RECREATION BOARD

TO: THE CITY COUNCIL OF THE CITY
OF PELHAM, ALABAMA

23 PAGE 653
BOOK

We, the undersigned natural persons, each of whom is a duly qualified elector of the City of Pelham, Alabama, and the owner of property in said city, do hereby file with you as the governing body of said city this application and by so doing apply for authority to incorporate a public corporation pursuant to the provisions of Code of Alabama 1975, §§11-60-1 through 11-60-20, inclusive, for the purpose of acquiring, enlarging, improving, expanding, owning, leasing, operating and disposing of properties to the end that such public corporation may be able to promote public interest and participation in sports, athletics and recreational activities and to provide or improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith. Without limiting the generality of the foregoing, the initial project to be acquired or improved by such public corporation shall consist of facilities for a recreational theme park. We hereby request that this application be granted and that a proper resolution be adopted by you authorizing the incorporation of such a public corporation under the name of "The Public Park and Recreation Board of the City of Pelham".

BOOK

We submit herewith for your consideration a form of the certificate of incorporation proposed to be used in organizing said public corporation. It is contemplated that if this application is granted, there will be attached to said certificate of incorporation, before it is filed for record, a certificate of the Secretary of State of Alabama that the name proposed for said corporation is not identical with that of another corporation already in existence in this state or so nearly similar thereto as to lead to confusion and uncertainty.

WITNESS our signatures this 13 day of Sept, 1982.

Eddie R. Gentry
EDDIE R. GENTRY

John A. Lockhart
JOHN A. LOCKHART

Coy L. South
COY L. SOUTH

CERTIFICATE OF INCORPORATION
OF
THE PUBLIC PARK AND RECREATION BOARD
OF THE CITY OF PELHAM

TO: THE HONORABLE JUDGE OF PROBATE OF
SHELBY COUNTY, ALABAMA

The undersigned Eddie R. Gentry, John A. Lockhart and Coy L. South desiring to incorporate a public corporation under the provisions of Code of Alabama 1975, §§11-60-1 through 11-60-20, inclusive (herein called the "Authorizing Statute"), and being all of the incorporators of the corporation hereby incorporated, do make, sign, execute, acknowledge and file this Certificate of Incorporation as follows:

1. The names and residences of the incorporators are as follows:

<u>NAME</u>	<u>RESIDENCE</u>
Eddie R. Gentry	621 Valley View Drive Pelham, Alabama 35124
John A. Lockhart	1804 Indian Hill Road Pelham, Alabama 35124
Coy L. South	1409 Adams Street Pelham, Alabama 35124

Each of the aforesaid incorporators is a duly qualified elector of and a taxpayer in the City of Pelham, Alabama (herein called the "City").

2. The name of the corporation is and shall be:

"THE PUBLIC PARK AND RECREATION BOARD
OF THE CITY OF PELHAM".

3. Permission and authority to organize the corporation has been granted by a resolution duly adopted by the governing body of the City on the _____ day of _____, 1982.

4. The location of the principal office of the corporation shall be in the City Hall of the City, and the post office address of such corporation shall be c/o City of Pelham, City Hall, Pelham, Alabama 35124.

5. The purposes for which the corporation is organized are the acquisition, enlargement, improvement, expansion, ownership, operation, leasing and disposition of properties to the end that the corporation may be able to promote public interest and participation in sports, athletics and recreational activities and to provide or improve public parks in the State of Alabama, including all buildings, facilities and improvements incident thereto or useful in connection therewith. Without limiting the generality of the foregoing, and as stated in the application submitted to the City for permission to organize the corporation, the initial project to be acquired or improved by the corporation shall consist of facilities for a recreational them park. In furtherance of said purposes, the corporation shall have all powers conferred on corporations of like nature by the provisions of the Authorizing Statute and any amendment thereof heretofore or hereafter made, and all other powers conferred upon corporations generally by the laws of the State of Alabama not in conflict with the provisions of the Authorizing Statute, as heretofore or hereafter amended.

6. The board of directors of the corporation shall consist of three members, who shall be elected by the governing body of the City, in the manner and for the terms of office provided by law.

7. The duration of the existence of the corporation shall be perpetual, unless it shall be sooner dissolved by proceedings taken pursuant to the applicable provisions of the Authorizing Statute or other applicable law.

8. The corporation shall be a nonprofit corporation, and no part of the net earnings thereof shall inure to the benefit of any individual or private corporation.

IN WITNESS WHEREOF, the undersigned incorporators have hereunto subscribed their signatures this _____ day of _____, 1982.


EDDIE R. GENTRY


JOHN A. LOCKHART


COY L. SOUTH

STATE OF ALABAMA)
 :
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that EDDIE R. GENTRY, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the said Certificate of Incorporation, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office, this _____ day of _____, 1982.

[NOTARIAL SEAL]

Notary Public

My Commission Expires: _____

BOOK 23 PAGE 656

STATE OF ALABAMA)
 :
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that JOHN A. LOCKHART, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the said Certificate of Incorporation, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office, this _____ day of _____, 1982.

[NOTARIAL SEAL]

Notary Public

My Commission Expires: _____

STATE OF ALABAMA

SHELBY COUNTY

)
:
)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that COY L. SOUTH, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the said Certificate of Incorporation, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office, this _____ day of _____, 1982.

[NOTARIAL SEAL]

Notary Public

My Commission Expires: _____

that each of the persons filing said application is a duly qualified elector of the City of Pelham and the owner of property located in said city; that said application is regular in all respects and complies with all requirements of the laws of the State of Alabama under which said public corporation is proposed to be organized; that there is a public need for the initial project which such application states is to be acquired or improved by said public corporation; and that it is wise, expedient, necessary and advisable that such public corporation be formed.

Section 2. Authorization for Incorporation. The City Council hereby approves the aforesaid application and hereby grants permission and authority to the persons filing such application to organize The Public Park and Recreation Board of the City of Pelham in the manner provided by the laws of the State of Alabama under

which said public corporation is proposed to be organized. The City Council hereby approves the form of certificate of incorporation attached to said application.

Section 3. Publishing and Effective Date. This resolution shall be published one time in the Shelby County Reporter, which the City Council does hereby find and determine to be a newspaper published in Shelby County, Alabama, and having general circulation in the City of Pelham (there being no newspaper published in the City of Pelham), and the City Clerk is hereby authorized and directed to cause such publication to be effected. This resolution shall become effective upon its publication.

ADOPTED and APPROVED this 13 day of Sept, 1982.


Mayor

Authenticated:


City Clerk

CERTIFICATE OF PUBLICATION

I, the undersigned City Clerk of the CITY OF PELHAM, ALABAMA, hereby certify that a copy of the foregoing resolution was, on September 30, 1982, published in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and having general circulation in the City of Pelham, Alabama.

DATED this 13 day of Sept., 1982.

Heidi Jane Dennis
City Clerk

Councilmember Ray Hamilton moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Bob Cleveland, and, upon said motion being put to vote, the following vote was recorded:

YEAS:

Ray Hamilton
John Tanner
Willard Payne
Ken Maynard
Bob Cleveland

NAYS:

None

The Mayor thereupon declared that the motion for unanimous consent for the immediate consideration of and action on said resolution had been unanimously carried. Councilmember John Tanner thereupon moved that the said resolution be finally adopted, which motion was seconded by Councilmember Willard Payne, and, upon said motion being put to vote, the following vote was recorded:

YEAS:

Ray Hamilton
John Tanner
Heard Payne
Ken Maynard
Bob Cleveland

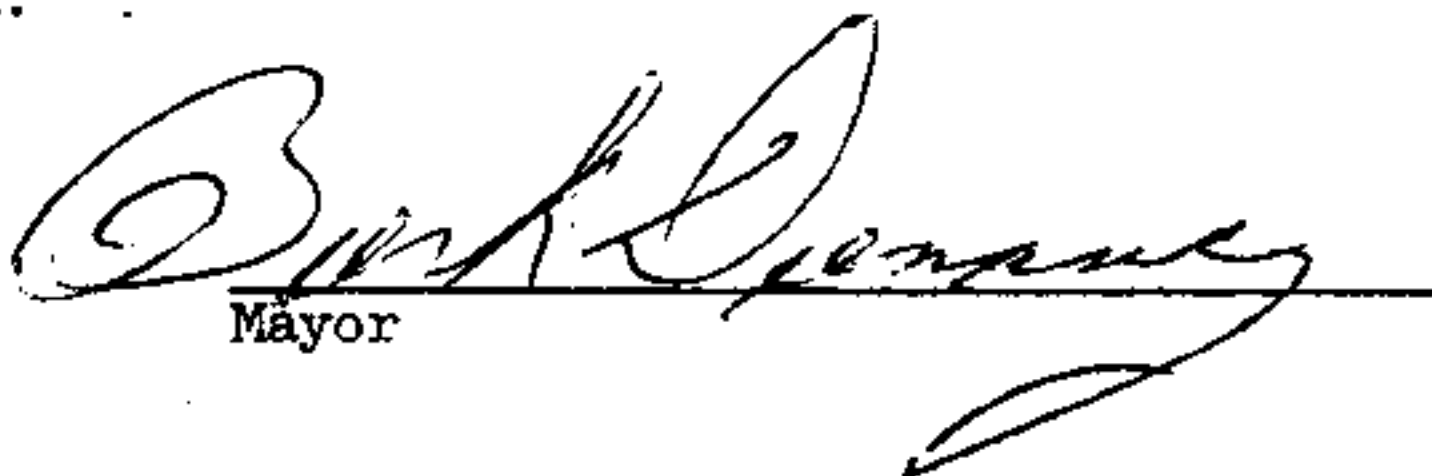
NAYS:

None

The Mayor thereupon announced that the motion for adoption of said resolution had been carried.

* * *

There being no further business to come before the meeting, it was on motion duly made and seconded adjourned.


Mayor


Clerk

State of Alabama

County

SHELBY

CERTIFICATE OF INCORPORATION

OF

THE PUBLIC PARK AND RECREATION BOARD OF THE CITY OF PELHAM

The undersigned, as Judge of Probate of SHELBY County, State of Alabama, hereby certifies that duplicate originals of Articles of Incorporation for the incorporation of THE PUBLIC PARK AND RECREATION BOARD OF THE CITY OF PELHAM, duly signed pursuant to the provisions of Section 64 of the Alabama Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Judge of Probate, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation of THE PUBLIC PARK AND RECREATION BOARD OF THE CITY OF PELHAM, and attaches hereto a duplicate original of the Articles of Incorporation.

GIVEN Under My Hand and Official Seal on this the 18th day of OCTOBER, 1982.



RECEIVED
SHELBY COUNTY
OCT 18 1982

1982 OCT 18 PM 4:06

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Thomas A. Snowden, Jr.
Judge of Probate

Rec 1062
10/18/82

BOOK 23 PAGE 661