

**CERTIFICATE OF FORMATION**  
**OF**  
**MODERN HOME CONSTRUCTION, LLC**

Pursuant to the Alabama Limited Liability Company Law as set forth in Chapter 1 and Chapter 5 of the Alabama Business and Nonprofit Entity Code, the undersigned hereby adopts the following Certificate of Formation:

**ARTICLE I**  
**NAME**

The name of the limited liability company is Modern Home Construction, LLC (the "Company").

**ARTICLE II**  
**TYPE**

The Company is a limited liability company.

**ARTICLE III**  
**DURATION**

The Company shall have perpetual duration unless it is dissolved and its affairs wound up in accordance with the Alabama Business and Nonprofit Entity Code or the Operating Agreement of the Company.

**ARTICLE IV**  
**PURPOSES**

The purposes for which the Company is formed are:

- (a) To provide home remodeling and construction services;
- (b) To render to others, and to engage in the business of rendering to others, consulting, advisory, administrative, industrial engineering, accounting, bookkeeping, management and other services of every nature, kind and character, which it may legally render;
- (c) To engage in any industrial, manufacturing, mining, mercantile, trading, agricultural, service, or other lawful business of any kind or character whatsoever;
- (d) To act as agent, representative, or receiver of any person, firm, corporation, or governmental entity or instrumentality in respect to any lawful undertaking or transaction;

(e) To purchase, take, receive, lease or otherwise acquire, own, hold, improve, use and otherwise deal in or with, real or personal property, or any interest therein, wherever situated, and to sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of real or personal property, or any interest therein;

(f) To purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge, or otherwise dispose of, and otherwise use and deal in and with, shares or other interests in, or obligations of, corporations, associations, partnerships, individuals, or direct or indirect obligations of governmental entities or of any instrumentality thereof;

(g) To lend money, invest and reinvest its funds and take and hold real and personal property as security for the payment of funds so loaned or invested; and

(h) To engage in any other lawful act or activity for which limited liability companies may be organized pursuant to the Alabama Limited Liability Company Law.

## **ARTICLE V REGISTERED OFFICE; REGISTERED AGENT**

The location and street address of the initial registered office of the Company shall be 172 Glen Abbey Way, Alabaster, Alabama 35007, and its registered agent at such address shall be Robert Bryan Hill.

## **ARTICLE VI ORGANIZER**

The name and mailing address of the Organizer is:

Edward R. Christian  
420 North 20<sup>th</sup> Street  
Suite 3400  
Birmingham, AL 35203

## **ARTICLE VII ADMISSION OF ADDITIONAL MEMBERS**

Additional Members may be admitted in accordance with the terms of the Operating Agreement of the Company.

## **ARTICLE VIII DISSOLUTION BY REASON OF CESSATION OF MEMBERSHIP**


The cessation of membership of one or more members of the Company will not result in the dissolution of the Company.

**ARTICLE IX  
MANAGER**

The Manager of the Company shall have the power to manage the business and affairs of the Company as provided in the Operating Agreement. The name and address of the initial Manager of the Company, and who shall serve until his successors are elected and begin serving is:

Robert Bryan Hill  
172 Glen Abbey Way  
Alabaster, AL 35007

**IN WITNESS WHEREOF**, these Articles have been subscribed as of the 12<sup>th</sup> day of January, 2011, by the undersigned, as its Organizer, who affirms that the statements made herein are true under the penalties of perjury.

  
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Edward R. Christian, Organizer

This document prepared by:  
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