

# State of Idaho



## Department of State.

### CERTIFICATE OF INCORPORATION

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, and legal custodian of the corporation records of the State of Idaho, do hereby certify that the original of the articles of incorporation of

**4M, INC.**

was filed in the office of the Secretary of State on the **first** day of **October** A.D., One Thousand Nine Hundred **seventy-five** and ~~will be~~ duly recorded on ~~Film~~ **Microfilm** of Record of Domestic Corporations, of the State of Idaho, and that the said articles contain the statement of facts required by Section 30-103, Idaho Code.

I FURTHER CERTIFY, That the persons executing the articles and their associates and successors are hereby constituted a corporation, by the name hereinbefore stated, for **Perpetual Existence** from the date hereof, with its registered office in this State located at

**Pocatello, Idaho**

in the County of

**Bannock**

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State. Done at Boise City, the Capital of Idaho, this **first** day of **October**, A.D., 19 **75**.

Pete T. Cenarrusa

Secretary of State.

.....  
Corporation Clerk.

1520  
received Oct. 1, 1975  
S.O.O.s.m. Corporations  
ML

ARTICLES OF INCORPORATION

OF

4M, INC.

KNOW ALL MEN BY THESE PRESENTS:

We, the undersigned, each being full age of majority and citizens of the United States, in order to form a corporation for the purposes hereinafter stated, do, under and by virtue of the general laws of the State of Idaho authorizing the formation of corporations, associate ourselves as incorporators with the intention of forming a corporation, and do hereby certify as follows:

Article I.

The name of the corporation shall be:

4M, INC.

Article II.

The purposes for which this corporation is formed are:

(a) To erect, construct, establish, purchase, lease, and otherwise acquire, and to hold, use, equip, outfit, supply, service, maintain, operate, sell, and otherwise dispose of, restaurants, inns, cafes, grills, automats, diners, coffee shoppes, catering establishments, concessions, and other eating and drinking places and establishments of every kind and description, and generally to conduct the business of restaurateurs, caterers, cooks, concessionaires, and purveyors; and to engage in all activities, to render all services, and to deal in all fixtures, equipment, and merchandise incidental or related thereto or of use therein.

(b) To manufacture, produce, purchase, cook, bake, and otherwise prepare, package, or otherwise dispose of, deal in, or trade in, food products of every kind and description and other drinks and beverages, together with concession items, including tobacco products, newspapers or publications, and all similar, kindred, and allied articles, products and merchandise.

(c) To apply for, obtain, register, lease, purchase, or otherwise to acquire and to hold, use, own, operate and introduce, and to sell, assign, or otherwise dispose of any certificates of convenience and necessity, licenses, franchises, trademarks, trade names, patents, inventions, improvements,

or processes or the like as may be necessary, convenient, or useful in the furtherance of the business of the corporation or any other lawful business in which the corporation may become engaged.

(d) To acquire by purchase or otherwise, own and possess, lands and premises with or without buildings and improvements thereon, and to own, hold and sell real property, improved and unimproved, or any interest therein or easement thereupon, or to assign, mortgage or lease any real estate, either on a single dwelling, multiple dwelling, or commercial building basis, with powers to invest, trade and deal in and with real property and any and all interests therein for any purpose whatsoever.

(e) To purchase, or otherwise acquire, own, hold, lease, sell, exchange, assign, transfer, mortgage, pledge or otherwise dispose of and to deal with personal property, including, but not limited to, equipment, vehicles or any other types of property, directly or indirectly related to the nature of the lawful business in which the corporation may become engaged.

(f) To acquire by purchase, subscription, or otherwise, and to hold or to dispose of, shares, bonds, or any other obligations of any corporations formed for, or then or theretofore engaged in or pursuing, any one or more of the kinds of business, purposes, objects, or operations above indicated, or owning or holding any property of any kind herein mentioned; or of any corporation owing or holding the shares of the obligations of any such corporation.

(g) To acquire and hold for investment, or otherwise to acquire and to use, sell, or dispose of, any shares, bonds, or other obligations of any such other corporation; to aid in any manner any corporation whose shares, bonds, or other obligations are held or are in any manner guaranteed by the corporation, and to do any other acts or things for the preservation, protection, improvement, or enhancement of the value of any such shares, bonds, or other obligations, or to do any acts, or things designed for any such purpose; and, while owner of any such shares, bonds, or other obligations, to exercise all the rights, powers, and privileges of ownership thereof, and to exercise any and all voting power thereon.

(h) Without in any manner limiting any of the objects and powers of the corporation, it is hereby expressly declared and provided that the corporation shall have power to issue bonds and other obligations in payment for property purchased or acquired by it, or for any other object in or about its business; to grant a security interest in or pledge any shares, bonds, or other obligations, or any property which may be acquired by it; to secure any bonds or other obligations by it issued or incurred; to guarantee any dividends or bonds or contracts of any kind and description; to purchase, lease, own, and use lands for any purpose of the corporation, and in carrying on its business, or for the purpose of attaining or furthering any of its objects, to do any and all other acts and things, and to exercise any and all other powers which a co-partnership or natural person could do and exercise, and which may now or hereafter be authorized by law.

(i) The provisions of this Article shall be construed both as purposes and powers and each as an independent purpose and power. The enumeration of specific purposes and powers shall not be held to limit or restrict in any manner the purposes and powers of the corporation, and the purposes and powers therein specified shall be in no wise limited or restricted by reference to, or inference from, the terms of any provision of this or any other Article hereof.

#### Article III.

The corporation is to have perpetual existence.

#### Article IV.

The location of the registered office of this corporation, and the place where the principal business of this corporation is to be transacted, is 941 Yellowstone, Pocatello, Idaho.

#### Article V.

The number, qualifications, terms of office, manner of election, and powers and duties of directors shall be fixed, and may be altered from time to time, as may be provided in the By-Laws.

#### Article VI.

The total authorized number of par value shares is Five Thousand (5,000) Shares of the par value of TEN

DOLLARS (\$10.00) per share, in the aggregate of FIFTY THOUSAND DOLLARS (\$50,000.00).

Article VII.

The names and addresses of the incorporators, and the number of shares of stock subscribed by each, are as follows:

H. G. Moss  
5418 Garford Street  
Long Beach, California 90815 . . . . . One (1) share  
F. W. Moss  
5418 Garford Street  
Long Beach, California 90815 . . . . . One (1) share  
Kenneth J. Gilman  
192 Adams  
Pocatello, Idaho 83201 . . . . . One (1) share

Article VIII.

The corporation reserves the right to amend, alter, change or repeal any provision contained in these Articles of Incorporation in the manner now, or hereafter, provided by law, and all rights conferred on stockholders are granted subject to this reservation.

IN WITNESS WHEREOF, we have signed these Articles of Incorporation, this 27<sup>th</sup> day of September, 1975.

H. G. Moss  
H. G. MOSS  
F. W. Moss  
F. W. MOSS  
Kenneth J. Gilman  
KENNETH J. GILMAN

STATE OF IDAHO )  
County of Bannock ) ss.

On this 27<sup>th</sup> day of September, 1975, before me, a Notary Public in and for said State, personally appeared H. G. MOSS, F. W. MOSS and KENNETH J. GILMAN, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

John R. Kugel  
Notary Public for Idaho  
Residing at Pocatello, Idaho