

STATE OF ALABAMA

1399

COUNTY OF SHELBY

CERTIFICATE OF INCORPORATION
OF
DUNAVANT VALLEY WATER AUTHORITY

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Carl D. Hulsey, Margie D. Isbell, and Robert F. McCullough, in order to form a public corporation under and pursuant to the provisions of Article 1 of Chapter 88 of Title 11 of the CODE OF ALABAMA 1975, for the purpose of rendering water service, hereby make and file this certificate of incorporation.

ONE.

The names of the persons forming the within public corporation, together with the residence of each thereof, are:

Carl D. Hulsey, whose place of residence is Lake Circle Drive, Route 1, in Shelby County, Alabama;

Margie D. Isbell, whose place of residence is Highway 474, in Shelby County, Alabama; and

*Robert F. McCullough, whose place of residence is Lake Circle Drive, Route 1, in Shelby County, Alabama.

Each of the foregoing named persons states and certifies that each of them is of the age of nineteen or more years, that each of them is a resident of and owner of real property in the area of Shelby County, Alabama, in which the within public corporation proposes to render water service, and that each of them is a duly qualified elector of said county.

TWO.

The name of this public corporation is Dunavant Valley Water Authority (hereinafter called the "Authority").

THREE.

The duration of this public corporation shall be perpetual, subject to the provisions of Section 11-88-18 of the CODE OF ALABAMA 1975.

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FOUR.

The name of the determining county is Shelby County, Alabama, and the governing body of said county adopted a resolution on the 12th day of September, 1983, declaring that it had reviewed the contents of the application filed by the undersigned and found as a matter of fact that the statements contained therein are true. A certified copy of the said resolution is attached hereto as Exhibit A.

FIVE.

The location of the principal office of the Authority (and its post office address) is Lake Circle Drive, Route 1, in the community of Dunavant Valley, in Shelby County, Alabama.

SIX.

The concise legal description of the area of Shelby County, Alabama, in which the Authority proposes to render water service is as follows:

T17S, R1E - the South 1/2 of Sections 26 and 27; the East 1/2 of Section 32; and all of Sections 33, 34, and 35;

T18S, R1E - the North 1/2 of Section 2; all of Sections 3, 4, and 5; the Southeast 1/4 of Section 6; all of Sections 7 and 8; the North 1/4 of Sections 9 and 10; all of Sections 17 and 18; and the Northwest 1/4 of Section 19; and

T18S, R1W - all of Section 13; the Southeast 1/4 of Section 23; all of Section 24; the North 1/2 of Section 25; and the North 1/2 of Section 26;

all lying wholly in Shelby County, Alabama.

SEVEN.

This corporation shall have and exercise all the power and authority set forth in the provisions of Article 1 of Chapter 88 of Title 11 of the CODE OF ALABAMA 1975, for corporations organized thereunder to operate a water system, and such additional power and authority as is now or may hereafter be provided by law.

EIGHT.

Attached hereto as Exhibit B is a certificate by the Secretary of State of the State of Alabama that the name proposed for the Authority is not identical to that of any other corporation organized under the laws of the State or so nearly similar thereto as to lead to confusion and uncertainty.

IN WITNESS WHEREOF, the undersigned incorporators have hereunto set their hands and affixed their seals on this 30 day of September, 1983.

Carl D. Hulsey (L.S.)
Carl D. Hulsey

Margie D. Isbell (L.S.)
Margie D. Isbell

Robert F. McCullough (L.S.)
Robert F. McCullough

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STATE OF ALABAMA

COUNTY OF SHELBY

The undersigned, a notary public in and for said County in Said State, do hereby certify that Carl D. Hulsey, Margie D. Isbell and Robert F. McCullough, whose names are signed to the foregoing Certificate of Incorporation and who are known to me, acknowledged before me on this day that, being informed of the contents of the said Certificate of Incorporation, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of September, 1983.

Dorothy Jackson
Notary Public

NOTARIAL SEAL

My commission expires: 10-26-85

RESOLUTION APPROVING APPLICATION

BE IT RESOLVED by the Shelby County Commission, the governing body of Shelby County, Alabama, as follows:

1. That on the 7th day of September, 1983, application in writing was filed with this governing body for incorporating a public corporation under the provisions of Article 1 of Chapter 88 of Title 11 of the CODE OF ALABAMA 1975, under the name of Dunavant Valley Water Authority.

2. That the contents of said Application have been reviewed by the governing body and it has been found and determined as a matter of fact that the statements in the said application are true.


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EXHIBIT A

The undersigned, as Chairman of the governing body of Shelby County, Alabama, does hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the governing body of the said County, at a regularly convened meeting thereof held on the 12th day of September, 1983.

WITNESS MY HAND under the seal of the said County,
this 12th day of September, 1983.


Chairman of the Shelby County
Commission


S E A L



STATE OF ALABAMA

I, Don Siegelman, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal

BOOK 24 PAGE 903 of said State, do hereby certify that an examination of the domestic corporation records on file in this office discloses that the name Dunavant Valley Water Authority is not identical with the name of any other corporation in this state or so nearly similar thereto as to lead to confusion and uncertainty. I further certify that this certificate is made pursuant to the provisions of Section 11-88-4 Code of Alabama 1975.



In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, on this day.

July 14, 1983

Date

Don Siegelman

Secretary of State

EXHIBIT B

STATE OF ALABAMA
COUNTY OF SHELBY


IN THE MATTER OF THE PROPOSED
INCORPORATION OF DUNAVANT VALLEY
WATER AUTHORITY

On this 30 day of September, 1983, there was filed for record in this office a Certificate of Incorporation of Dunavant Valley Water Authority, hereinafter referred to as the "Authority", pursuant to the provisions of Article 1 of Chapter 88 of Title 11 of the CODE OF ALABAMA 1975, hereinafter referred to as "Article 1". Attached to the Certificate of Incorporation was (a) a certified copy of the resolution adopted by the governing body of this county, and (b) a certificate by the Secretary of State of the State of Alabama that the name proposed for the Authority is not identical to that of any other corporation organized under the laws of the State or so nearly similar thereto as to lead to confusion and uncertainty.

The undersigned Judge of Probate did promptly examine all such documents for the purpose of determining whether they are complete and regular on their face and whether the form and contents of the aforesaid Certificate of Incorporation comply with the provisions of Article 1.

Upon examination and consideration of all such documents, the undersigned hereby expressly finds as a fact that all such documents are complete and regular on their face and that the form and contents of the Certificate of Incorporation and all of the exhibits attached thereto comply with the provisions of Article 1, and it is hereby so ORDERED, ADJUDGED AND DECREED.

It is further ORDERED, ADJUDGED AND DECREED that all such documents, together with the within order, be forthwith recorded.


Judge of Probate of Shelby County,
Alabama

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1983 SEP 30 AM 11:36


JUDGE OF PROBATE

Rec 10.00
Jud 1.00
11.00

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