

# State of Idaho

## Department of State

### CERTIFICATE OF INCORPORATION OF

BART WEEKES EXCAVATING, INC.

File number C 115289

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 the above named corporation, 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: June 10, 1996



*Pete T. Cenarrusa*  
SECRETARY OF STATE

By

A handwritten signature of Pete T. Cenarrusa.

Jun 10 1995

SEARCHED  
SERIALIZED

ARTICLES OF INCORPORATION

OF

BART WEEKES EXCAVATING, INC.

DATE 06/10/1995 0900 68937  
CUST# 13988  
CK# 5129 CORP  
100.00= 100.00

The undersigned, Bart Weekes, Danielle Weekes, and Thell<sup>1</sup> Weekes, acting as the incorporators of a corporation undef<sup>2</sup> the Idaho Business Corporation Act, adopt the following Articles of Incorporation for such corporation.

FIRST: The name of the corporation is: Bart Weekes Excavating, Inc.

SECOND: The period of its duration is perpetual.

THIRD: The purposes for which the corporation is organized are the transaction of any and 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 10,000 with no par value.

FIFTH: Provisions for the regulation of the internal affairs of the corporation are as provided in the by-laws and as said by-laws may be from time to time amended.

SIXTH: The address of the initial registered office of the corporation is 9979 S. 600 E., Rexburg, Idaho 83440, and the name of its initial registered agent at such address is Danielle Weekes.

SEVENTH: The number of directors constituting the initial board of directors of the corporation is three (3), and the initial directors are Bart Weekes, and Danielle Weekes, both of 9979 S. 600 E., Rexburg, Idaho, County of Madison and Thell Weekes at 9950 S. 400 N., Rexburg, Idaho, County of Madison, who shall serve as such directors until the first annual meeting of the shareholders or until their successors and/or any additional directors are elected and qualify.

EIGHTH: The names and addresses of the incorporators are Bart Weekes and Danielle Weekes, both of 9979 S. 600 E., Rexburg ,

Idaho, 83440, and Thell Weekes, of 9950 S. 400 N., Rexburg, Idaho 83440.

NINTH: The directors of this corporation shall have no personal liability whatsoever to the corporation, its stockholders, or to any person or entity claiming through it or them, for monetary damages for breach of fiduciary duty as a director, except in the following cases:

- a) For any breach of the director's duty of loyalty to the corporation or its stockholders;
- b) For acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law;
- c) For acts for which liability is prescribed by Idaho Code 30-1-48;
- d) For any transaction from which the director derived any improper personal benefit.

DATED: June 6, 1996

  
Bart Weekes  
Incorporator

  
Danielle Weekes  
Incorporator

  
Thell Weekes  
Incorporator