

9-21-2000 8:50AM

FROM WEAVER / MCCLENDON 8636781515

P. 1

Division of Corporations

Page 1 of 2

Florida Department of State  
Division of Corporations  
Public Access System  
Katherine Harris, Secretary of State

Electronic Filing Cover Sheet

**Note: Please print this page and use it as a cover sheet. Type the fax audit number (shown below) on the top and bottom of all pages of the document.**

(((H00000050033 0)))

**Note: DO NOT hit the REFRESH/RELOAD button on your browser from this page. Doing so will generate another cover sheet.**

To: Division of Corporations  
Fax Number : (850) 922-4001

From: Account Name : WEAVER & MCCLENDON, PA.  
Account Number : 073777002313  
Phone : (863) 676-6000  
Fax Number : (863) 678-1515

FILED  
00 SEP 21 AM 11:17  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

FLORIDA NON-PROFIT CORPORATION

Heartland Estate Planning Council, Inc.

Certificate of Status	0
Certified Copy	0
Page Count	06 05
Estimated Charge	\$70.00

FILED  
00 SEP 21 AM 11:17  
P. 2  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

(( (H00000050033 0) ))

**ARTICLES OF INCORPORATION  
OF  
HEARTLAND ESTATE PLANNING COUNCIL, INC.  
(A Nonprofit Corporation)**

The undersigned, acting as incorporator of a nonprofit corporation under FLA. STAT. CH. 617, does hereby adopt the following Articles of Incorporation for such corporation:

**I - NAME**

The name of the corporation (the "Council") is **HEARTLAND ESTATE PLANNING COUNCIL, INC.**

**II - ADDRESS**

The mailing address of the Council and its principal place of business is 230 East Tillman Avenue, Lake Wales, FL 33853.

**III - COMMENCEMENT OF EXISTENCE**

The existence of the Council will commence upon filing of these Articles of Incorporation.

**IV - TYPE OF CORPORATION**

The Council shall be a corporation not for profit and shall have neither capital stock nor stockholders.

**V - PURPOSE**

The purposes of the Council are:

- a. to educate members of the council and the general public on matters pertaining to estate planning and the need for qualified advice in law, accounting, insurance, and fiduciary services.
- b. to enhance rapport with real property salespersons, realtors, lenders, attorneys, accounting professionals, insurance agents, and fiduciary representatives.
- c. to enhance the visibility of and to promote the competence of estate planning professionals in Polk and Highlands Counties in the State of Florida.
- d. to engage in any activity or business permitted a not for profit corporation under the laws of the United States and Florida and, although it may have authority under such laws to do certain things, it shall not be authorized to do anything that it would not be permitted to do under Sec. 501(c)(3) of the Internal Revenue Code and still remain an exempt corporation to which gifts made by individuals are deductible by such donors.

(( (H00000050033 0) ))

(( (H00000050033 0) ))

e. to exercise all the corporate powers now or hereafter provided by the laws of the State of Florida applicable to corporations not for profit, and specifically including the powers specified in FLA. STAT. §617.021, and all amendments thereto, pertaining to corporations not for profit in the State of Florida, except where the same would cause the Council to violate any of the provisions contained in Article VI.

#### **VI – PROHIBITED ACTIVITIES**

Notwithstanding any other provisions of these Articles of Incorporation:

a. No substantial part of the activities of the Council shall ever be to carry on propaganda, or otherwise to attempt to influence legislation, and the Council shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office.

b. The Council shall not carry on any other activities not permitted to be carried on (i) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent federal tax laws (the "Code"), or (ii) by a corporation, contributions to which are deductible under Section 170(c)(1) or (2) of the Code.

c. This Corporation is a nonprofit corporation, and no part of the net earnings of the Corporation shall go to the benefit of, or be distributable to its members, trustees, officers or other private persons. However, the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. Notwithstanding any purposes set forth in Article V, and notwithstanding any other provisions of these Bylaws, the Corporation shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax under Section 501(C)(3) of the Internal Revenue Code of 1986, or a corresponding provision of any future United States Internal Revenue Law.

#### **VII – DURATION**

The period of duration of the Council shall be perpetual.

#### **VIII – BOARD OF DIRECTORS**

A board of directors shall manage the affairs of the Council. The Council shall have eight directors initially. The number of directors may be either increased or diminished from time to time, as provided in the bylaws, but shall never be less than three. The names and street addresses of the initial directors are as follows:

**Name:**

**Address:**

**PATRICIA BREWER**

**2324 Lake Easy Road  
Babson Park, FL 33827**

**MICHELLE G. HURST**

**335 North Scenic Highway  
Babson Park, FL 33827**

(( (H00000050033 0) ))

(( (H00000050033 0) ))

JAMES LIVINGSTON	445 South Commerce Street Sebring, FL 33870
PATRICIA PELLA	136 South Ridgewood Drive Sebring, FL 33870
BRUCE STRATTON	109 East Interlake Boulevard Lake Placid, FL 33852
PAMELA D. TAYLOR	227 North Ridgewood Drive Sebring, FL 33870
JAMES M. WEAVER	1990 North Scenic Highway Babson Park, FL 33827
MELISSA WEAVER	4091 Mahogany Run Winter Haven, FL 33884

#### IX - INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the Council is 230 East Tillman Avenue, Lake Wales, Florida, and the name of the initial registered agent of the Council at that address is MICHELLE G. HURST.

#### X - INCORPORATORS

The name and street address of the incorporators are:

Name:	Address:
JAMES M. WEAVER	1990 North Scenic Highway Babson Park, FL 33827
MICHELLE G. HURST	335 North Scenic Highway Babson Park, FL 33827

The incorporators of the corporation assign to the Council their rights under FLA. STAT. §617.013, to constitute a corporation. This assignment becomes effective on the date corporate existence begins.

#### XI - MEMBERS

The authorized number and qualifications of members of the Council, the different classes of membership, if any, the property, voting, and other rights and privileges of members, and their liability for dues or assessments and the method of collection thereof, shall be set forth in the Bylaws.

#### XII - BYLAWS

The power to adopt, alter, amend, or repeal bylaws shall be vested in the board of directors and the members, except that the board of directors may not amend or repeal any

(( (H00000050033 0) ))

(( (H00000050033 0) ))

bylaw adopted by the members if the members specifically provide that the bylaw is not subject to amendment or repeal by the directors.

The bylaws of the Council may be made, altered, or rescinded at any annual meeting of the Council, or at any special meeting duly called for such purpose, upon the affirmative vote of a majority of each class of members existing at the time of and present at such meeting except that the initial bylaws of the Council shall be made and adopted by the board of directors.


### XIII - AMENDMENTS


The Council reserves the right to amend, alter, change, or repeal any provision in these Articles of Incorporation in the manner prescribed by law, and all rights conferred on members are subject to this reservation.

### XIV - DISSOLUTION OF COUNCIL

On the dissolution or winding up of the Council, its assets remaining after payment of, or provision for, payment of all debts and liabilities of the Council, shall be distributed to such organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Code.

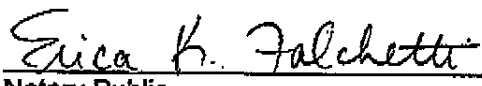
IN WITNESS WHEREOF, the undersigned incorporator has hereunto set his hand and seal on September 21, 2000, for the purpose of forming this corporation not for profit under the laws of the State of Florida.

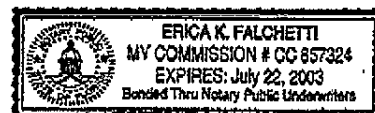
  
\_\_\_\_\_  
JAMES M. WEAVER

  
\_\_\_\_\_  
MICHELLE G. HURST

### ACKNOWLEDGMENT

This instrument was acknowledged under oath before me in Polk County, Florida, on September 21, 2000, by MICHELLE G. HURST and JAMES M. WEAVER, personally known to me.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:



(( (H00000050033 0) ))

(( (H00000050033 0) ))

**REGISTERED AGENT CERTIFICATE**

CERTIFICATE DESIGNATING PRINCIPAL PLACE OF BUSINESS OR  
DOMICILE FOR THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING  
AGENT UPON WHOM PROCESS MAY BE SERVED.

HEARTLAND ESTATE PLANNING COUNCIL, INC., desiring to organize and  
incorporate under Florida law with its principal office and its registered office as indicated in the  
Articles of Incorporation, has named MICHELLE G. HURST as its agent to accept service of  
process within this State in compliance with Fla. Stat. §48.091.

**ACKNOWLEDGMENT**

Having been named to accept service of process for the above Corporation at the place  
designated in this certificate, I hereby agree to act in this capacity and agree to keep the office  
open in compliance with Fla. Stat. §48.091.

Michelle G. Hurst  
MICHELLE G. HURST

FILED  
00 SEP 21 AM 11:17  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

(( (H00000050033 0) ))