

4-5





**DUNLAP & MORAN**  
ATTORNEYS AT LAW

December 19, 2024

11036-49  
Sent Via US Mail

Department of State  
Division of Corporations  
PO Box 6327  
Tallahassee, FL 32314

Re: **FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION,  
DECLARATION OF TRUST**

Dear Sir or Madam:

**Enclosed** herewith please find the **Certified True and Exact Copy of the Original** Declaration of Trust dated December 18, 2024, and the three hundred and fifty-eight and 75/100 dollar (\$358.75) filing fee and Certified Copy fee in regard to the above referenced entity.

**Enclosed** herewith an affidavit, signed by the Grantor, requesting approval for the use of the name the "FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION".

Please return all correspondence concerning this matter, to the following:

Dunlap & Moran, PA  
Attn: John A. Moran  
PO Box 3948  
Sarasota, FL 34230-3948

For any further information, please contact Meghan E. Griffin at 941-366-0115.

Thank you for your assistance in this matter.

Very truly yours,

**DUNLAP & MORAN, P.A.**

**Dictated but Not Read**

\_\_\_\_\_  
John A. Moran, Esq.

JAM:MEG/11036-49/Formation Docs/Letter to Div. of Corp. re Declaration of Trust  
**Enclosures**

02274811-1 / 11036-49 MGRIFIN:

Mailing Address All Locations  
Post Office Box 3948  
Sarasota, FL 34230-3948

Downtown Sarasota  
22 S. Links Ave., Suite 300  
Sarasota, FL 34236  
941.366.0115 • 941.365.4660

Lakewood Ranch  
6111 Exchange Way  
Lakewood Ranch, FL 34202  
941.907.9700 • 941.365.4660

# TRANSMITTAL LETTER

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

**SUBJECT:** FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION

Enclosed is an original and one (1) copy of the Declaration of Trust and a check for:

**FEEs:**

Declaration of Trust	\$350.00
----------------------	----------

**OPTIONAL:**

**Certified Copy**                      \$ 8.75

**FROM:** JOHN A. MORAN, ESQ.

**Name (Printed or typed)**

22 S. LINKS AVENUE, SUITE 300

### Address

SARASOTA, FL 34236

City, State &amp; Zip

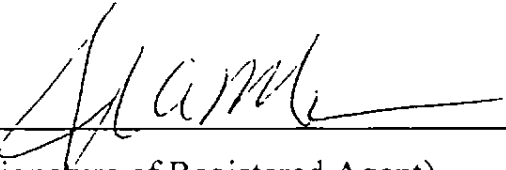
941-366-0115

Daytime Telephone number

**AFFIDAVIT TO THE FLORIDA SECRETARY OF STATE  
TO FILE OR QUALIFY  
FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION  
A FLORIDA TRUST**

In accordance with Section 609.02 of the Florida Statutes, pertaining to Common Law Declarations of Trust, the undersigned, the Chairman of the Board of Trustees of FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION, a FLORIDA Trust hereby affirms in order to file or qualify FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION in the State of Florida.

1. Two or more persons are named in the Trust.
2. The principal address is 433 YACHT HARBOR DR, OSPREY, FL 34229.
3. The registered agent and street address in the State of Florida is: JOHN A. MORAN, ESQ. at 22 S. LINKS AVE SUITE 300, SARASOTA, FL 34236.
4. Acceptance by the registered agent: Having been named as registered agent to accept service of process for the above named Declaration of Trust at the place designated in this affidavit, I hereby accept the appointment as registered agent and agree to act in this capacity.

  
\_\_\_\_\_  
(Signature of Registered Agent)

5. I certify that the attached is a true and correct copy of the Declaration of Trust under which the association proposes to conduct its business in Florida.

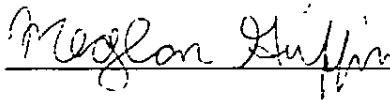
  
FRANK J. DUPUIS, Grantor, Trustee, & Chairman of the Board of Trustees

STATE OF FLORIDA

COUNTY OF Manatee

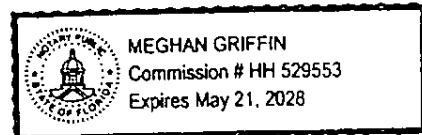
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18<sup>th</sup> day of December, 2024, by Frank J. Dupuis who ☒ is personally known to me, or ☐ has produced \_\_\_\_\_ as identification.

[SEAL]



Notary Public

Printed Name/My Commission Expires:



Filing Fee: \$350.00

Certified Copy: \$ 8.75 (optional)

**AFFIDAVIT TO THE FLORIDA SECRETARY OF STATE  
TO FILE OR QUALIFY**

FRANK J. & LENORA DUPUIS CHARITABLE

A FLORIDA TRUST

In accordance with Section 609.02 of the Florida Statutes, pertaining to  
Common Law Declarations of Trust, the undersigned, the Chairman of the  
Board of Trustees of FRANK J. & LENORA DUPUIS CHARITABLE FOI, a

(Name of Trust)

FLORIDA

Trust hereby affirms in order to file or qualify

(State)

FRANK J. & LENORA DUPUIS CHARITABLE FOUN, in the State of Florida.

(Name of Trust)

1. Two or more persons are named in the Trust.

2. The principal address is 433 YACHT HARBOR DR, OSPREY, FL 34229

3. The registered agent and street address in the State of Florida is:  
JOHN A. MORAN, ESQ.

22 S. LINKS AVE SUITE 300, SARASOTA, FL 34236

4. Acceptance by the registered agent: Having been named as registered  
agent to accept service of process for the above named Declaration of Trust  
at the place designated in this affidavit, I hereby accept the appointment as  
registered agent and agree to act in this capacity.

  
(Signature of Registered Agent) John A. Moran, Esq.

5. I certify that the attached is a true and correct copy of the Declaration of  
Trust under which the association proposes to conduct its business in  
Florida.

FRANK J. DUPUIS

Name:

Chairman of the Board of Trustees

NOTARY

Filing Fee: \$350.00

Certified Copy: \$ 8.75 (optional)



**B**

DUNLAP MORAN

**AFFIDAVIT**

**CONSENT AND REQUEST FOR NAME USE**

STATE OF FLORIDA

COUNTY OF MANATEE

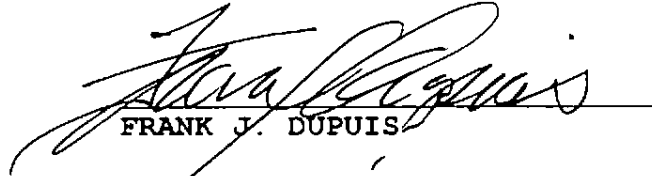
BEFORE ME, the undersigned Notary Public, personally appeared **FRANK J. DUPUIS**, who being first duly sworn, deposes and says:

1. On September 23<sup>rd</sup>, 2011, FRANK J. DUPUIS Incorporated THE FRANK J. AND LENORA DUPUIS FOUNDATION, INC., A Florida Not For Profit Corporation, ("FOUNDATION INC."); and
2. The Document Number for FOUNDATION, INC., is **N11000009056**; and
3. FOUNDATION, INC., is currently an active Florida Not For Profit Corporation and the undersigned is its President; and
4. On December 18, 2024, FRANK J. DUPUIS executed a DECLARATION OF TRUST in accordance with Section 609.02 of the Florida Statutes, pertaining to Common Law Declarations of Trust; and
5. Pursuant to the DECLARATION OF TRUST, said FRANK J. DUPUIS desires that the Trust shall be designated as the FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION; and
6. FRANK J. DUPUIS intends to dissolve FOUNDATION, INC., at a later date after the Assets of FOUNDATION, INC., have been distributed and the Corporations affairs have been completed; and
7. Therefore, FRANK J. DUPUIS Consents to the use of the name **FRANK J. & LENORA DUPUIS CHAIRTABLE FOUNDATION**, and Requests that the State of Florida permit the attached DECLARATION OF TRUST to be designated as the **FRANK J. & LENORA DUPUIS CHAIRTABLE FOUNDATION**.

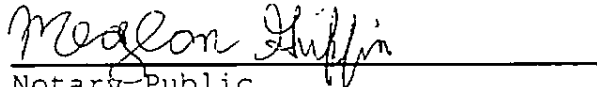
**B**

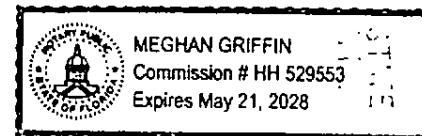
DUNLAP MORAN

**FURTHER AFFIANT SAYETH NAUGHT.**

  
FRANK J. DUPUIS

Sworn to and Subscribed before me by means of ☒ physical presence or ☐ online notarization, this 18<sup>th</sup> day of December, 2024, by **FRANK J. DUPUIS**, [X] who is personally known to me, or [ ] who has produced \_\_\_\_\_ as identification.

  
Notary Public  
My Commission Expires:





## DECLARATION OF TRUST

### ARTICLE I: NAME

The trust shall be designated as the "FRANK J. & LENORA DUPUIS CHARITABLE FOUNDATION" (hereinafter referred to as the "Foundation"). This Trust is made and entered into this 18<sup>th</sup> day of December, 2024, by and between FRANK J. DUPUIS (hereinafter referred to as "GRANTOR") and FRANK J. DUPUIS (hereinafter referred to as "TRUSTEE").

### ARTICLE II: CHARITABLE PURPOSE

A. It is intended that this Foundation, and any amendments or reformatations thereto, shall be construed and administered so as to qualify the Foundation as a charitable organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from income taxation under Section 501(a) of such Code. To that end, notwithstanding any other provision of this Declaration of Trust, the purpose of this Foundation is and shall always be "charitable" within the meaning of Section 501(c)(3) of the Internal Revenue Code. Nothing contained herein shall be construed as authorizing the Trustee to administer this Foundation or to engage in any activities which are not in furtherance of such charitable purposes.

B. It is intended that this Foundation shall be exempt from federal and state income taxation and that a contribution to the Foundation be deductible for federal and state income, estate, inheritance and gift tax purposes to the extent allowed by the Internal Revenue Code and other applicable legislation and regulations, and any provision of this instrument which is inconsistent with this intention shall not be in effect.

### ARTICLE III: CHARITABLE DISTRIBUTION

A. The principal and income of all property received and accepted by the Trustee to be administered under this Declaration of Trust shall be held, in trust, by the Trustee, and the Trustee may make payments or distributions from income or principal, or both, to or for the use of such charitable organizations, within the meaning of that term as defined in paragraph B of this Article III, based on the last dated list of Charitable Organizations as prepared and signed by the GRANTOR, FRANK J. DUPUIS, (hereinafter referred to as the **"Authorized Charitable Organization List"**).

B. In this Declaration of Trust and in any amendments to it, references to "charitable organizations" or "charitable organization" shall mean corporations, trusts, funds, foundations, or community chests created or organized in the United States or in any of its possessions, whether under the laws of the United States, any state or territory, the District of Columbia, or any possession of the United States, organized and operated exclusively for charitable purposes, no part of the net earnings of which inures or is payable to or for the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation, and which organization or organizations shall not participate in or intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office. It is intended and required that all organizations described in this paragraph shall be entitled to exemption from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

C. In this Declaration of Trust and in any amendment to it, the term "charitable purposes" shall be limited to and shall include only religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals, within the meaning of those terms as used in Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, but only such purposes as also constitute public charitable purposes under the law of trusts of the State of Florida.

D. Notwithstanding anything stated herein to the contrary:

1. FRANK J. DUPUIS shall determine and select the recipients of any annual distributions to be made by the Foundation, in his sole and absolute discretion.

2. In the event said FRANK J. DUPUIS, is unwilling or unable to serve due to incapacity or death, then the Distribution Review Committee, hereinafter named, shall make sure that all distributions are paid to the Charitable Organizations as provided in the last dated **Authorized Charitable Organization List** signed by FRANK J. DUPUIS, wherein he specifies the Charitable Organizations eligible for distribution, and the percentage to which each Charitable Organizations shall receive a distribution.

3. For clarification, all Distributions, shall be allocated to the Eligible Charitable Organizations according to the percentage amounts as provided in the last dated **Authorized Charitable Organization List** as signed by FRANK J. DUPUIS.

4. Once all of the Charitable Remainder Trusts created by FRANK J. DUPUIS have paid their funds to the Foundation (meaning there are no longer any active Charitable Remainder Trusts as they all have terminated and paid their funds to the Foundation), the

Foundation, through its tax preparer shall calculate the "Final Distribution Amount." Said Final Distribution Amount shall be allocated to the Charitable Organizations according to the percentage amounts as provided by the last dated **Authorized Charitable Organization List** as signed by FRANK J. DUPUIS.

E. In no event, however, shall distributions be made to an organization or for a purpose that does not constitute a "charitable organization" or a "charitable purpose" as defined in this Declaration of Trust. Additionally, in no event shall an organization or any person coming within a charitable class designated above be deemed to have any beneficial interest in this Foundation by reason of such designation and, instead, only entities or persons specifically named in **Authorized Charitable Organization List** shall be entitled to receive distributions hereunder.

#### ARTICLE IV: DISTRIBUTION REVIEW COMMITTEE

A. All distributions of income (and principal, if necessary) to charitable organizations and for charitable purposes hereunder shall be approved by FRANK J. DUPUIS during his lifetime. If FRANK J. DUPUIS should be unwilling or unable to act, then the Distribution Review Committee, which consists of the following members, shall approve all distributions to confirm that they are being made in accordance with the **Authorized Charitable Organization List**. The original members of such Distribution Review Committee shall be:

1. Theresa Jamison
2. Kathleen Bliss
3. Janice Price
4. Debra Dopke

2017 JUN 31 PM 5:05

7.0

5. Blake Nottke

B. All decisions of the Distribution Review Committee shall be by majority vote of the then serving members. In the event of a deadlock vote, the decision of the Chairman, (who initially shall be JANICE PRICE, and after JANICE PRICE shall be selected by a majority vote of the Distribution Review Committee), shall be controlling. A member may, by appropriate written instrument, delegate all or any part of his or her powers to another member for such periods and subject to such conditions as such delegating member may determine.

C. Whenever a member of the Distribution Review Committee is unable or unwilling to serve as a member of the Distribution Review Committee for any reason whatsoever, the remaining members of the Distribution Review Committee may appoint a successor. Any such successor shall become a member of the Distribution Review Committee upon signifying his or her willingness to serve in writing, delivered to the Trustee. The Distribution Review Committee shall at all times consist of not less than three (3) and not more than five (5) members.

D. The Distribution Review Committee shall meet at least annually, or more frequently as they shall determine.

Every meeting of the Distribution Review Committee shall be held at such place, at such time and on such day as is reasonably designed to permit all members to be able to attend the meeting. If **both** FRANK J. DUPUIS and JANICE PRICE shall be unwilling or unable to serve or continue to serve as Chairman, then the Distribution Review Committee shall annually select from among the then serving Distribution Review Committee Members one (1) person to serve as Chairperson for a term of one (1) year.

#### **ARTICLE V: PROHIBITED ACTIVITIES**

No part of the net earnings of this Foundation shall inure to or be payable to, or for the benefit of, any private shareholder or individual, and no substantial part of the activities of the Foundation shall be the carrying on of propaganda, or otherwise attempting to influence legislation. No part of the activities of the Foundation shall be the participation in, or intervention in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office.

#### **ARTICLE VI: STATUS AS A PRIVATE FOUNDATION**

Despite any other provision of this Declaration of Trust to the contrary and so long as the Foundation created hereunder is classified as a private foundation under the Internal Revenue Code, in the management, investment and distribution of the Foundation, the Trustee (and to the extent applicable, the Distribution Review Committee) shall not (i) engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code, (ii) retain any excess business holdings as defined in Section 4943(c) of such Code which would be subject to tax under such Section 4943, (iii) acquire or retain any investments which would subject the Foundation to tax under Section 4944 of the Internal Revenue Code, or (iv) make any taxable expenditures as defined in Section 4945(d) of such Code, and to the extent required, the Trustee and the Distribution Review Committee shall distribute the trust assets at such time or times and in such manner as not to subject the Foundation to tax under Section 4942 of such Code.

## ARTICLE VII: TRUSTEE POWERS

A. Subject to the provisions of Article VI, the Trustee shall have the following powers with respect to the Foundation established under this Declaration of Trust, exercisable in the discretion of the Trustee:

1. To invest and reinvest the principal and income of the Foundation in such property, real, personal, or mixed, and in such manner as the Trustee shall deem proper, and from time to time to change investments as the Trustee shall deem advisable; to invest in or retain any stocks, shares, bonds, notes, obligations, or personal or real property (including without limitation any interests in or obligations of any corporation, association, business trust, investment trust, common trust fund, or investment company) although some or all of the property so acquired or retained is of a kind or size which but for this express authority would not be considered proper. No principal or income, however, shall be loaned, directly or indirectly, to any Trustee, a member of the Distribution Review Committee, a disqualified person as defined in Section 4946 of the Internal Revenue Code or to anyone else, corporate or otherwise, who has at any time made a contribution to this Foundation. Furthermore, no such loan shall be made to any other person except on the basis of an adequate interest charge and with adequate security.

2. To sell, lease, or exchange any personal, mixed, or real property, at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertakings relating to the trust assets, as the

Trustee considers advisable, whether or not such leases or contracts may extend beyond the duration of the Foundation.

3. To borrow money for such periods, at such rates of interest, and upon such terms as the Trustee considers advisable, and as security for such loans to mortgage or pledge any real or personal property with or without power of sale; to acquire or hold any real or personal property, subject to any mortgage or pledge on or of property acquired or held by this Foundation.

4. To execute and deliver deeds assignments, transfers, mortgages, pledges, leases, covenants, contracts, promissory notes, releases, and other instruments, sealed or unsealed, incident to any transaction in which the Trustee may engage.

5. To vote, to give proxies, to participate in the reorganization, merger or consolidation of any concern, or in the sale, lease, disposition, or distribution of its assets; to join with other security holders in acting through a committee, depositary, voting trustees, or otherwise, and in this connection to delegate authority to such committee, depositary, or trustees and to deposit securities with them or transfer securities to them; to pay assessments levied on securities or to exercise subscription rights in respect of securities.

6. To transfer or record stock certificates or other securities in the name of the Trustee or the Trustee's nominee.

B. Subject to the provisions of Article VI, the Trustee shall have the following **Expanded Investments and Administration** powers with respect to the Foundation established under this Declaration of Trust, exercisable in the discretion of the Trustee



1. Investment Powers (including in Fiduciary's Proprietary and Affiliated Products). A fiduciary is authorized to invest in or retain any securities or other property, real or personal (within or without the United States), including by way of illustration, but not limitation: any security as defined by the Securities Act of 1933 or other applicable law, any contract of sale of a commodity for future delivery within the meaning of the Commodity Exchange Act, shares or interests in any private investment fund, private equity or venture capital fund, hedge fund, common trust fund, joint venture, general or limited partnership, limited liability company, statutory or common law business trust, statutory trust, real estate investment trust or an open-end (including any mutual fund) or closed-end management type investment company or unit investment trust, whether registered under the Investment Company Act of 1940 or unregistered, any money market instrument, bank deposit account (including but not limited to savings, time, certificate of deposit and transaction accounts), precious metal, foreign exchange, structured product, insurance contract, options, options on futures and variable forward contracts, swaps, caps, collars and other derivative instruments of a financial nature, notwithstanding the fact that the trustee, investment manager or custodian, its respective parent or any affiliate, is an issuer of such investment, serves as counterparty or provides services (whether as manager, underwriter, distributor, custodian, advisor, agent, lender, servicer, trustee or otherwise) with respect to any such investment and further notwithstanding that the trustee, investment manager, custodian or its respective parent or any affiliate may receive compensation with respect to any such investment (in addition to trustee's commissions), so long as the total compensation received is reasonable. To the extent permitted by applicable law, this provision overrides any contrary provision of law prohibiting such additional fees or otherwise

requiring either a reduction in trustee's commissions or an election between such additional fees and such commissions and overrides any specific or other statutory notice requirement regarding the trustee or its respective parent or any affiliate receiving compensation for providing services in a capacity other than as trustee with respect to such investment. Any diversification requirement that would otherwise apply, including one imposed by a prudent investor act or similar applicable law, is negated. This provision is intended to provide the fiduciary with broad and express authority to engage affiliates and to invest in affiliated investments and investment instruments without regard to any restrictions, limitations, notices, or approvals that may otherwise be imposed by applicable law.

2. Employment of Services, Including Broker-Dealer and Other Services of Affiliated Entities. A fiduciary is authorized to employ such agents, advisors, and other counsel, including but not limited to entities affiliated with any such fiduciary, as such fiduciary, in its sole discretion, shall determine and to pay out of income or principal, or both, the reasonable charges and fees of such agents, advisors and counsel as such fiduciary, in its sole discretion, shall determine. This authorization may include, but shall not be limited to, the power to select brokers and dealers affiliated with a fiduciary for the sale or purchase of any securities or other investment property, to employ an affiliated broker acting in a principal or agency capacity for equity and fixed income securities, to route orders for over-the-counter (OTC) stocks to a market maker affiliated with a fiduciary, to route listed stocks to specialists affiliated with a fiduciary, to route listed options through a proprietary trading operation affiliated with a fiduciary, or to route after-hours orders to a proprietary trading operation in which a fiduciary or an affiliate owns an equity interest. In such case the fiduciary or its affiliate may receive both monetary and non-

monetary "payment for order flow," including, without limitation, an inter-company transfer of funds in connection with orders routed to an affiliated market maker, monetary compensation (including fee sharing) from, and participation in the profits of, certain affiliated and independent exchange specialists who execute orders, other compensation as part of reciprocal order routing arrangements with various exchange specialists and dealer firms, and rebates and credits against fees paid by various exchanges to member firms. This provision is intended to provide the fiduciary with broad and express authority to engage affiliates and invest in affiliated investments and investment instruments without regard to any restrictions, limitations, notices or approvals that may otherwise be imposed by applicable law.

C. The powers granted in this Article shall be in addition to those granted by law and may be exercised even after termination of the Foundation hereunder until actual distribution of all trust principal; provided, however, the Trustee shall have no power inconsistent with the Foundation's status as an organization described in Section 501(c)(3) of the Internal Revenue Code, nor any power in violation of Article VI of this Declaration of Trust, if applicable.

D. The Trustee's powers hereunder are exercisable solely in the fiduciary capacity, consistent with and in furtherance of the charitable purposes of this Foundation and not otherwise.

E. No Trustee hereunder shall ever be required to give bond or security as Trustee.

F. This Declaration of Trust and all dispositions hereunder shall be governed by and interpreted in accordance with the internal laws of the State of Florida, and the Foundation created hereunder shall have its situs in such State.

## ARTICLE VIII: ORIGINAL AND SUCCESSOR TRUSTEES

A. The original Trustee of this Foundation shall be **FRANK J. DUPUIS**.

B. In the event that FRANK J. DUPUIS is unwilling or unable to serve as Trustee, then BANK OF AMERICA, N.A. and JOHN A. MORAN, ESQ., shall serve as Co-Trustees. In the event JOHN A. MORAN, ESQ., shall be unwilling or unable to serve or continue to serve as Trustee, then BANK OF AMERICA, N.A. shall serve alone.

During all times that BANK OF AMERICA, N.A. or its successor in interest, is serving as Trustee following the death of the Grantor, it shall be the sole Investment Trustee for purposes of management and administration of all investments of the Trust.

If BANK OF AMERICA, N.A. is not serving as Trustee, then SAN PASQUAL FIDUCIARY TRUST COMPANY shall serve as alternate Successor Trustee.

C. Any Trustee may resign at any time as Trustee of the Trust, without cause, upon delivery of written notice specifying the effective date of such resignation to **(1)** the Foundation, **(2)** any other Co-Trustee then serving, and **(3)** the Distribution Review Committee.

D. Any corporate Trustee designated to act hereunder shall include its successor or successors, whether through sale or transfer of its business or its trust department, by conversion, consolidation, merger or any other business reorganization.

E. The Distribution Review Committee shall have the power to remove any Trustee "For Cause" and to appoint a successor corporate Trustee. For this purpose, For Cause shall mean gross negligence, willful neglect, or a serious breach of trust by the Trustee to be removed. A

request for removal shall be provided to the Trustee to be removed, in writing, and shall provide the reasons therefor, and said Trustee shall then have thirty (30) days from its receipt of such written notice within which to respond.

F. Any successor Trustee shall have all of the title, powers and discretion granted to the original Trustee.

#### **ARTICLE IX: FIDUCIARY COMPENSATION**

A corporate fiduciary shall be entitled to charge and receive compensation for its services in accordance with its schedule of rates, published from time to time and in effect at the time the compensation is paid, including minimum fees, and additional compensation for special investments, closely held business interests and certain other services. Fiduciary compensation may be paid without prior court approval. This provision is intended to authorize specific rates or amounts of commissions within the meaning of any applicable state statute requiring such a provision. A corporate fiduciary's compensation may exceed the compensation for such services in effect from time to time under applicable law.

#### **ARTICLE X: TERMINATION**

The Foundation shall continue until all of its assets have been distributed. Notwithstanding, the Foundation shall continue until all Trusts created by FRANK J. DUPUIS, whether charitable or non-charitable, (including any resulting Trusts), which name the Foundation as a beneficiary have distributed all of their assets to the Foundation. In such case, the Foundation shall terminate no less than five (5) full years from such date.

## **ARTICLE XI - DISTRIBUTION OF ASSETS UPON TERMINATION**

The assets of the Foundation are dedicated to the exempt educational and charitable purposes within the meaning of IRC Section 501(c)(3) described in Article III above. Upon the dissolution or termination of the Foundation, all remaining assets shall be distributed as provided by the last dated and signed Authorized Charitable Organization List, as provided by FRANK J. DUPUIS.

## **ARTICLE XII: RECEIPT OF PROPERTY**

The Trustee may receive and accept property, real or personal, by way of gift, bequest or devise, from any person, firm, trust or corporation, to be held, administered, and disposed of in accordance with and pursuant to the provisions of this Declaration of Trust; provided, however, that no gift, bequest, or devise of any such property shall be received and accepted if it is conditioned or limited in such manner as to require the disposition of the income or its principal for other than the charitable purposes of this Foundation, or as shall in the opinion of the Trustee jeopardize the federal income tax exemption of the Foundation pursuant to Sections 501(c)(3) and 501(a) of the Internal Revenue Code.

## **ARTICLE XIII: MISCELLANEOUS PROVISIONS**

A. As used in this Declaration of Trust, the term "Internal Revenue Code" shall mean the Internal Revenue Code of 1986, as amended from time to time, or the corresponding provision of any future federal tax code or subsequent law.

B. Notwithstanding any other provision of this Declaration of Trust to the contrary, the Trustee shall not have and may not exercise any power given either expressly, by

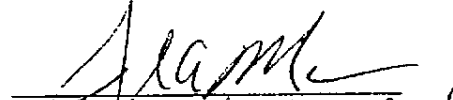
ESTATE  
JAN 17 2017 PM 5:06

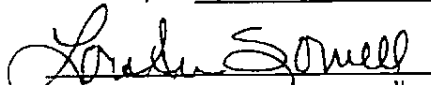
interpretation, or by operation of law, nor shall the Trustee engage, directly or indirectly, in any activity, that would prevent the Foundation from qualifying and continuing to qualify as an organization described in Section 501(c)(3) of the Internal Revenue Code, contributions to which are deductible for federal income, gift, and estate tax purposes under the United States internal revenue laws."

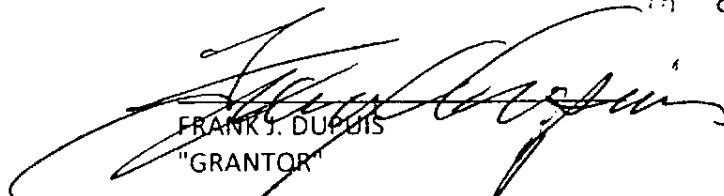
C. This Declaration of Trust may be amended at any time or times by (1) written instrument or instruments signed and sealed by the Grantor and the Trustee, or (2) by the Trustee; provided that such amendment by the Trustee does not increase the Trustee's amending power. In no event shall any amendment authorize the Trustee to conduct the affairs of this trust in any manner or for any purpose contrary to the provisions of Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. All instruments amending this Declaration of Trust shall be noted upon or kept attached to the executed original of this Declaration of Trust held by the Trustee.

IN WITNESS WHEREOF, this Declaration of Trust has been executed by the Grantor herein on this 18<sup>th</sup> day of December, 2024.

WITNESSES:

  
Print name: JOHN A. MORAN

  
Print name: LouAnn Sowell

  
FRANK J. DUPUIS  
"GRANTOR"

NOTARIAL  
STAMP  
FRI 5:06  
12/18/24

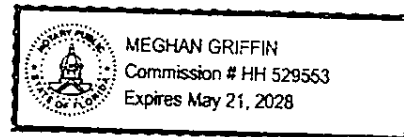
STATE OF Florida  
COUNTY OF Manatee

Acknowledged and subscribed before me by means of ☒ physical presence or ☐ online notarization, by the Grantor, FRANK J. DUPUIS, and ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification; and sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization by the witnesses, John A. Moran, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification; and LouAnn Sowell, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification; and subscribed by me in the presence of the Grantor and the subscribing witnesses, as indicated above, all on the 18<sup>th</sup> day of December, 2024.

Meghan Griffin

Notary Public

Printed Name/My Commission Expires:



[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

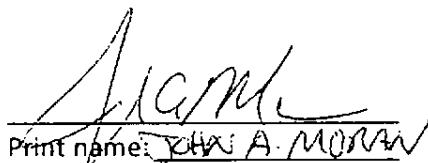
77  
JUN 21 PM 5:06  
STATE  
CLERK

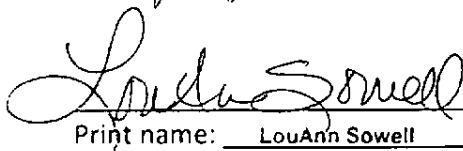


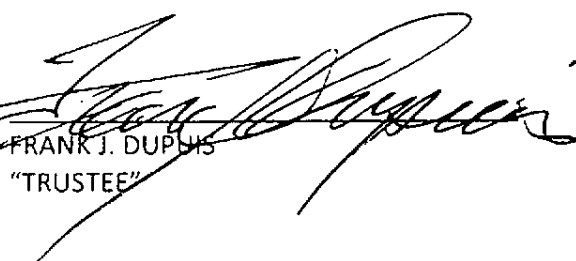
ACCEPTANCE BY TRUSTEE

The undersigned hereby accepts the trust imposed by the foregoing Declaration of Trust and agrees to serve as Trustee upon the terms and conditions therein set forth.

WITNESSES:

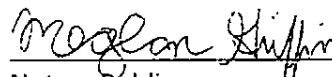
  
Print name: John A. Moran

  
Print name: LouAnn Sowell

  
FRANK J. DUPUIS  
"TRUSTEE"

STATE OF Florida  
COUNTY OF Manatee

Acknowledged and subscribed before me by means of ☒ physical presence or ☐ online notarization, by the Trustee, FRANK J. DUPUIS, and ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification; and sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization by the witnesses, John A. Moran, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification; and LouAnn Sowell, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification; and subscribed by me in the presence of the Trustee and the subscribing witnesses, as indicated above, all on the 18<sup>th</sup> day of December, 2024.



Notary Public

Printed Name/My Commission Expires:

