

44598

# Commonwealth of Kentucky

## Department of State



Office of **Secretary of State**

CHARLES K. O'CONNELL, SECRETARY

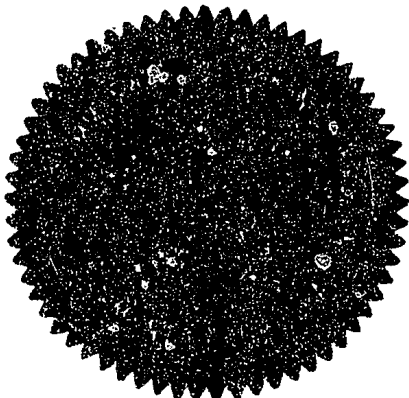
### CORPORATION DEPARTMENT

The Montgomery Coal Company Covington, Kentucky

a Corporation organized and existing under and by virtue of the laws of the Commonwealth of Kentucky; having this day filed in the office of the Secretary of State of the State of Kentucky, a certified copy of the amended Articles of Incorporation,

Article IV: Decreasing the authorized capital stock of the  
corporation from \$235,000.00 to \$1,000.00, divided into 100 shares of  
the par value of \$10.00 each.

this certificate is issued as evidence of the fact that the said corporation has amended its charter as above set out in the manner prescribed by law.



SECRETARY OF STATE

Witness my official signature, this 31<sup>st</sup> day

of May, 1945.

Charles K. O'Connell  
Secretary of State.

By H. J. Perdue  
Chief Clerk, Corporation Department.


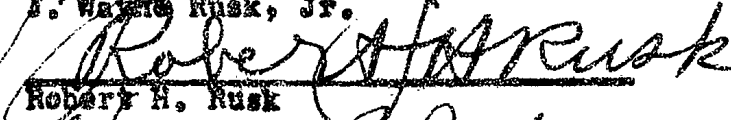


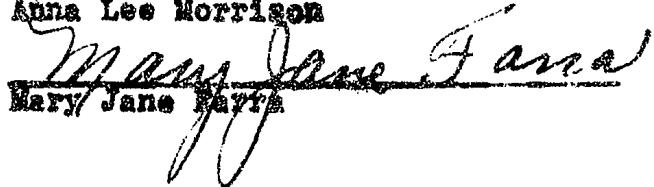
**AMENDED ARTICLES OF INCORPORATION  
OF  
MONTGOMERY COAL COMPANY**

KNOW ALL MEN BY THESE PRESENTS:

That J. Wayne Rusk, Jr., Robert H. Rusk, Thomas R. Rusk, Anna Lee Morrison and Mary Jane Farra, being all of the directors and all of the stockholders of the MONTGOMERY COAL COMPANY, a corporation created by and existing under the laws of the Commonwealth of Kentucky, by and with the consent in writing of all said stockholders, do hereby amend Article IV of the Articles of Incorporation by cancellation and withdrawal of all authority to issue preferred stock, in the sum of \$200,000.00, or in any sum, and cancel and withdraw any authority to issue any shares of preferred stock, and they do further amend said Articles of Incorporation by reducing the Common Stock from \$35,000.00 to \$1,000.00, so that Article IV of said Articles of Incorporation, as amended, shall read as follows:

"Article IV. The capital stock of this corporation shall be \$1,000 divided into 100 shares of the par value of \$10 each."

IN WITNESS WHEREOF we have hereunto set our hands this  
28th day of May, 1945.

  
\_\_\_\_\_  
J. Wayne Rusk, Jr.  
  
\_\_\_\_\_  
Robert H. Rusk  
  
\_\_\_\_\_  
Thomas R. Rusk  
  
\_\_\_\_\_  
Anna Lee Morrison  
  
\_\_\_\_\_  
Mary Jane Farra

STATE OF KENTUCKY:  
COUNTY OF KENTON: SCT.

I, Gladys M. Jameson, Notary Public in and for said County and State, do certify that the foregoing Amended Articles of Incorporation of the Montgomery Coal Company were presented to me in said County and State and acknowledged by J. Wayne Rusk, Jr., Robert H. Rusk, Thomas R. Rusk, Anna Lee Morrison and Mary Jane Farra to be their act and deed  
My commission expires: September 5th, 1945.  
Given under my hand and seal of office this 28th day of  
May, 1945.

(SEAL)

  
\_\_\_\_\_  
Notary Public, Kenton Co., Ky.

STATE OF KENTUCKY,  
KENTON COUNTY, SCT.

I, SAM FURSTE, Clerk of the County Court in and for the County aforesaid, do hereby certify that the foregoing Amended Articles of Incorporation of the MONTGOMERY COAL COMPANY was this day presented to me in my office, certified as above, and this day left for record at 2:26 o'clock P.M.

Whereupon the same, the foregoing certificate and this certificate are duly recorded in my office.

Given under my hand this 29th day of May, 1945.

SAM FURSTE, CLERK.

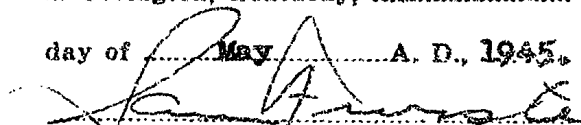
By: Josephine Hickey D.C.

State of Kentucky, }  
KENTON COUNTY } Sect.

I, SALL FURSTE, Clerk of the County Court within and for the County and State aforesaid, the same being a Court of Record, having a Seal and having Jurisdiction of the Probate of Wills and the appointment and qualifications of Executors, Administrators, Guardians and other Fiduciaries, do hereby certify that the foregoing and hereto attached writing contains a full and complete copy of the Amended Articles of Incorporation of the MONTGOMERY COAL COMPANY,

as fully as the same appears from the Records on file in my office.

In Testimony Whereof, I, have hereto subscribed my hand and affixed the seal of said Court at my office in Covington, Kentucky, this 29th day of May A. D., 1945.

  
Clerk.

