

State of Idaho

Department of State.

CERTIFICATE OF INCORPORATION OF

APPLE TREE RESTAURANT, INC.

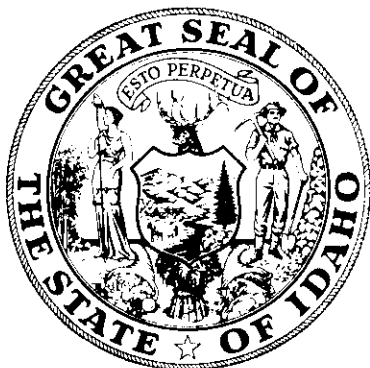
I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of _____

APPLE TREE RESTAURANT, INC.

duly signed pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated: **April 22, 1982**



Pete T. Cenarrusa

SECRETARY OF STATE

by: _____

ARTICLES OF INCORPORATION
OF
APPLE TREE RESTAURANT, INC.

The undersigned, acting as incorporators of a Corporation under the Idaho Business Corporation Act, adopt the following Articles of Incorporation for such Corporation.

- FIRST: The name of the Corporation is APPLE TREE RESTAURANT, INC.
- SECOND: The period of its duration is perpetual.
- THIRD: The purpose or purposes for which the Corporation is organized is the transaction of any or all lawful business for which corporations may be incorporated under the Idaho Business Corporation Act.
- FOURTH: The aggregate number of shares which the Corporation shall have authority to issue is one hundred (100) at a par value of \$50.00 per share.
- FIFTH: The address of the initial registered office of the Corporation is 100 West Main Street, Rigby, Idaho, and the name of its initial registered agent at such address is James E. Merritt.
- SIXTH: The number of directors constituting the initial board of directors of the corporation is four (4), and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and shall qualify are:
- | | |
|---------------------|---|
| James E. Merritt | 405 East 14th Street
Idaho Falls, ID 83401 |
| Virginia C. Merritt | 405 East 14th Street
Idaho Falls, ID 83401 |
| Howard R. Smith | 400 North State Street
Rigby, ID 83442 |
| Beula B. Smith | 400 North State Street
Rigby, ID 83442 |
- SEVENTH: The name and address of each incorporator is:
- | | |
|------------------|---|
| James E. Merritt | 405 East 14th Street
Idaho Falls, ID 83401 |
| Howard R. Smith | 400 North State Street
Rigby, ID 83442 |


DATED: April 1, 1982


JAMES E. MERRITT


HOWARD R. SMITH

STATE OF IDAHO)
 : ss.
County of Jefferson)

I, Robert L. Crowley, Jr., a Notary Public, do hereby certify that on this 13th day of April, 1982, personally appeared before me JAMES E. MERRITT and HOWARD R. SMITH, who being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.



Notary Public for Idaho
Residing at: Rigby, Idaho
Commission: Lifetime