



20200604000225110 1/4 \$166.00
Shelby Cnty Judge of Probate, AL
06/04/2020 11:19:10 AM FILED/CERT

STATE OF ALABAMA §
 § SS.
SHELBY COUNTY §

**CERTIFICATE OF FORMATION
OF
MUM BY THE TRACKS, LLC**

The undersigned organizer, for the purpose of forming a limited liability company, hereby files this Certificate of Formation with the Office of Probate Judge of the county in which the initial registered office of the limited liability company will be located and affirms that the facts stated in this Certificate of Formation are true and correct.

SECTION 1. NAME OF COMPANY

The name of the limited liability company is MUM BY THE TRACKS, LLC (the "Company").

SECTION 2. TYPE OF ENTITY

The Company is a limited liability company formed under chapter 5A of title 10A of the *Code of Alabama* (1975), as amended (the "Law").

SECTION 3. PURPOSES

(a) To purchase, manage, own, hold, lease, sell, construct, renovate and otherwise dealing with real estate and real estate investments, as well as to transact any or all lawful business for which limited liability companies may be formed under the Law, as from time to time amended. The Company shall have all of the power as set forth Section 10A-5A-1.04 *Code of Alabama* (1975), as in effect from time to time, and such other powers as may be granted to limited liability companies in the State of Alabama or such other jurisdictions as the Company may be doing business from time to time.

(b) To guarantee, act as surety for, endorse, or act as accommodation maker for any debts of the Members and/or Managers; subsidiaries of the Company (regardless of the percentage of ownership interest of the Company in such subsidiary and regardless of the form of organization, e.g., corporation, partnership, limited partnership, limited liability company, etc., referred to in this Certificate collectively as "Business Organizations"); Business Organizations any portion of whose ownership interests are owned by the members; and any other persons, regardless of the presence or adequacy of the consideration to be received by the Company for so doing or the presence or adequacy of any direct or indirect benefit to the Company. "Debts" as referenced in this Section 3(b) shall include liquidated and unliquidated amounts, amounts arising *ex contractu* and *ex delicto*, and amounts fixed or contingent, and matured or unmatured, whether new, pre-existing, renewed, or extended, regardless of the terms thereof.

SECTION 4. INITIAL REGISTERED OFFICE AND REGISTERED AGENT

The initial registered mailing address and principal office of the Company is 5204 Dunnavant Valley Way, Birmingham, Alabama 35242. The name of the initial registered agent for service of process at the foregoing address is Neva S. Reardon.

SECTION 5. ORGANIZER

The name and mailing address of the organizer of the Company are as follows:

<u>Name</u>	<u>Mailing Address</u>
Ann L. Reardon	2200 Jack Warner Pkwy., Ste. 200 Tuscaloosa, Alabama 35401

SECTION 6. ADDITIONAL MEMBERS

There is at least one member of the Company. Additional members may be admitted only upon the unanimous written consent of the then existing members, as further provided in the Company's Limited Liability Company Agreement, as in effect from time to time.

Important Notice: Transfers of membership interests in the Company may be subject to certain restrictions set forth in the Company's Limited Liability Company Agreement.


SECTION 7. DISSOLUTION OF THE COMPANY


The Company shall not be dissolved by the cessation of membership of one or more of its members and shall otherwise be dissolved only as provided in the Company's Limited Liability Company Agreement or by the Law.



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IN WITNESS WHEREOF, the undersigned organizer has executed this Certificate of Formation effective as of the 3rd day of June, 2020.


Ann L. Reardon,
Organizer


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THIS INSTRUMENT PREPARED BY:
Ann L. Reardon
ROSEN HARWOOD, P.A.
2200 Jack Warner Parkway, Suite 200
Tuscaloosa, Alabama 35401
Telephone: (205) 344-5000
Facsimile: (205) 758-8358
RosenHarwood.com

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:

Mum by the Tracks, LLC

This name reservation is for the exclusive use of Ann L. Reardon, 2200 Jack
Warner Parkway, Suite 200, TUSCALOOSA, AL 35401 for a period of one year
beginning June 03, 2020 and expiring June 03, 2021



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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.**

June 03, 2020

Date

J. H. Merrill

John H. Merrill

Secretary of State