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#### OFFICE OF

## TRINKLE, SWANSON, BYRD & COTON, P.A.

ATTORNÉYS AT LAW 121 NORTH COLLINS STREET P.O. BOX TT PLANT CITY, FLORIDA 33564-9040

JOHN R. TRINKLE (1901-1969)

TELEPHONE (813) 752-6133 TELECOPIER (813) 754-8957

JOHNNIE B. BYRD, JR. DANIEL M. COTON CONRAD SWANSON ROBERT S. TRINKLE

JAMES C. DAVIS, II ...

December 3, 2002

VIA FEDERAL EXPRESS

Ms. Bobbie Cox Department of State Division of Corporations 409 East Gaines Street Tallahassee, Florida 32399

Re: The First United Methodist Church of Plant City, Florida, Inc.

Dear Ms. Cox:

Enclosed herewith is the Application for Reinstatement and Reincorporation of Legislatively or Judicially Chartered Not for Profit Corporation together with attached Charter and Certificate of Reincorporation of the above referenced corporation which we ask that you please file and forward to us a certified copy of same.

Also enclosed herewith is my firm's check payable to your order in the amount of \$78.75 in payment of \$35.00 filing fee, \$35.00 for registered agent form, and \$8.75 for a certified copy.

If you have any questions, please do not hesitate to call me.

Thank you for your assistance in this matter.

Very truly yours,

Conrad Swanson

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Enclosures

## APPLICATION FOR REINSTATEMENT AND REINCORPORATION OF LEGISLATIVELY OR JUDICIALLY CHARTERED NOT FOR PROFIT CORPORATION

IN COMPLIANCE WITH s. 617.1623(1)(d), FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REINSTATE AND REINCORPORATE A NOT FOR PROFIT LEGISLATIVELY OR JUDICIALLY CHARTERED CORPORATION WHICH WAS DISSOLVED ON JULY 2, 1992, PURSUANT TO s. 617.1623(1)(c):

1. The First Methodist Church of Plant City, Florida  Name of corporation exactly as it appears in legislative or judic	ial charter.
2. 303 North Evers Street, Plant City, Florida 33563  Street address of the principal office of the corporation (This address will be used for the mailing of corporation annual	n. C DR TALL C D
3. June 12, 1956  Date of legislative or judicial incorporation	C-4 PM
4. FEI Number 5 9 - 0 7 2 5 5 4 1 FEI Number not requ	FLORII
5. Name, address and title of current officers and/or directors: (use additional page if necessary)	

Title	Name	Street Address	City/State/Zip
Director	William Musselwhite	1607 Woodside Drive, Plant	
Director	Charlotte Walden	1104 North Palm Drive, Plan	
Director	William Wicker	3205 Hawthorne Court, Plan	t City, FL 33566
Director	David Butcher	808 Sylvan Drive, Plant Ci	
Director	Kevin Kirkwood	1001 North Roux Street, Pl	ant City, FL 33563
Director	David Clutter	201 Johnson Loop, Plant Ci	
Director	Laura Simmons	2614 Sprucewood Lane, Plan	t City, FL 33563
Director	Bonnie Bullard	5007 Booth Road, Plant Cit	
Director	Joe Bodenmiller	P. O. Box 1285, Plant City	

6. Attached is a copy of the judicial charter and all amendments thereto certified by the Circuit Court of the county wherein recorded or a copy of the chartering law certified by the Department of State, Division of Elections as to legislative charters and completed Certificate of Reincorporation.

Authorized Mgnature

Kevin Kirkwood, President Board of Trustees

Name and capacity of person signing application (see S, 617.10201(6))

#### PROPOSED CHARTER OF THE FIRST METHODIST CHURCH OF PLANT CITY, FLORIDA

The undersigned respectfully present as the proposed Charter of The First Methodist Church of Plant City, Florida, a religious and charitable association and scientific institute of learning, the following:

I.

The name of this corporation shall be The First Methodist Church of Plant City, Florida, and it shall be located in the City of Plant City, Hillsborough County, Florida.

II.

Subject to the provisions of the Discipline, this corporation shall have the power to erect and maintain buildings for the worship of God, for training in Christian faith and conduct, and for Christian social intercourse, and to acquire or build and maintain residences for the use and occupancy of its ministers.

III.

The members of the corporation shall be members of the Quarterly Conference. Of the present members of the corporation, the following shall be members for a term of three (3) years:

- A. R. Boring J. M. Dampier
- Fred W. Nulter

The following shall be members for the term of two (2) years:

- J. A. Pearce M. E. Hull J. O. Gresham

The following shall be members for the term of one (1) year:

- W. Reece Smith
- H. S. Moody
- S. Mac C. Martin

The successors of all of the above members shall be elected for terms of three (3) years each. Any vacancy in the Board of Directors shall be filled by the Quarterly Conference in any regular or special session upon nomination by the committee

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on nominations, or by the pastor; provided that the privileges of making nominations from the floor shall not be denied.

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This corporation shall have perpetual existence.

VI.

The names and places of residence of the subscribers to this proposed charter are as follows:

- A. R. Boring	Plant City	Florida
W. Reece Smith	Plant City	Florida
J. O. Gresham	Plant City	Florida
H. S. Moody	Plant City	Florida
- S. Mac C. Martin	Plant City	Plorida
- J. M. Dampier	Plant City	Florida
Fred Nulter	Plant City	Florida
- J. A. Pearce	Plant City	Florida
M. E. Hull	Plant City	

#### VII.

The affairs of this corporation shall be managed by the following officers: The President, the Vice-President, the Secretary, the Treasurer and a Board of Directors not fewer than three (3) nor more than nine (9). Members of the Board of Directors shall be eligible to hold any of the other offices of this corporation. However, the President and Vice-President shall not be members of the same class; and provided, further, that the offices of Secretary and Treasurer may be held by the same person. The duties of each officer shall be the same as generally connected with the office held and which are usually and commonly discharged by the holder thereof.

#### VIII.

The names of the officers who are to manage the affairs of the corporation until the first annual election under this Charter are as follows:

A. R. Boring President
M. E. Hull Vice-President
W. Reece Smith Secretary-Treasurer

## Board of Directors:

A. R. Boring
W. Reece Smith
J. O. Gresham
H. S. Moody
S. Mac C. Martin
J. M. Dampier
Fred Nulter

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The highest amount of indebtedness or liability to which the corporation may at any time subject itself is Five Hundred.

Thousand Dollars (\$500,000).

X.

The amount of value of real estate which the corporation may hold, subject always to the approval of the Judges of the Circuit Court of Hillsborough County, Florida, is One Million Dollars (\$1,000,000).

XI.

The corporation shall support the doctrine, and it, and all its property, both real and personal, shall be subject to the laws, usages, and ministerial appointments of the Methodist Church as are now or shall be from time to time established, made and declared by the lawful authority of said church.

XII.

The Board of Directors of the corporation shall be the Board of Trustees of the local church elected and organized as prescribed in the Discipline of the Methodist Church.

XIII.

The corporation shall have the power to acquire and hold title in fee simple, in trust, or otherwise, to both real and personal property, and to improve, encumber, sell, convey, and dispose of all such property in conformity with the Discipline of the Methodist Church.

XIV.

The by-laws of the corporation shall include the Discipline of the Methodist Church as from time to time amended, authorized, and declared by its General Conference; and no other by-laws shall be adopted inconsistent with the provisions of the Discipline.

XV.

If for any reason the corporation shall cease to exist as a legal entity and its charter shall expire or be terminated, then title to all its property, both real and personal, shall be

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vested in the Trustees of the Annual Conference if the Annual Conference itself is unincorporated in the same manner as it holds title to any other real estate, or in the Annual Conference in its corporate name if it be incorporated; and all such property shall be held in trust for the benefit of the local church.

WHEREFORE, the undersigned pray that an order may be entered approving the foregoing proposed charter and constituting the undersigned and their successors a body corporate under said charter.

Dated this 1 2 th day of June, A. D. 1956.

Janusin Janusin Janus Janus

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared A. R. BORING, one of the subscribers to the foregoing proposed charter of The First Methodist Church of Plant City, Florida, to me well known and known to me to be the individual described by said name in and who executed the foregoing document, and who acknowledged before me that he executed the same freely and voluntarily for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this () of day of June, A. D. 1956.

Notary Public | My Commission Expires: 11-24-57

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STATE OF FLORIDA COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared A. R. BORING, who being by me first duly sworn on oath, deposes and states that he is one of the subscribers to the above and foregoing document; that he has read the same and knows the contents thereof; and that it is intended by the founders of said corporation in good faith to carry out the purposes and objects of said corporation as set out in said proposed charter.

Sworm to and subscribed before me this 12 of day of June, A. B.

1956.

Notary Public

My Commission Expires: 11-14-54

#### ORDER

The foregoing proposed charter appearing to be in proper form and having an object authorized by Section 6495 of the compiled General Laws of Florida, the same is hereby approved by me as the charter of The First Methodist Church of Plant City, Florida, this \_\_\_\_\_\_/5 \_A\_ day of June, A. D. 1956.

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B. W. T. Car

## CERTIFICATE OF REINCORPORATION OF

THE FIRST UNITED METHODIST CHURCH OF PLANT CITY, FLORIDA, I

A Not-For Profit Corporation

The undersigned hereby executes and acknowledges this Certificate of Reincorporation for the purpose of reincorporating under Sections 617.0901 F.S. and 617.01201 F.S., with the stock issued or to be issued, in accordance with the laws of the State of Florida. This reincorporation has been duly accepted and approved by the members.

## ARTICLE I. NAME

The name of the corporation shall be THE FIRST UNITED METHODIST CHURCH OF PLANT CITY, INC., a not-for-profit corporation, with its principal place of business located at 303 North Evers Street, Plant City, Florida 33563.

## ARTICLE II. PURPOSE

The corporation (hereinafter sometimes referred to as "The Church") is to serve as a local congregation of the United Methodist Church. Generally stated, the purpose of The Church shall be to promote the Christian faith, to educate people locally and globally in the Christian faith, to conduct Christian worship, to care for and meet the needs of people within and outside the congregation, and to extend the message and mission of the church across the world. As a part of the connectional body of United Methodists, The Church shall support the doctrine of the United Methodist Church as set forth in *The Book of Discipline of the United Methodist Church*, as amended and updated, and the corporation, and all its property, both real and personal, shall be subject to the laws, usages, and ministerial appointments of The United Methodist Church in a manner consistent with *The Book of Discipline of the United Methodist Church*.

## ARTICLE III. POWERS

Unless restricted or otherwise directed by *The Book of Discipline of the United Methodist*Church, this corporation shall have all powers conferred by the laws of the State of Florida upon corporations, including, but not limited to, the power:

- (a) To have perpetual succession by its corporate name;
- (b) To sue and be sued, complain, and defend in its corporate name in all actions or proceedings;
- (c) To have a corporate seal, which may be altered at pleasure, and to use the same by causing it, or a facsimile thereof, to be impressed, affixed, or in any other manner reproduced;
- (d) To purchase, take, receive, lease, or otherwise acquire, own, hold, improve, use, and otherwise deal in and with real and personal property or any interest therein, wherever situated, provided however, all real property shall be acquired and held subject to the applicable trust clauses and other provisions and requirements as contained in *The Book of Discipline of the United Methodist Church*;
- (e) To make contracts and guarantees and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises, and income, provided, however, no action shall be taken which shall threaten the charitable tax status of The Church;
- (f) To invest and reinvest its funds in a manner which advances the purposes of The Church, and take and hold real and personal property as security for the payment of funds so loaned or invested, provided, however, no action shall be taken which shall threaten the charitable tax status of The Church;

- (g) To establish foundations and trusts for the benefit of advancing the interests and purposes of The Church, provided, however, no action shall be taken which shall threaten the charitable tax status of The Church;
- (h) To conduct its business, carry on its operations, and have offices and exercise the powers granted by the laws of the State of Florida within or without this State;
- (i) To organize and to elect persons to assume and discharge the responsibilities and to conduct the affairs of the corporation, all in a manner not inconsistent with *The Book of Discipline* of the United Methodist Church.
- (j) To make donations for the public welfare or for charitable, scientific, or educational purposes;
- (k) To hire, to pay salaries and establish benefit plans for employees; provided, however, the corporation shall have the power to condition initial and continued employment on a requirement that employees profess and advance the cause of the Christian faith
  - (l) To accept gifts and benevolences and to otherwise raise funds;
- (m) To provide training in the Christian faith, including but not limited to the operation of preschools, kindergartens, schools, and centers for child care;
  - (n) To sponsor and operate programs which provide social services to the community;
- (o) To take such action as may be necessary to secure from the Internal Revenue Service of the United States, and from any other governmental authority, and to maintain its status as a qualified charitable tax exempt organization
- (p) To make and alter bylaws, not inconsistent with these Articles of Incorporation and the laws of the State of Florida, and not inconsistent with *The Book of Discipline of the United Methodist Church* for the administration and regulation of the affairs of the corporation;

(q) To have and exercise all other powers necessary or convenient to effect its purposes.

## ARTICLE IV. MEMBERSHIP

The members of the corporation shall consist of those persons holding membership in The First United Methodist Church of Plant City, Inc. as reflected on its official records.

## ARTICLE V. TERM OF EXISTENCE

This corporation shall have perpetual existence unless it shall be dissolved according to the laws of the State of Florida. Because the corporation is subject to the laws, usages, and ministerial appointments of The United Methodist Church in a manner consistent with *The Book of Discipline* of the United Methodist Church, dissolution may be initiated by the official action of the Florida Annual Conference of the United Methodist Church.

## ARTICLE VI. INCORPORATOR

The name and street address of the incorporator of this corporation is Kevin Kirkwood, 1001

North Roux Street, Plant City, Florida 33563.

#### ARTICLE VII. INITIAL DIRECTORS

The names and street addresses of the initial directors of this corporation, who shall serve until their successors are duly elected and qualified, as stated in the By-Laws of the corporation, shall be the following who serve as Trustees of the corporation:

Bill Musselwhite 1607 Woodside Drive

Plant City, FL 33563

Dave Butcher 808 Sylvan Drive

Plant City, FL 33563

David Clutter 901 Johnson Loop

Plant City, FL 33563

Laura Simmons 2614 Sprucewood Lane

Plant City, FL 33563

Bonnie Bullard	5007 Booth Road Plant City, FL 33565
Joe Bodenmiller	P. O. Box 1285 Plant City, FL 33564
Dr. William Wicker	3205 Hawthorne Court Plant City, FL 33566
Kevin Kirkwood	1001 North Roux Street Plant City, FL 33563
Charlotte Walden	1104 North Palm Drive Plant City, FL 33563

## ARTICLE VIII. OFFICERS

- 1. The officers of the corporation shall be the President, Vice President, Secretary and Treasurer, of the Board Of Trustees.
- 2. The names and addresses of the initial officers of the organization, who shall serve until their successors in office are duly elected and qualified, are:

	Name	Address
President	Kevin Kirkwood	1001 North Roux Street Plant City, FL 33563
Secretary	Charlotte Walden	1104 North Palm Drive Plant City, FL 33563

3. Following the incorporation, successors to The Board of Trustees and its officers shall be elected in accordance with *The Book of Discipline of the United Methodist Church*.

## ARTICLE IX. BY-LAWS

The By-Laws of the corporation shall be adopted by the Charge Conference of The First United Methodist Church of Plant City, Inc., and may be amended and changed from time to time by the Charge Conference.

The By-Laws of the corporation shall incorporate the Book of Discipline of The United Methodist Church as from time to time enacted, adopted, amended, authorized and declared by the General Conference of the United Methodist Church and no By-Laws shall be adopted inconsistent with the provisions of The Book of Discipline.

## ARTICLE X. REGISTERED AGENT

The initial registered agent for the corporation is Robert S. Trinkle, 121 North Collins Street, Plant City, Florida 33563. As witnessed by the signature below, the initial registered agent acknowledges his position and has agreed to serve until such time as written notice is given of his resignation at which time the corporation shall designate a new registered agent.

## ARTICLE XI. AMENDMENT

These Articles of Incorporation may be amended by action of the duly elected Charge Conference of The First United Methodist Church of Plant City, Inc., and in accordance with Florida law.

## ARTICLE XII. DISTRIBUTION OF ASSETS UPON DISSOLUTION

No person, firm or corporation shall ever receive any dividend or share in the income from the undertaking of this not-for-profit corporation and upon dissolution of this corporation all assets remaining after payment of the costs and expenses of such dissolution shall be distributed in a manner not inconsistent with the *Book of Discipline of The United Methodist Church*, such that the distribution shall be in a manner which qualifies for exemption under Section 501(c)(3) and 170(c) of the Internal Revenue Code of the United States of America, for a public purpose, and none of the assets shall be distributed to any member, officer or director of this corporation.

IN WITNESS WHEREOF, the Incorporator by his signatures below, does hereby adopt and authorize the filing of this Certificate Of Incorporation, this <u>J5</u> day of <u>Movember</u>,

2002, for the purpose of establishing this not-for-profit corporation, under the laws of the State of Florida. STATE OF FLORIDA COUNTY OF HILLSBOROUGH Kevin Kirkwood, the President, who acknowledged before me that he executed and subscribed this Certificate of Incorporation. May 12, 2004 Print, Type or Stamp Commissioned Name of Notary **Public** My Commission Expires: Personally Known OR Produced Identification

Type of Identification Produced:

## ACKNOWLEDGMENT OF REGISTERED AGENT

STATE OF FLORIDA

#### COUNTY OF HILLSBOROUGH

I, Robert S. Trinkle, have agreed to act as Registered Agent for The First United Methodist Church of Plant City, Inc., and realize that I am being designated as such in the records of the said corporation as well as with the Office of the Florida Department of State. The registered office for myself as Registered Agent shall be as follows:

121 North Collins Street Plant City, FL 33563

I am familiar with and accept the duties and responsibilities as Registered Agent The First United Methodist Church of Plant City, Inc. until such time as a new Registered Agent may be designated as provided by Florida law.

Dated this 3rd day of Docember, 2002.

Robert S. Trinkle Registered Agent

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

BEFORE ME, a notary public authorized to take acknowledgments in the State and County set forth above, personally appeared, Robert S. Trinkle, personally known to me for who has produced \_\_\_\_\_\_ as identification] to be the person who is nominated to act as the Resident Agent and who acknowledged before me that he agreed to undertake said duty.

City, Hillsborough County, State of Florida, this 3dd day of December, 2002.

Rotary Public, State of Florida

Notary Public, State of Florida

Printed Name of Notary

My Commission Expires: 3-17-05