

N00000007679

November 10, 2000

Florida Dept. of State  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32301

FILED  
00 NOV 16 AM 10:27  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Subj: Incorporation of BREVARD BOTANICAL GARDENS, INC.

Dear Sir,

Enclosed please find the following:

000003467430--9  
-11/16/00--01048--006  
\*\*\*\*\*78.75 \*\*\*\*\*78.75

1. The original and one copy of the Articles of Incorporation for the subject corporation. Please certify one copy and return it to the undersigned.
2. My check in the amount of \$78.75 to cover the filing fee.
3. Designation of Resident Agent.

EFFECTIVE DATE  
01-01-01

Kindly acknowledge filing of these Articles of Incorporation, in compliance with Florida law and return the certified copy of the Articles of the Incorporation to the undersigned at Express Legal Services, Inc., 129 W. Hibiscus Blvd., Melbourne, Fl 32901, telephone number (407) 729-6399.

Thank you for your assistance in this matter.

Sincerely,



Warren L. Nelson

11-16

ARTICLES OF INCORPORATION  
OF  
BREVARD BOTANICAL GARDENS, INC.

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TALLAHASSEE, FLORIDA

ARTICLE I. NAME

The name of this corporation is  
BREVARD BOTANICAL GARDENS, INC.

ARTICLE II. DURATION

This corporation shall commence January 1, 2001, and  
shall have perpetual existence.

EFFECTIVE DATE  
01-01-01

ARTICLE III. PURPOSE

This corporation is organized for the purpose of:

1. The Corporation is organized exclusively for  
charitable, religious, literacy, scientific and educator  
purposes, the making of distributions to organizations that  
qualify as exempt organizations under Section 501(c)(3) of  
such Code.

2. No part of the earnings of the Corporation shall  
inure to the benefit of, or be distributable to its  
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 in furtherance of the purposes set  
forth in these Articles of Incorporation.

3. No substantial part of the activities of the Corporation, shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing and distribution of statements) any political campaign on behalf of any candidate for public office.

4. Notwithstanding any other provision of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or (c) by a non-profit corporation organized under the laws of the State of Florida pursuant to the provisions of Chapter 617, Florida Statutes.

5. Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the

principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations as said Court shall determine, which are organized and operated exclusively for such purposes.

#### ARTICLE IV. MEMBERS AND DIRECTORS

The qualifications of members and directors and the manner of admission of members together with the manner of election or appointment of directors shall be regulated by the bylaws.

#### ARTICLE V. INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of this corporation is 3230 Leghorn Rd., Malabar, Florida 32950 and the name of the initial registered agent of this corporation at that address is WARREN L. NELSON.

#### ARTICLE VI. INITIAL BOARD OF DIRECTORS

This corporation shall have three directors initially. The number of directors may be either increased or diminished from time to time by the bylaws but shall never be less than three. The names and addresses of the initial directors of this corporation are:

WARREN L. NELSON  
3230 Leghorn Rd.  
Malabar FL 32950

KATHY S. NELSON  
3230 Leghorn Rd.  
Malabar FL 32950

JOHN ROGERS  
405 Grove Lane  
Melbourne, Fl 32901

ARTICLE VII. PRINCIPAL OFFICE AND MAILING ADDRESS

The principal office of the corporation is located at 3230 Leghorn Rd., Malabar, Florida 32950 and the mailing address of the corporation is PO Box 501186, Malabar FL 32950.

ARTICLE VIII. INCORPORATOR

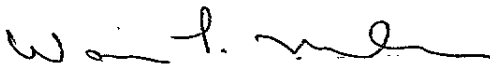
The name and address of the person signing these articles are:

WARREN L. NELSON  
3230 Leghorn Rd.  
Malabar FL 32950

ARTICLE IX. AMENDMENTS

This corporation reserves the right to amend or repeal any provision contained in these Articles of Incorporation, or any amendment hereto, by a majority vote of the Board of Directors, and any right conferred upon the members subject to this reservation.

IN WITNESS WHEREOF the undersigned subscriber has executed these articles of incorporation on this 10<sup>th</sup> day of November, 2000.



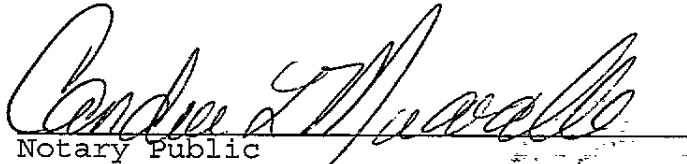
WARREN L. NELSON  
Subscriber

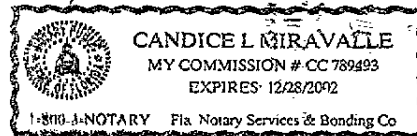
FLD/L

STATE OF FLORIDA  
COUNTY OF BREVARD

I HEREBY CERTIFY that on this day, before me, a  
Notary Public duly authorized in the State and County named  
above to take acknowledgments, personally appeared Warren L.  
Nelson, to me known to be the person described as subscriber  
in and who executed the foregoing Articles of Incorporation,  
and who acknowledged before me that he subscribed to those  
Articles of Incorporation.

WITNESS my hand and official seal in the County and  
State named above this 10<sup>th</sup> day of November, 2000.

  
Notary Public



FILED  
00 NOV 16 AM 10:27  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

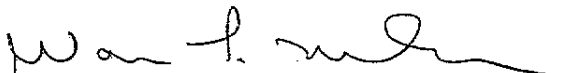
DESIGNATION  
AS  
REGISTERED AGENT-

In compliance with Section 48.091, and Section 607.034, Florida Statutes, the following is submitted:

That BREVARD BOTANICAL GARDENS, INC., desiring to organize under the laws of the State of Florida, with its principal office at 3230 Leghorn Rd., Malabar, Brevard County, Florida 32950, has named WARREN L. NELSON, located at 3230 Leghorn Rd., Malabar, Brevard County, Florida 32950, as its agent to accept service of process within this state.

ACKNOWLEDGMENT:

Having been named to accept service of process for the above named Corporation, at the place designated in this certificate, the undersigned agrees to act in this capacity, and agrees to comply with the provisions of Florida law relative to keeping the designated office open.

  
WARREN L. NELSON  
Registered Agent