

STATE OF ALABAMA

SHELBY COUNTY

ARTICLES OF INCORPORATION OF THE
DRY VALLEY VOLUNTEER FIRE AND RESCUE DEPARTMENT

We, the undersigned, being natural persons over the age of 21 years acting as incorporators of a corporation under the Alabama Non-Profit Corporation Act, adopted and do hereby adopt the following Articles of Incorporation for such corporation.

ARTICLE I. NAME, PURPOSE, AUTHORITY.

Section 1. The name of the corporation is: Dry Valley Volunteer Fire and Rescue Department, Incorporated.

Section 2. The period of duration of this corporation is perpetual.

Section 3. The purpose or purposes for which this corporation is organized shall be to further the common good and general welfare of the people of the Dry Valley community and to:

A.) Actively engage in fire fighting and render assistance in similar disasters.

B.) Render aid to persons in distress, administer first aid and perform missions incident to the rescue to human beings who are in distress.

C.) Purchase, acquire by gift, or otherwise, trucks, equipment, first aid supplies, and any and all other property needed in the performance of missions, and to own and hold in fee, or by lease, sufficient and suitable real estate and buildings necessary for headquarters, and for storage of equipment and supplies owned or used in the furtherance of said fire and rescue work, required and supported by the people and the public generally, and for educational purposes.

Section 4. The organization shall be incorporated and chartered under the laws of the State of Alabama as a non-profit eleemosynary corporation.

Section 5. The corporation is not organized for pecuniary profit nor shall it have any power to issue certificates of stock or declare dividends and no part of its net earnings shall inure to the benefit of any member, advisor, or individual.

ARTICLE II. MEMBERSHIP.

Section 1. The initial charter members of said corporation shall be those persons whose names are signed hereto.

Section 2. After the incorporation of this organization, other persons may become members by making application and complying with the By-Laws and rules and regulations regulating qualifications for membership in said corporation.

ARTICLE III. GOVERNING BODY.

Section 1. The governing body of the corporation shall be

J. H. Rochester

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the Board of advisors (hereinafter called "the Board") composed of five members of the community, one of whom shall be the chairman. The number of members of the Board may be increased or decreased from time to time as provided in or by amendment to the by-laws, provided that the minimum number of members shall be three or more members at all times.

Section 2. The names and addresses of the initial members of the Board are as follows:

Chairman	✓ J. M. Rochester, P.O. Box 188, Montevallo, AL 35115
Member	Jimmie Vernon, Rt 2, Box 122, Montevallo, AL 35115
Member	Jerry Morgan, Rt 2, Box 55, Montevallo, AL
Member	William Murray, 9-A Murray Drive, Montevallo, AL 35115
Member	Tim Fancher, Rt 2, Box 173, Montevallo, AL 35115
Member	Chet Jones, P.O. Box 393, Montevallo, AL 35115
Member	Benny Nivens, Rt 2, Box 56, Montevallo, AL 35115

Section 3. The address of the initially registered officer of the corporation is Dry Valley, Alabama, and the name of its initially registered agent at such address is J. M. Rochester.

Section 4. After the issuance of the certificate of incorporation of said corporation, an organizational meeting of the Board of Advisors named in these articles of incorporation shall be held at the call of the majority of the incorporators for the purpose of adopting By-Laws, electing officers, and the transaction of such other business as may come before the meeting. The incorporators calling the meeting shall give at least ten days notice thereof to each member of the Board so named, which said notice shall state the time and place of the meeting. Said notice shall be given by mail, publication in the Shelby County Reporter for one week, posting at least ten days in advance of said meeting at the normal place of meeting of said corporation, or personally to the member.

Section 5. In addition to the organizational meeting herein specified, the Board shall meet at least quarterly and at such other times as may be deemed necessary by the Chairman of the Board or upon written request signed by at least a majority of the members of the Board in office.

Section 6. The Fire Chief, or his appointed representative, shall be entitled to sit at each meeting of the Board, without vote, and shall be notified of each meeting of the Board in the same manner prescribed for the notification of the members of the Board.

Section 7. The Board by resolution adopted by a majority of the members of the Board in office may designate such committees as they deem proper for the carrying out of the functions of such corporation. The Chairman of the Board may appoint members, and designate the committee chairman, from the membership of said corporation to such committees, which committees shall serve for terms set out in the appointments.

ARTICLE IV. OFFICERS.

Section 1. The officers of the corporation shall be a

Fire Chief, an Assistant Fire Chief, a Secretary, and a Treasurer, and such other officers and assistant officers as may be deemed necessary.

Section 2. The names and addresses of the initial officers are as follows:

Fire Chief	William Johnston, Rt 2, Box 116 Montevallo, AL 35115
Assistant Fire Chief	Larry Reid, Rt 2, Box 154, Montevallo, AL 35115
Secretary	T. L. Hunnicutt, 106 Forest Drive Montevallo, AL 35115
Treasurer	Bill Lawler, Rt.2, Box 172 Montevallo, AL 35115

ARTICLE V. POWERS, OTHER GOVERNING PROCEDURES.

Section 1. Said corporation shall have all of the powers granted to non-profit corporations in Title 10, Chapter 10, of the 1940 Code of Alabama, as recompiled and as amended.

Section 2. The initial By-Laws of the corporation shall be adopted by the Board of Advisors of said corporation and the same shall continue in effect as By-Laws until the same are altered, amended, or replaced as provided for in the By-Laws adopted.

Section 3. The operation, administration, training, and other necessary duties associated with said corporation shall be responsibility of the Fire Chief. The Board of Advisors shall furnish all possible assistance to enable to Fire Chief to carry out his responsibilities. The Chairman of the Board and the Fire Chief shall each keep the other individual currently informed of all matters affecting the status of said corporation.

Section 4. Any member of the Board, or any officer of said corporation, elected or appointed, may be removed from office by a majority of the membership of said corporation in meeting duly assembled whenever, in the judgment of said membership, the best interest of the corporation will thereby be served. The individual being considered for removal from office shall be given at least ten days notice by United States mail of the time, date, place, and purpose of the meeting and shall be entitled to attend the meeting in his own behalf.

Section 5. The members of the Board, and the officers of the corporation, shall be elected annually by a majority of the membership of said corporation in meeting duly assembled. Election of said members of the Board and officers of the corporation shall be held at such time and in such manner as is provided for in the By-Laws of said corporation.

Section 6. Any vacancy occurring in the Board of Advisors or in the officers of said corporation during the term of any member shall be filled as set forth in the By-Laws.

Section 7. The qualifications for membership, and the rights and privileges of the members of said corporation shall be as set out in the By-Laws, constitution and rules and regulations adopted by said corporation.

Section 8. In case of dissolution, the affairs of said corporation will be concluded, and the assets of said corporation shall be distributed, as provided for in Title 10, Chapter 10, of the 1940 Code of Alabama, as recompiled and as amended.

Articles of Incorporation
Dry Valley Fire and Rescue Department, Inc.

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Section 9. No loans shall be made by said corporation to its officers or to members of the Board. Any obligations incurred, except as provided by these articles of incorporation and the By-laws, shall be the responsibility of the person or persons incurring said obligations.

Section 10. Election or appointment of an officer, member of the Board, or agent shall not of itself create contract rights. The removal of an officer, member of the Board, or agent shall be without prejudice to the contract rights, if any, of the individual so removed.

ARTICLE VI. INCORPORATORS.

The names and addresses of the incorporators are:

William Johnston, Rt 2, Box 116, Montevallo, AL 35115
Larry Reid, Rt 2, Box 154, Montevallo, AL 35115
T. L. Hunnicutt, 106 Forest Drive, Montevallo, AL 35115
Bill Lawler, Rt 2, Box 172, Montevallo, AL 35115
Jimmie Vernon, Rt 2, Box 122, Montevallo, AL 35115
Jerry Morgan, Rt 2, Box 55, Montevallo, AL 35115
William Murray, 9-A Murray Drive, Montevallo, AL 35115
Tim Fancher, Rt 2, Box 173, Montevallo, AL 35115
Chet Jones, P.O. Box 393, Montevallo, AL 35115
Benny Nivens, Rt 2, Box 56, Montevallo, AL 35115
J. M. Rochester, P.O. Box 188, Montevallo, AL 35115

IN WITNESS WHEREOF, THE INCORPORATORS have hereunto set their hands and seals on this the 4th day of February 1984.

William Johnston

Jerry Morgan

T. L. Hunnicutt

Bill Lawler

Jimmie H. Vernon

Larry Reid

William D. Murray

Thomas M. Fancher Jr

Charles Thomas Jones

Benny Nivens

J. M. Rochester

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J.M. Rochester, William Johnston, Larry Reid, T.L. Hunnicutt, Bill Lawler, Jimmie Vernon, Jerry Morgan, William Murray, Tim Fancher, Chet Jones, Benny Nivens, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day same bears date.

Wm. D. Murray
Notary Public

My Commission Expires September 14, 1984
My Commission Expires _____

STATE OF ALABAMA)

SHELBY COUNTY)

CERTIFICATE

I, the undersigned, Thomas A. Snowden, Jr., Judge of Probate of Shelby County, hereby certify that the Certificate of Incorporation of Dry Valley Volunteer Fire and Rescue Department has this date been filed for record in the Probate Office of Shelby County, Alabama, and that the certificate of incorporation has been examined and approved by me as being in compliance with the provisions of Article 1, Title 10, of the Code of Alabama, as amended, and that the incorporations of said corporation, their successors and assigns, and the said Dry Valley Volunteer Fire and Rescue Department, constitute a body corporate under the name set forth in said certificate, namely: Dry Valley Volunteer Fire and Rescue Department.

In witness whereof, I the said Thomas A. Snowden, Jr., as Judge of Probate of Shelby County, Alabama, hereunto set my hand and affix my seal of said office this the 3rd day of February 1984.

Thomas A. Snowden, Jr.
Judge of Probate

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

1984 FEB -3 AM 10:05

Thomas A. Snowden, Jr.

Rec 10.00
Jud 1.00
11.00