This instrument was prepared by: Laurie Boston Sharp P.O. Box 567 Alabaster, Alabama 35007

#### ARTICLES OF ORGANIZATION

**OF** 

#### NINTH INNING CAGES, LLC

# TO THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA:

Pursuant to the provisions of the Alabama Limited Liability Company Act (hereinafter referred to as "the Act"), the undersigned hereby adopt the following Limited Liability Company Articles of Organization:

#### **ARTICLE I**

#### **NAME**

The name of the limited liability company ("Company") is NINTH INNING CAGES, LLC:

#### **ARTICLE II**

#### **DURATION**

The period of duration for the Company shall be from the date of filing these Articles of Organization with the Office of the Judge of Shelby County, Alabama (the "Filing Date"), until the earliest to occur of the following:

- (1) The fiftieth (50th) anniversary of the Filing Date;
- (2) Dissolution of the Company by the unanimous written agreement of the Members; or

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(3) The occurrence of an event which under the Act constitutes an event of dissociation or otherwise works a termination of the Company under the Act, unless the legal existence and business of the Company are continued pursuant to Article VII below.

#### **ARTICLE III**

#### **PURPOSES**

The Company has been organized for the following purposes:

- (1) to operate batting cages, baseball instructional services, and to lease appropriate facilities to provide such services, and to engage in any and all business activities related to or incidental thereto; and
- (2) For any lawful purpose or purposes for which a limited liability company may be organized under the laws of the State of Alabama.

#### **ARTICLE IV**

# INITIAL REGISTERED OFFICE AND INITIAL REGISTERED AGENT

The location and mailing address of the initial registered office of the Company is 1100 Amberley Woods Drive, Helena, Alabama 35080 and the name of the initial registered agent of the Company at such address is Connie Green.

# ARTICLE V INITIAL MEMBERS

The names and mailing addresses of the initial members of the Company are as follows:

<u>Name</u>	Mailing Address
Connie Green	1100 Amberley Woods Drive Helena, Alabama 35080
Jason Green	1100 Amberley Woods Drive Helena, Alabama 35080

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#### **ARTICLE VI**

## **ORGANIZERS**

The names and mailing addresses of the organizers of the Company are as follows:

Name Mailing Address

Connie Green 1100 Amberley Woods Drive

Helena, Alabama 35080

Jason Green 1100 Amberley Woods Drive

Helena, Alabama 35080

#### **ARTICLE VII**

## ADMISSION OF NEW MEMBERS

Members of the Company shall have the right to admit new members from time to time. Additional members may be admitted only upon the unanimous written consent of the existing members, and such existing members shall determine the amount and nature of contributions by new members at the time such new members are admitted.

#### **ARTICLE VIII**

#### **CONTINUATION OF BUSINESS**

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

## **ARTICLE IX**

#### **MANAGEMENT**

The management of the Company shall be vested in its members. The members shall have the right and authority to manage the business or affairs of the Company and to make all decisions with respect thereto, subject to the terms and conditions of the Company's Operating Agreement.

**ARTICLE X** 

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#### **POWERS**

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The Company shall have the same powers as a natural person to do all things necessary or convenient to carry out its business and affairs, including, without limitation, the powers set forth in §10-12-4, Code of Alabama (1975), as the same may hereafter be amended from time to time.

CONNIE GREEN

JASON REEN

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# 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:

Ninth Inning Cages, LLC

This domestic limited liability company is proposed to be formed in Alabama and is for the exclusive use of Laurie Boston Sharp, P.O. Box 567, Alabaster, AL 35007 for a period of one hundred twenty days beginning November 30, 2011 and expiring March 29, 2012.

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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 30, 2011

Date

Beth Chapman

592-230

Beth Chapman

Secretary of State