



# ARTICLES OF AMENDMENT (General Business)

To the Secretary of State of the State of Idaho  
Pursuant to Title 30, Chapter 1, Idaho Code, the undersigned  
corporation amends its articles of incorporation as follows:

01 JAN 31 AM 8:44  
SECRETARY OF STATE  
STATE OF IDAHO

1. The name of the corporation is: FOXHOLLOW TRUCKING, INC.

2. The text of each amendment is as follows: see attached text

**FILED/EFFECTIVE**

01 FEB 12 AM 9:13  
SECRETARY OF STATE  
STATE OF IDAHO

3. The date of adoption of the amendment(s) was: JANUARY 01, 2001

4. Manner of adoption (check one):

☒ The amendment consists exclusively of matters which do not require shareholder action pursuant to section 30-1-1002, Idaho Code, and was, therefore, adopted by the board of directors.

☐ None of the corporation's shares have been issued and was, therefore, adopted by the  
☐ incorporator ☐ board of directors.

☒ The number of shares outstanding and entitled to vote was 1000

The number of shares cast for and against each amendment was: 1000

Amended article	Shares for	Shares against
I, III, V, XII,	1000	0

Customer Acct #:

(if using pre-paid account)

Secretary of State use only  
IDAHO SECRETARY OF STATE

02/12/2001 09:00  
CK: 5887 CT: 142114 MH: 378277

1 @ 38.00 = 38.00 AMEND PROF # 2

Dated: 12/26/2000

Signed by: Tiffaney Egan

Its Secretary Tiffaney Egan  
(Capacity of signer)

C132302

01 FEB 12 AM 9:13  
STATE OF IDAHO

**ARTICLES OF AMENDMENT  
OF  
FOXHOLLOW TRUCKING, INC.**

01 JAN 31 AM 8:44  
STATE OF IDAHO

ARTICLE I.

The name of the Corporation is:  
**FOXHOLLOW CONSTRUCTION AND TRUCKING, INC.**

ARTICLE III.

**PURPOSES**

- (a) To operate a transportation, trucking, and **construction** business.

ARTICLE V.

**PREFERENCES, LIMITATIONS, AND RELATIVE RIGHTS**

- (b) Voting. The holders of the Common Shares shall be entitled to elect the Board of Directors and shall otherwise have unlimited voting rights. Voting shall be on a one (1) vote per share basis.

In voting for the election of directors, cumulative voting is **not** permitted, and each shareholder may **not** accumulate his votes by giving one candidate as many votes as the number of such directors multiplied by the number of his shares shall equal, or by distributing such votes on the same principle among any number of such candidates.

ARTICLE XII.

**PRE-EMPTIVE RIGHTS**

Each holder of any of the shares of the capital stock of the corporation shall be entitled to a pre-emptive right to purchase or subscribe for any unissued stock to be issued by reason of any increase of the authorized capital stock of the Corporation, or **bonds, certificates of indebtedness, debentures, or other securities convertible into stock of the Corporation**, or carrying any rights to purchase stock of any class, whether said unissued stock shall be issued for cash, property, or any other lawful consideration,

and, without limitation of the foregoing, shall have such a pre-emptive right with respect to shares or other securities offered for sale if they (a) are issued or optioned by the board of directors to effect a merger or consolidation or for a consideration other than cash, or (b) are shares or other securities theretofore reacquired by the Corporation after having been duly issued. Provided, however, there shall be no pre-emptive right in any shareholder with respect to (a) qualified stock options as defined in the Internal Revenue Code of 1986, as amended, or other incentive stock options granted to officers and/or employees of the Corporation and shares of capital stock issued pursuant to such options, provided that such stock options or the plan pursuant to which the stock option was issued was approved by a majority of the shareholders of the Corporation.

NOTE: The amendment to ARTICLE XII was to eliminate a duplicate phrase only.  
All changes have be presented in bold type.