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(City/State/Zip/Phone #)

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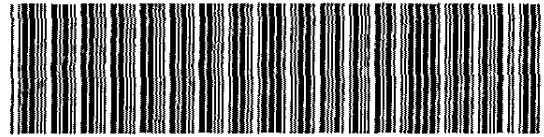
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TALLAHASSEE FLORIDA

9/17/04

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September 13, 2004

Florida Secretary of State  
Division of Corporations  
409 E. Gaines Street  
The Capitol  
Tallahassee, Florida 32399

FILED  
2004 SEP 15 PM 2:35  
DIVISION OF STATE  
TALLAHASSEE FLORIDA

Re: Day Volunteer Fire Department, Inc.  
A Florida nonprofit corporation

Dear Sir or Madam:

Please find enclosed the Articles of Incorporation of the above nonprofit corporation for filing. Also enclosed is my trust account check (#13439) in the amount of \$122.50 for filing fees. Please return the Articles to me at Post Office Box 167, Perry, Florida 32348-0167 after filing.

If you need any further information, please do not hesitate to contact me. Thank you very much for your consideration in this matter.

Respectfully,



Kathleen McCarthy Bishop, Esq.

Enclosures

cc: Marvin Buchanan

**ARTICLES OF INCORPORATION**  
**OF**

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TALLAHASSEE FLORIDA

**DAY VOLUNTEER FIRE DEPARTMENT, INC.**

The undersigned, for the purpose of forming a nonprofit corporation under Florida Statutes Chapter 617, do hereby make and adopt the following Articles of Incorporation:

**ARTICLE I**  
**NAME & LOCATION**

The name of the Corporation is Day Volunteer Fire Department, Inc.

The location of the Corporation is 4645 N. CR. 53, Mayo, Florida 32066.

**ARTICLE II**  
**NOT FOR PROFIT**

The Corporation is a nonprofit corporation under the laws of the State of Florida. The Corporation is not formed for pecuniary profit. No part of the income or assets of the Corporation is distributable to or for the benefit of its Members, Directors or Officers, except to the extent permissible under law.

**ARTICLE III**  
**DURATION**

The duration of the Corporation is perpetual. In accordance with the laws of the State of Florida, the date when corporate existence shall commence

## **ARTICLE IV**

### **PURPOSES**

The Corporation is organized and shall be operated exclusively for the following purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code:

1. To establish a volunteer fire department for the Town of Day, Florida.
2. To exercise all rights and powers conferred by the laws of the State of Florida upon nonprofit corporations, including without limiting the generality of the foregoing, to acquire by bequest, devise, gift, purchase, lease or otherwise any property of any sort or nature without limitation as to its amount or value, and to hold, invest, reinvest, manage, use, apply, employ, sell, expend, disburse, lease, mortgage, convey, option, donate or otherwise dispose of such property and the income, principal and proceeds of such property, for any of the purposes set forth herein.
3. To do such other things as are incidental to the purposes of the Corporation or necessary or desirable in order to accomplish them.
4. This Corporation is not organized for any purpose contrary to Section 501(c)(3), Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law.

## **ARTICLE V**

### **LIMITATION**

No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its Members, Directors or Officers, but 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 Article 4 (Purposes) hereof. 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 or in opposition to any candidate for public office. 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, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

## **ARTICLE VI**

### **MEMBERS**

The Corporation shall have Voting Members who shall be elected (and may be removed) by the Board of Directors and shall have the rights and privileges of members of the Corporation. The Bylaws may provide for Nonvoting Members of one or more classes, who shall be admitted in such manner and who shall have such rights and privileges as are set forth in the Bylaws, but who shall not have the right to vote. The name and address of each initial Voting Member is as follows:

1. Marvin E. Buchanan, 3087 N. County Road 53, Mayo, Florida 32066
2. Matthew E. Buchanan, 727 N.W. Banta Acres Road, Mayo, Florida 32066
3. Richard W. Mortlock, 385 N.W. Dees Road, Mayo, Florida 32066

## **ARTICLE VII**

### **INITIAL REGISTERED OFFICE AND AGENT**

The street address of the initial Registered Office of the Corporation is 3087 N. County Road 53, Mayo, Florida 32066 and the name of its initial Registered Agent at that address is RICHARD W. MORTLOCK. The mailing address of the Corporation is 3087 N. County Road 53, Mayo, Florida 32066.

## **ARTICLE VIII**

### **INITIAL BOARD OF DIRECTORS**

The management of the Corporation shall be vested in a Board of Directors. The number of Directors constituting the initial Board of Directors is three (3). The number of Directors may be increased or decreased from time to time in accordance with the Bylaws, but shall never be less than three (3). The manner in which the directors are to be elected or appointed shall be specified in the bylaws.

The Voting Members shall elect the Directors annually. The Bylaws may provide for ex officio and honorary Directors, and their rights and privileges. The name and address of each initial Director of the Corporation is as follows:

1. John T. Bell, 1068 NW CR 260, Mayo, Florida 32066
2. Richard W. Mortlock, 385 N.W. Dees Road, Mayo, Florida 32066
3. Marvin E. Buchanan, 3665 N.W. CR 348, Mayo, Florida 32066

## **ARTICLE IX**

### **OFFICERS**

The Officers of the Corporation shall consist of a President, Vice-President, Secretary/Treasurer and such other Officers and Assistant Officers as may be provided by the Bylaws. Each Officer shall be elected by the Members at such time and in such manner as may be prescribed by the Bylaws. The name and address of the Initial Officers are as follows:

**President:** Richard W. Mortlock, 385 N.W. Dees Road, Mayo, Florida 32066

**Vice-President:** Jimmy Prince, 5220 N.W. CR 251, Mayo, Florida 32066

**Treasurer:** John T. Bell 1068 N.W. CR 260, Mayo, Florida 32066

**Secretary:** Joanna Condi, 278 N.W. Hull Street, Post Office Box 1415, Day, Florida 32013

## **ARTICLE X**

### **INCORPORATORS**

The name and address of each Incorporator is as follows:

1. Marvin E. Buchanan, 3087 N. County Road 53, Mayo, Florida 32066

## **ARTICLE XI**

### **BYLAWS**

The Bylaws of the Corporation are to be made and adopted by the Board of Directors, and may be altered, amended or rescinded by recommendations from the Board of Directors with majority approval by all voting members.

## **ARTICLE XII**

### **AMENDMENT**

The Corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation or any amendment to them, and all rights and privileges conferred upon the Members, Directors and Officers are subject to this reservation. The Articles of Incorporation may be amended in accordance with the provisions of the laws of the State of Florida, as amended from time to time, unless more specific provisions for amendments are adopted by the Corporation pursuant to law.

## **ARTICLE XIII**

### **INDEMNIFICATION**

The Corporation shall indemnify each Officer and Trustee, including former Officers and Directors, to the full extent permitted by the laws of the State of Florida.

## **ARTICLE XIV**

### **NONSTOCK BASIS**

This Corporation is organized on a nonstock basis. This Corporation shall not issue shares of stock.

## **ARTICLE XV**

### **POWERS**

The Corporation shall have all of the common law and statutory powers of a corporation not for profit pursuant to the laws of the State of Florida that are not in conflict with the terms of these Articles; provided, however, that notwithstanding any other provision of these Articles, the

Corporation shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any further United States Internal Revenue Code.

**IN WITNESS WHEREOF**, the undersigned Incorporators have signed these Articles of Incorporation of Day Volunteer Fire Department on this 7th day of September, 2004.

INCORPORATOR

Marvin E. Buchanan  
MARVIN E. BUCHANAN

STATE OF FLORIDA )

COUNTY OF LAFAYETTE )

**I HEREBY CERTIFY** that on this day before me, an officer duly qualified to take acknowledgments, personally appeared **MARVIN E. BUCHANAN** to me known to be the person described in and who executed the foregoing Articles of Incorporation of DAY VOLUNTEER FIRE DEPARTMENT and acknowledged before me that he executed the same and [ X ] is personally known to me.

**WITNESS** my hand and official seal in the county and state last aforesaid this 7th day of September, 2004.

Jane H Brock  
Notary Public

Jane H Brock  
Type Name

My Commission Expires:

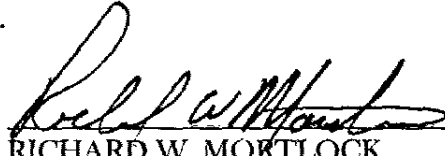


Jane H. Brock  
MY COMMISSION # DD259434 EXPIRES  
December 4, 2007  
BONDED THRU TROY FAIR INSURANCE, INC.

## ACCEPTANCE BY REGISTERED AGENT

The undersigned hereby accepts the appointment as Registered Agent of DAY VOLUNTEER FIRE DEPARTMENT, which is contained in the foregoing Articles of Incorporation and is familiar with and accepts the obligations of the position of Registered Agent pursuant to the laws of the State of Florida.

**DATED** this 7th day of September, 2004.

  
RICHARD W. MORTLOCK  
Registered Agent

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