CERTIFICATE OF FORMATION

OF

AQUA STEPS, LLC

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Shelby Cnty Judge 3. 04/02/2018 02:02:43 PM FILED/CER	T

STATE OF ALABAMA SHELBY COUNTY

The undersigned, being all the members of AQUA STEPS, LLC, a limited liability company formed pursuant to Section 10A-5A-1.01 et. seq. of the Alabama Code, adopt the following Certificate of Formation for such company:

FIRST: The name of the company is AQUA STEPS, LLC.

SECOND: The term of the company shall commence on the date of the filing of the Certificate of Formation in the Office of the Judge of Probate of Shelby County, Alabama, and shall continue perpetually; provided, however, that the Company shall be dissolved(a) upon the written consent of the holders of the portion of the ownership interest of the company specified in the Operating Agreement, as amended from time to time, (b) as provided in the Operating Agreement, as amended from time to time, or (c) as may be required by the Alabama Limited Liability Company Law, as amended from time to time.

THIRD: The purpose or purposes for which the Company is organized are: (i) to engage as an authorized dealer for the sale and distribution of WetSteps dock products of every kind and description, to deal in all articles and products necessary, useful and related thereto, and to do all things in furtherance of the proper conduct of such business; (ii) to purchase, sell, exchange, lease, improve, construct, mortgage, pledge, convey, or otherwise deal in real and personal property of all kind and character; and (iii) to transact such other business as may be permitted for lawful purposes under the laws of the State of Alabama or any other states in which the Company may qualify.

FOURTH: The name and address of the organizer and initial members of the Company are as follows:

NAME <u>ADDRESS</u>

Brenda L. Gustin
Organizer and Initial Member
Birmingham, AL 35242

James E. Gustin, Jr.
625 Highland Lakes Cove
Birmingham, AL 35242

Birmingham, AL 35242

FIFTH: The address of the initial registered office of the Company is 625 Highland Lakes Cove, Birmingham, AL 35242, and the name of its initial registered agent at such address is Brenda L. Gustin.

SIXTH: The Company shall be managed by its Managing Member, Brenda L. Gustin, 625 Highland Lakes Cove, Birmingham, AL 35242.

SEVENTH: The members shall have no right to admit additional members, except in accordance with the Operating Agreement, as amended from time to time.

EIGHTH: The cessation of membership of a member shall not cause a dissolution of the Company; provided however, that if there is no remaining member, the Company shall dissolve unless the holders of all of the financial rights agree in writing within ninety days after the cessation of membership of the last member to continue the legal existence and business of the Company and to appoint one or more new members.

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20180402000108450 2/4 \$159.00 Shelby Cnty Judge of Probate, AL 04/02/2018 02:02:43 PM FILED/CERT IN WITNESS WHEREOF, the undersigned hereby declares and certifies that the facts stated herein are true and correct, and for the purpose of forming a limited liability company pursuant to the laws of the State of Alabama, she hereunto has signed this Certificate of Formation as of the Alabama, she 1000, 2018.

ORGANIZER:

Brenda L. Gustin Managing Member

THIS INSTRUMENT PREPARED BY:

Terry W. Gloor GLOOR, STRICKLAND & HAGGERTY, LLP 100 Williamsburg Office Park Suite 100 Birmingham, AL 35216 (205) 822-1223

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John H. Merrill Secretary of State

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

STATE OF ALABAMA

I, John H. Merrill, 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:

AQUA STEPS, LLC

This name reservation is for the exclusive use of Terry W. Gloor, 100 Williamsburg Office Park, Suite 100, Birmingham, AL 35216 for a period of one year beginning March 30, 2018 and expiring March 30, 2019



RES792719

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.

March 30, 2018

Date

X.W. Memill

John H. Merrill

Secretary of State



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