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06 JAN 13 AM 11:29  
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1065-52357

1/18

## COVER LETTER

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

**SUBJECT:** HOUSE OF MERCY AND ENCOURAGEMENT 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: DOLORES A. MORTIMER

Name (Printed or typed)

3137 LAS OLAS DR.

Address

DUNEDIN, FL 34698

City, State & Zip

727-785-8163

Daytime Telephone number

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

**ARTICLES OF INCORPORATION**  
**OF**  
**HOUSE OF MERCY AND ENCOURAGEMENT FOUNDATION, INC.**  
**A Florida Nonprofit Corporation**

FILED  
06 JAN 13 AM 11:29  
CLERK OF DISTRICT COURT  
JANUARY 13, 2013  
TALLAHASSEE, FLORIDA

**THE UNDERSIGNED**, being competent to contract, does subscribe to these Articles of Incorporation and acts as Incorporator for the purpose of forming a not-for-profit Corporation under the laws of the State of Florida, and does hereby adopt the following Articles of Incorporation:

**ARTICLE I – NAME**

The name of the Corporation is HOUSE OF MERCY AND ENCOURAGEMENT FOUNDATION, INC.

**ARTICLE II - PRINCIPAL OFFICE AND ADDRESS**

The address of the principal office of the Corporation is 3137 Las Olas Drive, Dunedin, FL 34698, and the mailing address of the Corporation is 3137 Las Olas Drive, Dunedin, FL 34698.

**ARTICLE III – PURPOSE**

The purposes for which the Corporation is organized are to receive and maintain real or personal property, or both, and, subject to the restrictions and limitations hereinafter set forth, to use and apply the whole or any part of the income therefrom and the principal thereof exclusively for charitable, religious, educational, or scientific purposes either directly or by making of distributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

**ARTICLE IV-DIRECTORS**

This Corporation shall have four (4) Directors initially. The number of Directors may be increased or diminished from time to time, by an amendment of the Bylaws, but shall never be less than three (3). The Directors shall be elected as stated in the Bylaws of the Corporation.

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## **ARTICLE V - INITIAL DIRECTORS**

The name and street addresses of the members of the initial Board of Directors are:

Allen Mortimer  
3137 Las Olas Drive  
Dunedin.FL 34698

Dolores Mortimer  
3137 Las Olas Drive  
Dunedin.FL 34698

Ryan Mortimer  
3137 Las Olas Drive  
Dunedin.FL 34698

Kenneth Mortimer  
3137 Las Olas Drive  
Dunedin.FL 34698

The above named Directors shall hold office for the first year of existence of the Corporation or until successors are elected. Directors shall be elected in accordance with the Bylaws of the Corporation.

## **ARTICLE VI - DURATION**

The term of existence of the Corporation is perpetual and the corporate existence will commence on the filing of these Articles by the Department of State.

## **ARTICLE VII - CORPORATE POWERS AND LIMITATIONS**

(1) The Corporation shall possess all of the powers granted to a Florida Nonprofit Corporation under Chapter 617 of the Florida Statutes, specifically including, but not limited to, the power to conduct activities and engage in transactions incidental to the purposes enumerated in Article III, and the power to accept contributions, subject to the following limitations:

(a) No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, any Director, Officer, or member of the Corporation, or any other private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation, and to make payments and distributions in furtherance of one or more of the Corporation's purposes set forth in Article III), and no Director or Officer of the Corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets or dissolution of the Corporation. 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.

(2) Until and unless the Directors of the Corporation are notified in writing by the Internal Revenue Service that the Corporation has met the requirements necessary to avoid classification as a Private Foundation, the following additional restrictions shall apply:

(a) The Corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to tax on undistributed income imposed by Section 4942 of the Internal Revenue Code, or corresponding provisions of any subsequent federal tax laws.

(b) The Corporation shall not engage in any act of self-dealing as defined in Section 4941 (d) of the Internal Revenue Code, or corresponding provisions of any subsequent federal tax laws.

(c) The Corporation shall not retain any excess business holdings as defined in Section 4943 (c) of the Internal Revenue Code, or corresponding provisions of any subsequent federal tax laws.

(d) The Corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of the Internal Revenue Code, or corresponding provisions of any subsequent federal tax laws.

(e) The Corporation shall not make any taxable expenditures as defined in Section 4945 (d) of the Internal Revenue Code, or corresponding provisions of any subsequent federal tax laws.

#### **ARTICLE VIII - DISSOLUTION**

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the Corporation, distribute all of the assets of the Corporation exclusively for one or more exempt purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code or the 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 of such assets not so disposed of shall be disposed of by the circuit court 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 the court shall determine, which are organized and operated exclusively for such purposes.

#### **ARTICLE X -ADOPTION AND AMENDMENT OF BYLAWS**

The Bylaws of the Corporation shall be as adopted by the first Board of Directors. The Bylaws may thereafter be amended by a majority vote of the Board of Directors at any regular or special meeting.

## ARTICLE IX - REGISTERED OFFICE AND AGENT

The street address of the initial registered office of this Corporation in the State of Florida is 3137 Las Olas Drive, Dunedin, Florida 34698. The Board of Directors may from time to time, without amending these Articles, move the registered office to any other address within the State of Florida.

The initial Registered Agent is designated as Allen L. Mortimer. The Registered Agent of the Corporation may be changed at any time by a vote of the Board of Directors without an amendment of these Articles.

## ARTICLE XI - INCORPORATOR

The name and street address of the undersigned as incorporator of these Articles of Incorporation is: Dolores A. Mortimer 3137 Las Olas Drive, Dunedin, Florida 34698.

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*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.*

Allen Mortimer  
Signature/Registered Agent

1-10-06  
Date

Dolores Mortimer  
Signature/Incorporator

1-10-06  
Date

FILED  
06 JAN 13 AM 11:29  
RECORDS & CLERK  
TALLAHASSEE, FLORIDA