

N12000003396

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

PICK-UP

WAIT

MAIL

(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



600263735266

09/05/14--01011--013 **43.75

FILED
14 SEP -5 PM 4:16
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

CR1
9/11/14

JOHN L. AVERY, JR., CHARTERED
JAQUELINE DELGADO, Esq. ⁶
LISE L. HUDSON, PLLC. ⁴
JOSEPH C. KEMPE, Esq. ^{1,2,3}
MARNIE R. PONCY, Esq. ⁵
ASHLEY M. SUNDAR, P.A.
DAVID C. TASSELL, P.A.
CHARLES R. L. WHITE, CHARTERED⁴

¹LL.M. IN TAX LAW
²BOARD CERTIFIED IN TAX LAW
³BOARD CERTIFIED IN WILLS, TRUSTS AND ESTATES
⁴ALSO ADMITTED IN N.C. AND N.Y.
⁵REGISTERED NURSE
⁶OF COUNSEL

TAX AND FIDUCIARY ACCOUNTANTS
CHRIS BOURDIBAU CPA, SHAUNA DELL, CPA
BENJAMIN DEYLEN CPA, KYLE DONHAM, CPA
AARON M. FLOOD, MAURHEN LLOYD-RIGAUDIN
PATRICK E. MANGAN CPA, KRISTI RAMADANI

LEGAL ASSISTANTS
DONNA BAUMMIER, ANDREA L. BLAIR
DAWN CHADWICK, KATHERINE FISCHER
LOUISE M. FISHER, KRISTEN JANICKI
ALLISON JUDKINS, ALISON OVERTON
TERRI RODGERS, KIMBERLY V. TASSELL

JOSEPH C. KEMPE

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

MAIN OFFICE

941 NORTH HIGHWAY A1A
JUPITER, FLORIDA 33477

TELEPHONE (561) 747-7300
FAX (561) 747-7722

September 2, 2014

Please Respond to Jupiter Office

STUART OFFICES
1101 EAST OCEAN BOULEVARD
STUART, FLORIDA 34994
TELEPHONE (772) 223-0700
FAX (772) 223-0707

ADMINISTRATIVE BRANCH
SATURN STREET
JUPITER, FLORIDA 33477
FAX (561) 747-7722

VERO BEACH
772-562-4022

NATIONAL WATS LINE
1-800-747-3113

WEBSITE
WWW.JCKEMPE.COM

ADMINISTRATION
JANET CARR, ESTIER GARNER,
TAMI Q. KEMPE, GAY LATHIE

Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

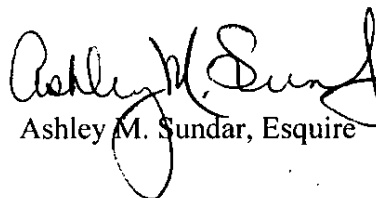
RE: Estate of David T. Jones
Your Letter Number: 112A00029129
Our File No.: 2467.600

Dear Sir or Madam:

Enclosed please find the Articles of Amendment to Articles of Incorporation regarding amending Article III, Purpose, of the Davy Jones Equine Memorial Foundation, Inc. A check in the amount of \$43.75 is also enclosed for the cost of the filing fee and a Certificate of Status along with a cover letter with our telephone number, return address and certification requirements.

If you have any questions, please contact us.

Very truly yours,


Ashley M. Sundar, Esquire

AMS/klj
Enclosures

cc: Ms. Talia Jones (w/o encl.)
Ms. Roberta Ann Boyce (w/o encl.)

FILED
14 SEP -5 PM 4:16
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: Davy Jones Equine Memorial Foundation, Inc.

DOCUMENT NUMBER: N12000003396

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Joseph C. Kempe, Esq.
(Name of Contact Person)

Joseph C. Kempe Professional Association
(Firm/ Company)

941 North Highway A1A
(Address)

Jupiter, FL 33477
(City/ State and Zip Code)

joekempe@jckempe.com
E-mail address (to be used for future annual report notification)

For further information concerning this matter, please call:

Joseph C. Kempe at (561) 747-7300
(Name of Contact Person) (Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount made payable to the Florida Department of State:

- \$35 Filing Fee
- \$43.75 Filing Fee & Certificate of Status
- \$43.75 Filing Fee & Certified Copy (Additional copy is enclosed)
- \$52.50 Filing Fee Certificate of Status Certified Copy (Additional Copy is Enclosed)

Mailing Address
Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address
Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

FILED
 14 SEP - 5 PM 4: 16
 SECRETARY OF STATE
 TALLAHASSEE, FLORIDA

Articles of Amendment
to
Articles of Incorporation
of

Davy Jones Equine Memorial Foundation, Inc.
(Name of Corporation as currently filed with the Florida Dept. of State)

NI2000003396

(Document Number of Corporation (if known))

FILED
14 SEP - 5 PM 4:16
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Pursuant to the provisions of section 617.1006, Florida Statutes, this *Florida Not For Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

A. If amending name, enter the new name of the corporation:

N/A

The new name must be distinguishable and contain the word "corporation" or "incorporated" or the abbreviation "Corp." or "Inc." "Company" or "Co." may not be used in the name.

B. Enter new principal office address, if applicable:

N/A

(Principal office address MUST BE A STREET ADDRESS)

C. Enter new mailing address, if applicable:

N/A

(Mailing address MAY BE A POST OFFICE BOX)

D. If amending the registered agent and/or registered office address in Florida, enter the name of the new registered agent and/or the new registered office address:

Name of New Registered Agent:

N/A

(Florida street address)

New Registered Office Address:

_____, Florida _____
(City)

(Zip Code)

New Registered Agent's Signature, if changing Registered Agent:

I hereby accept the appointment as registered agent. I am familiar with and accept the obligations of the position.

Signature of New Registered Agent, if changing

If amending the Officers and/or Directors, enter the title and name of each officer/director being removed and title, name, and address of each Officer and/or Director being added: **N/A**

(Attach additional sheets, if necessary)

Please note the officer/director title by the first letter of the office title:

P = President; V= Vice President; T= Treasurer; S= Secretary; D= Director; TR= Trustee; C = Chairman or Clerk; CEO = Chief Executive Officer; CFO = Chief Financial Officer. If an officer/director holds more than one title, list the first letter of each office held. President, Treasurer, Director would be PTD.

Changes should be noted in the following manner. Currently John Doe is listed as the PST and Mike Jones is listed as the V. There is a change, Mike Jones leaves the corporation, Sally Smith is named the V and S. These should be noted as John Doe, PT as a Change, Mike Jones, V as Remove, and Sally Smith, SV as an Add.

Example:

<input checked="" type="checkbox"/> Change	<u>PT</u>	<u>John Doe</u>
<input checked="" type="checkbox"/> Remove	<u>V</u>	<u>Mike Jones</u>
<input checked="" type="checkbox"/> Add	<u>SV</u>	<u>Sally Smith</u>

<u>Type of Action</u> (Check One)	<u>Title</u>	<u>Name</u>	<u>Address</u>
1) <input type="checkbox"/> Change	_____	_____	_____
<input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove	_____	_____	_____
2) <input type="checkbox"/> Change	_____	_____	_____
<input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove	_____	_____	_____
3) <input type="checkbox"/> Change	_____	_____	_____
<input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove	_____	_____	_____
4) <input type="checkbox"/> Change	_____	_____	_____
<input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove	_____	_____	_____
5) <input type="checkbox"/> Change	_____	_____	_____
<input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove	_____	_____	_____
6) <input type="checkbox"/> Change	_____	_____	_____
<input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove	_____	_____	_____

14 SEP -5 PM 4:17
 SECRETARY OF STATE
 TALLAHASSEE FLORIDA

FILED

E. If amending or adding additional Articles, enter change(s) here:
(attach additional sheets, if necessary). (Be specific)

Article III is deleted in its entirety and replaced with
the following language:

See attached

FILED
14 SEP -5 PM 4:17
STATE
TALLAHASSEE
FLORIDA

The date of each amendment(s) adoption: _____, if other than the date this document was signed.

Effective date if applicable: _____
(no more than 90 days after amendment file date)

Adoption of Amendment(s) (CHECK ONE)

- The amendment(s) was/were adopted by the members and the number of votes cast for the amendment(s) was/were sufficient for approval.
- There are no members or members entitled to vote on the amendment(s). The amendment(s) was/were adopted by the board of directors.

Dated 08.01.14
 Signature Talia Jones Roston
 (By the chairman or vice chairman of the board, president or other officer-if directors have not been selected, by an incorporator – if in the hands of a receiver, trustee, or other court appointed fiduciary by that fiduciary)

TALIA JONES ROSTON
 (Typed or printed name of person signing)
President and Director
 (Title of person signing)

FILED
 14 SEP -5 PM 14:17
 SECRETARY OF STATE
 TALLAHASSEE, FLORIDA

SECOND AMENDMENT TO ARTICLES OF INCORPORATION

OF

DAVY JONES EQUINE MEMORIAL FOUNDATION, INC

ARTICLE III
PURPOSE

FILED
14 SEP -5 PM 4:17
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The Corporation is organized exclusively for one or more of the following purposes: religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, as specified in Subsection 501(c)(3) of the Internal Revenue Code of 1986.

Further, although the Corporation was initially established in part to care for horses owned by the late David T. Jones (the "herd"), the Corporation has since broadened its mission and purpose to accept other abused, neglected, or otherwise abandoned horses into the herd, as contributions, revenues, or operating cash flows permit.

(a) No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, any member, trustee, director, or officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation), and no member, trustee, director, or officer of the Corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

(b) No substantial part of the activities of the Corporation shall be carrying on propaganda, or otherwise attempting to influence legislation except as otherwise provided by Internal Revenue Code Subsection 501(h), or participating in, or intervening in including the publication or distribution of statements, any political campaign on behalf of any candidate for public office.

(c) Notwithstanding any other provision of these articles, the Corporation shall not carry on any activities not permitted to be carried on (i) by a corporation exempt from Federal income tax under Subsection 501(c)(3) of the Internal Revenue Code of 1986 or (ii) by corporation contributions to which are deductible under Subsection 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

(d) In the event of the liquidation, dissolution, or winding up of the Corporation, whether voluntary or involuntary or by operation of law, all of the remaining assets and property of the Corporation shall, after necessary expenses thereof, be distributed to such organizations as shall qualify under Subsection 501(c)(3) of the Internal Revenue Code of 1986, as amended.

(e) Any other provisions herein notwithstanding, no member, trustee, director, officer, or private individual shall engage in any act of self-dealing as defined in Subsection 4941 of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax laws; nor fail to distribute an amount of income required to avoid incurring tax liability under Subsection 4942 of the Internal Revenue Code of 1986, or corresponding provisions of subsequent federal tax laws; nor retain any excess business holdings as defined in Subsection 4943 of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax laws; nor make any taxable expenditures as defined in Subsection 4945 of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax laws.

FILED
14 SEP -5 PM 4: 17
SECRETARY OF STATE
TALLAHASSEE, FLORIDA