

CERTIFICATE OF MERGER
OF

BORDER PROPERTIES, LTD.
(an Alabama limited partnership)

INTO

TACALA, LLC
(a Delaware limited liability company)

---FILED---EFFECTIVE---

JUL 22 2005

JUL 23 2005

TIME

TIME
12:01 A.M.

SECRETARY OF STATE

20050728000379000 1/2 \$25.00
Shelby Cnty Judge of Probate, AL
07/28/2005 10:46:16AM FILED/CERT

Pursuant to Section 10-9B-1106 of the Alabama Limited Partnership Act of 1997, the surviving limited liability company submits the following Certificate of Merger for filing and certifies that:

FIRST: The name, jurisdiction and date of formation of each of the parties to the merger are as follows:

| <u>Name</u> | <u>Jurisdiction</u> | <u>Date</u> |
|-------------------------|---------------------|-------------|
| Border Properties, Ltd. | Alabama | 05/25/1995 |
| Tacala, LLC | Delaware | 12/19/2003 |

SECOND: An Agreement and Plan of Merger has been approved and executed by each of the parties to the merger.

THIRD: The name of the surviving business entity, a Delaware limited liability company, is Tacala, LLC.

FOURTH: The merger shall become effective on July 23, 2005, at 12:01 a.m.

FIFTH: The executed Agreement and Plan of Merger is on file at the principal place of business of the surviving limited liability company, which is located at 4268 Cahaba Heights Court, Birmingham, Alabama 35243.

SIXTH: A copy of the Agreement and Plan of Merger will be furnished by the surviving limited liability company, upon request and without cost, to any partner of any limited partnership or any person holding an interest in any business entity which is a party to this merger.

RECEIVED

JUL 22 2005

SECRETARY
1367158 STATE

20050728000379000 2/2 \$25.00
Shelby Cnty Judge of Probate, AL
07/28/2005 10:46:16AM FILED/CERT

IN WITNESS WHEREOF, this Certificate of Merger has been duly executed as of the
22nd day of July, 2005, by an authorized person of the surviving limited liability company in
the merger.

TACALA, LLC

By: Donald M. Ghareeb
Donald M. Ghareeb
Its: Manager