

FILED/EFFECTIVE

ARTICLES OF INCORPORATION

COMMUNITY FIBER OPTIC NETWORK TRANSPORT SYSTEM, LTD.

The undersigned, in order to form a Non-Profit Corporation under the provisions of Title 30, Chapter 3, Idaho Code, submits the following articles of incorporation to the Secretary of State.

Article 1: The name of the corporation shall be Community Fiber Optic Network Transport System, Ltd.

Article 2: The purpose for which the corporation is organized is:

- (a) To provide a community fiber optic network transport system;
- (b) To satisfy charitable, religious, educational, or scientific within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 as amended from time to time, including, for such purposes, the making of distributions to organizations that qualify as exempt under Section 501(c)(3); and
- (c) To exercise all powers granted by law necessary and proper to carry out the foregoing purposes, including, but not limited to, the power to accept donations of money, property, whether real or personal, or any other things of value. Nothing herein contained shall be deemed to authorize or permit the corporation to carry on any business for profit, to exercise any power, or to do any act that a corporation formed under this Act, or any amendment thereto or substitute therefor, may not at any time lawfully carry on or do.
- (d) Limitations: No part of the net earnings or the assets of the corporation shall inure to the benefit of, or be distributable, to its members, directors, officers or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions and furtherance of the purposes set forth in Article 2 above. No substantial part of the activities of the corporation shall be for the carrying on of propaganda or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation, exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time.

Article 3: The street address of the registered office is 735 N. Robins Ave., Idaho Falls, ID 83401, and the registered agent at such address is Robert Peterson.

Article of Incorporation - 1

IDAH0 SECRETARY OF STATE
09/13/2002 05:00
CK: 15723 CT: 123899 BH: 487978
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C 145468

Article 4: The affairs of the corporation shall be managed by its board of directors. The number of directors serving on the board shall be fixed in accordance with the corporation's bylaws but shall consist of no fewer than three (3) people. Other than the directors constituting the initial board of directors, as have been designated, the directors shall be elected by the existing directors of the corporation in the manner and for the term set forth in the bylaws of the corporation. The names and addresses of the initial directors are:

Jeff Nebeker, 2235 E. 25th, Idaho Falls, ID 83404.
Nancy Peterson, 735 N. Robins Ave., Idaho Falls, ID 83401.
Kurt Hibbert, 12 N. Center, Rexburg, ID 83440.
Marilyn Rasmussen, 134 E. Main, Rexburg, Idaho 83440
Gaylen Jensen, 980 Westwood Dr., Rexburg, Idaho 83440

Article 5: The name(s) and address(es) of the incorporator(s):


Jeff Nebeker, 2235 E. 25th, Idaho Falls, ID 83404.
Nancy Peterson, 735 N. Robins Ave., Idaho Falls, ID 83401.
Kurt Hibbert, 12 N. Center, Rexburg, ID 83440.
Marilyn Rasmussen, 134 E. Main, Rexburg, Idaho 83440
Gaylen Jensen, 980 Westwood Dr., Rexburg, Idaho 83440

Article 6: The mailing address of the corporation shall be 735 N. Robins Ave., Idaho Falls, ID 83401.


Article 7: The corporation does not have voting members.

Article 8: Upon dissolution of the corporation, the board of directors shall, after paying and making provisions for the payment of all liabilities of the corporation, distribute all the assets of the corporation consistent with the purposes of the corporation to such organization or organizations as shall at that time qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time, in such manner as the board of directors shall determine.

Article 9: Provisions for the regulation of the internal affairs of the corporation shall be set forth in the bylaws.


Jeff Nebeker

Nancy Peterson


Kurt Hobbart

Marilyn Rasmussen

Gaylen Jensen

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) SS.

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On this 28 day of August, 2002, before me the undersigned, a Notary Public in and for said State, personally appeared Jeff Nebeker, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)

1. _____
Notary Public

Residing at:

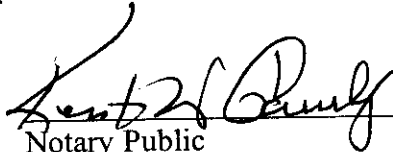
Commission Expires: 6/18/04

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 28 day of Aug, 2002, before me the undersigned, a Notary Public in and for said State, personally appeared Nancy Peterson, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)

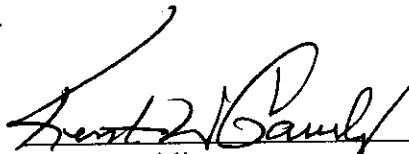

Notary Public
Residing at: Idaho Falls
Commission Expires: 6/18/04

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 29 day of Aug, 2002, before me the undersigned, a Notary Public in and for said State, personally appeared Kurt Hibbard, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)

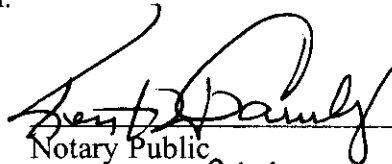

Notary Public
Residing at: Idaho Falls
Commission Expires: 6/18/04

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 3 day of Sept, 2002, before me the undersigned, a Notary Public in and for said State, personally appeared Marilyn Rasmussen, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)



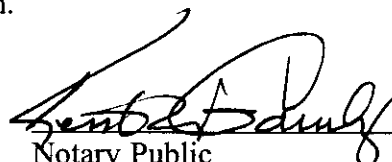
Notary Public
Residing at: Idaho Falls
Commission Expires: 6/18/04

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 29 day of Aug, 2002, before me the undersigned, a Notary Public in and for said State, personally appeared Gaylen Jensen, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)



Notary Public
Residing at: Idaho Falls
Commission Expires: 6/18/04