

N050000012178

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10/25/06--01071--005 **43.75

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
06 NOV 13 PM 4:41

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: David Bensmiken Charitable Foundation, Inc.

DOCUMENT NUMBER: N0500 0012178

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Joseph Bensmiken

(Name of Contact Person)

As Above

(Firm/ Company)

7350 Andorra Place

(Address)

Boca Raton, FL 33433

(City/ State and Zip Code)

For further information concerning this matter, please call:

Robert McClernan

(Name of Contact Person)

at (954) 563-9004

(Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> \$35 Filing Fee | <input type="checkbox"/> \$43.75 Filing Fee &
Certificate of Status | <input type="checkbox"/> \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed) | <input type="checkbox"/> \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy
is enclosed) |
|--|--|---|--|

Mailing Address

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301



FLORIDA DEPARTMENT OF STATE
Division of Corporations

October 27, 2006

JOSEPH BENSMIHEN
7350 ANDORRA PLACE
BOCA RATON, FL 33433

SUBJECT: DAVID BENSMIHEN CHARITABLE FOUNDATION INC
Ref. Number: N05000012178

We have received your document for DAVID BENSMIHEN CHARITABLE FOUNDATION INC and your check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

Articles of Correction must be filed within 30 days of the file date of the document that is being corrected. As the time period for filing Articles of Correction has expired, an amendment to the articles of incorporation could be filed at this time.

We are enclosing the proper form(s) with instructions for your convenience.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6964.

Irene Albritton
Document Specialist

Letter Number: 506A00063938

Articles of Amendment
to
Articles of Incorporation
of

David Bensmihen Charitable Foundation, Inc.

(Name of corporation as currently filed with the Florida Dept. of State)

N 05000012178

(Document number of corporation (if known))

Pursuant to the provisions of section 617.1006, Florida Statutes, this *Florida Not For Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

NEW CORPORATE NAME (if changing):

(must contain the word "corporation," "incorporated," or the abbreviation "corp." or "inc." or words of like import in language; "Company" or "Co." may not be used in the name of a not for profit corporation)

AMENDMENTS ADOPTED- (OTHER THAN NAME CHANGE) Indicate Article Number(s) and/or Article Title(s) being amended, added or deleted: **(BE SPECIFIC)**

Originally Filed Article III was

not specific and detailed enough

See Attached

(Attach additional pages if necessary)
(continued)

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DIVISION OF CORPORATIONS
06 NOV 13 PM 4:41

David Bensmihen Charitable Foundation, Inc.
Federal ID # 20-3886120
Florida Document Number – N05000012178

Articles of Amendment for Article III of the Electronic Articles of Correction


- a) Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- b) No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for the services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization 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. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code or corresponding section of any future federal tax code.
- c) Upon the dissolution of the organization, 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 disposed of shall be disposed of by the Court of Common Pleas of the country in which the principal office of the organization 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 purpose.

The date of adoption of the amendment(s) was: 11/1/06

Effective date if applicable: 11/1/06
(no more than 90 days after amendment file date)

Adoption of Amendment(s) **(CHECK ONE)**

- ☐ The amendment(s) was (were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.
- ☒ There are no members or members entitled to vote on the amendment. The amendment(s) was (were) adopted by the board of directors.

Signature 
(By the chairman or vice chairman of the board, president or other officer- if directors have not been selected, by an incorporator- if in the hands of a receiver, trustee, or other court appointed fiduciary, by that fiduciary.)

Joseph Bensmiken
(Typed or printed name of person signing)

Director
(Title of person signing)

FILING FEE: \$35