

**ARTICLES OF INCORPORATION  
OF  
Excelsior Enterprises, Inc.**

To the Honorable James W. Fuhrmeister, Judge of Probate of Shelby County, Alabama:

The undersigned, for the purpose of forming a corporation under the Alabama Business Corporation Act, hereby adopt the following articles of incorporation:

**ARTICLE ONE**

**NAME**

The name of the corporation is Excelsior Enterprises, Inc.

**ARTICLE TWO**

**DURATION**

The term of existence of the corporation is perpetual.

**ARTICLE THREE**

**PURPOSE**

The purpose for which the corporation is organized is to operate a retail store, and any lawful act or activity for which corporations may be organized under the Alabama Business Corporation Act.

**ARTICLE FOUR**

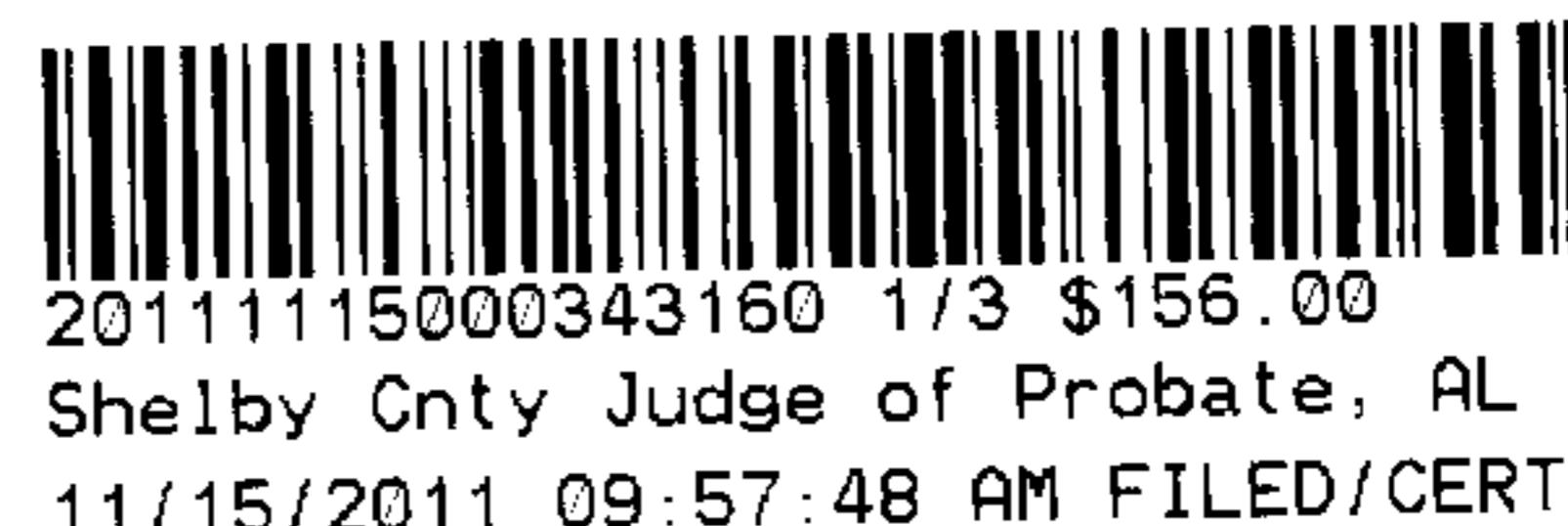
**REGISTERED OFFICE**

The street address of the initial registered office of the corporation is 276 Birmingham St., Wilton, AL 35115. The initial registered agent at that address is Kenneth W. Oswald.

**ARTICLE FIVE**

**CAPITAL STOCK**

The total number of shares that the corporation has authority to issue is 100 shares, all of which shall be common shares with par value of One Dollar (\$1.00) per share.



## **ARTICLE SIX**

### **DENIAL OF PREEMPTIVE RIGHTS**

No holder of shares of any class of capital stock of this corporation shall, as a shareholder, have preemptive rights in, or to purchase or subscribe to any shares of stock of this corporation. Nor shall any shareholder of this corporation have preemptive rights in, or to purchase or subscribe to, any bonds, debentures, or other securities or obligations that are convertible into or exchangeable with any shares of stock of this corporation. Provided, however, that any shareholder may have rights of conversion or exchange and rights under options, warrants, or purchase or subscription arrangements expressly granted by the board of directors or shareholders on other terms and conditions fixed or designated by the Board of Directors or the shareholders.

## **ARTICLE SEVEN**

### **DIRECTORS**

The number of directors constituting the initial board of Directors shall be the same number as the number of persons listed in this Article Seven. The names and addresses of the persons constituting the initial board of directors and who are to serve as directors until the first annual meeting of the shareholders or until their successors are elected and qualify, are as follows:

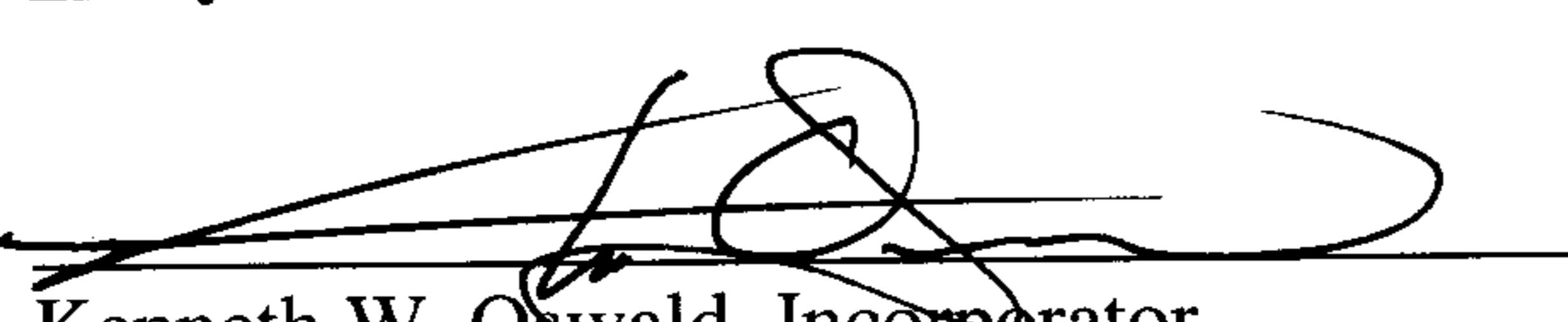
Name	Address
<u>Kenneth W. Oswald</u>	<u>276 Birmingham St., Wilton, AL 35115</u>
<u>Donald Paul Stewart</u>	<u>3317 Mountain Side Road, Cahaba Heights, AL 35243</u>

## **ARTICLE EIGHT**

### **INCORPORATORS**

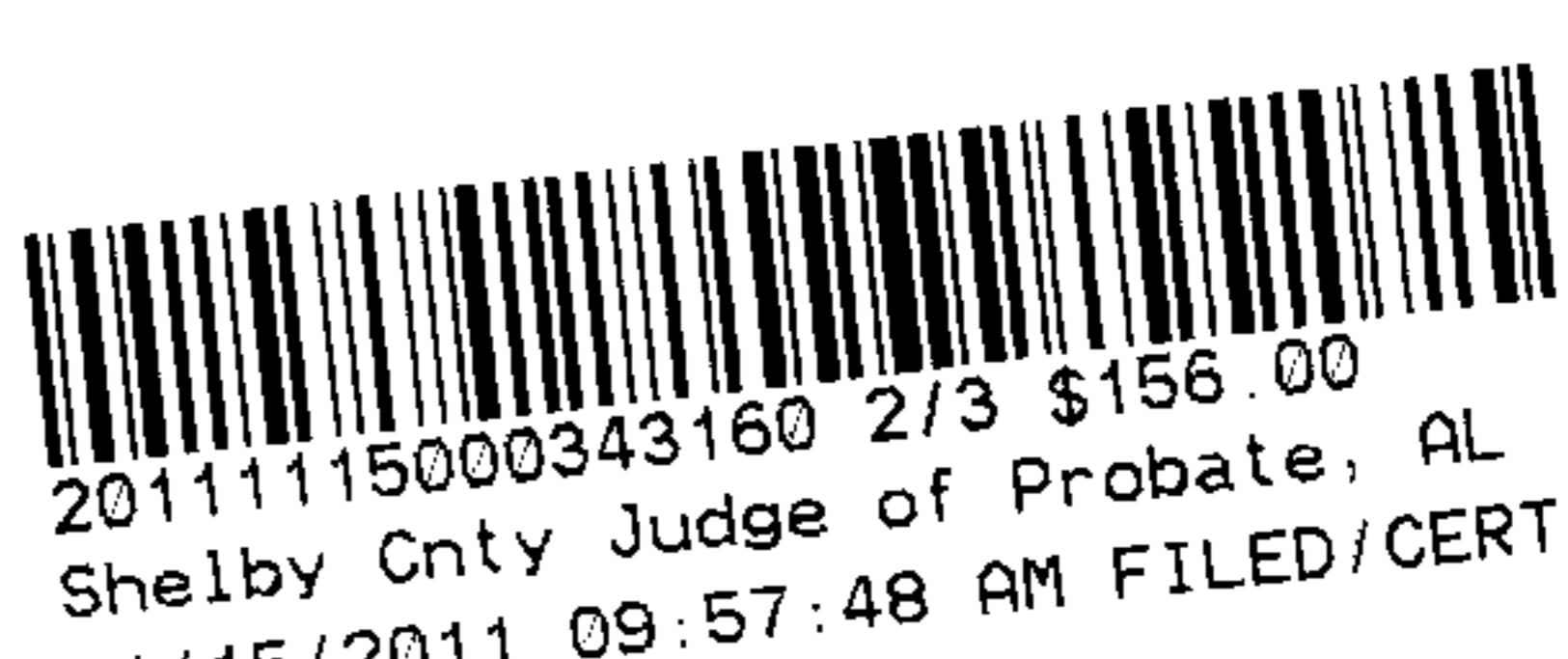
The names and addresses of the incorporators are:  
Kenneth W. Oswald 276 Birmingham St., Wilton, AL 35115

**WE, THE UNDERSIGNED,** have subscribed our names this 14<sup>th</sup> day of  
November, 2011.



Kenneth W. Oswald, Incorporator

This Instrument was prepared by S. Dale Price, Attorney at Law whose address is 119 N. Broadway Ave., Sylacauga, AL 35150.



Beth Chapman  
Secretary of State

P. O. Box 5616  
Montgomery, AL 36103-5616

# STATE OF ALABAMA

**I, Beth Chapman, Secretary of State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that**

pursuant to the provisions of Title 10A, Chapter 1, Article 5, *Code of Alabama 1975*, and upon an examination of the entity records on file in this office, the following entity name is reserved as available:

**Excelsior Enterprises, Inc.**

This domestic business corporation is proposed to be formed in Alabama and is for the exclusive use of S. Dale Price, Attorney at Law, 119 N. Broadway Ave, Sylacauga, AL 35150 for a period of one hundred twenty days beginning November 10, 2011 and expiring March 9, 2012.



591-221

**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.**

November 10, 2011

**Date**

*Beth Chapman*

**Beth Chapman**

**Secretary of State**



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Shelby Cnty Judge of Probate, AL  
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