

N1188002274

TRANSMITTAL LETTER

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

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-03/28/01--01055--009
*****78.75 *****78.75

SUBJECT: The Nesius Foundation, Inc.
(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)

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

☐ \$70.00
Filing Fee

☐ \$78.75
Filing Fee &
Certificate of
Status

☒ \$78.75
Filing Fee
& Certified Copy

☐ \$87.50
Filing Fee,
Certified Copy
& Certificate

ADDITIONAL COPY REQUIRED

FROM: Mr. Rick Nesius
Name (Printed or typed)
320 Sand Myrtle Trail
Address
Destin, FL 32541
City, State & Zip
654-8535
850-837-5657
Daytime Telephone number

FILED
01 MAR 28 AM 10:48
SECRETARY OF STATE
TALLAHASSEE, FL 32314

NOTE: Please provide the original and one copy of the articles.

4-2-01
WOC

ARTICLES OF INCORPORATION

In Compliance with Chapter 617, F.S., (Not for Profit)

ARTICLE I NAME

The name of the corporation shall be:

The Nesius Foundation, Inc.

ARTICLE II PRINCIPAL OFFICE

The principal place of business and mailing address of this corporation shall be:

320 Sand Myrtle Trail Destin, FL 32541

ARTICLE III PURPOSE

The purpose for which the corporation is organized is:

See Attached

ARTICLE IV MANNER OF ELECTION

The manner in which the directors are elected or appointed:

As stated in by-laws

ARTICLE V INITIAL DIRECTORS/OFFICERS

The name and addresses:

ARTICLE VI INITIAL REGISTERED AGENT AND STREET ADDRESS

The name and Florida street address of the registered agent is:

Rick Nesius
320 Sand Myrtle Trail
Destin, FL 32541

ARTICLE VII INCORPORATOR

The name and address of the Incorporator is:

Rick Nesius
320 Sand Myrtle Trail
Destin, FL 32541


Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.



Signature/Registered Agent

3-25-01

Date



Signature/Incorporator

3-25-01

Date

FILED
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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The Nesius Foundation, Inc.
Attachment to Articles of Incorporation
Article III-Purpose

3.1 The corporation is organized exclusively for charitable and educational purposes and not for profit including:

- To act and operate exclusively as a nonprofit corporation pursuant to the laws of the State of Florida.
- To engage in any and all activities and pursuits and to support or assist such other organizations, as may be reasonably related to the foregoing and following purposes.
- To engage in any and all other lawful purposes, activities and pursuits which are substantially similar to the foregoing and which are or may hereafter be authorized by Section 501(c)(3) of the Internal Revenue Code.
- To solicit and receive contributions, purchase, own and sell real and personal property, to make contracts, to invest corporate funds, to spend corporate funds for corporate purposes, and to engage in any activity in furtherance of, incidental to, or connected with any of the other purposes.

3.2 The Corporation shall have the power to conduct activities and engage in transactions incidental to the accomplishment of the above purposes, including the power to accept contributions, subject to the following limitations:

- No part of the net earnings of the corporation shall inure to the benefit of, or be distributed to its members, directors, officers or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to the corporation and to make payments and distributions in furtherance of the purposes set forth above;
- 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 or distribution of statements) any political campaign on behalf of any candidate for public office except as authorized under the most current Internal Revenue Code;

Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on (1) 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 provision of any future United States Internal Revenue Law); or (2) by a corporation, contributions to which are deductible under Section 170(c)(2) of said Internal Revenue Code.

3.3 If the corporation is ever classified by the Internal Revenue Service as a Private Foundation, the following provisions will prevail:

- The corporation shall distribute its income for each tax year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942.
- The corporation shall not engage in any act of self-dealing as defined in Section 4941(d).
- The corporation shall not retain any excess business holdings as defined in Section 4943(c).
- The corporation shall not make any investments in such manner as to subject it to tax under Section 4944.
- The corporation shall not make any taxable expenditures as defined in Section 4949(d).

3.4 Any reference herein to "Section" refers to a sections of the Internal Revenue Code of 1986, as amended, and to any corresponding subsequent federal tax laws.