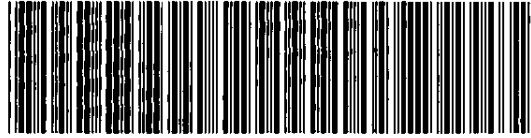


N06000008093



200185482462

200185482462
09/20/10--01032--004 **43.75

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

PICK-UP WAIT MAIL

(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only

FILED
10 SEP 20 PM 2:43
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

AMEND + NK
OCG/PA



FLORIDA DEPARTMENT OF STATE
Division of Corporations

September 21, 2010

ANN M. JOSLIN
P.O. BOX 847
NEW PORT RICHEY, FL 34656

SUBJECT: HERNANDO EMERGENCY RECOVERY COUNCIL, INC.
Ref. Number: N06000008093

We have received your document for HERNANDO EMERGENCY RECOVERY COUNCIL, 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):

The name must contain a word that will clearly indicate that it is a corporation. This word may be: CORPORATION, CORP., INCORPORATED, or INC. Sections 617.0401(1)(a) and 617.1506(1), Florida Statutes, prohibits the use of the word COMPANY or CO. in the name of a non-profit corporation.

If there are MEMBERS ENTITLED TO VOTE on a proposed amendment, the document must contain: (1) the date of adoption of the amendment by the members and (2) a statement that the number of votes cast for the amendment was sufficient for approval.

If there are NO MEMBERS OR MEMBERS ENTITLED TO VOTE on a proposed amendment, the document must contain: (1) a statement that there are no members or members entitled to vote on the amendment and (2) the date of adoption of the amendment by the board of directors.

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) 245-6916.

Carol Mustain
Regulatory Specialist II

Letter Number: 110A00022439

Ann M. Joslin, Esq.
P.O. Box 847
New Port Richey, FL 34656
727-992-4742

October 22, 2010

Amendment Section
Attention: Carol Mustain, Regulatory Specialist II
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314


**RE: NAME OF CORPORATION: HERNANDO EMERGENCY RECOVERY
COUNCIL, INC.**

DOCUMENT NUMBER: N06000008093

Dear Ms. Mustain:

I re-sent the Amendments for the above corporation on October 1, 2010, but it appears that the documents were not received. Your office indicated by telephone that I should submit a new copy with original signatures; I am doing so via the attached Amendments with an original signature. I am also attaching a copy of my October 1, 2010 submission, along with a copy of your letter dated September 21, 2010. Please confirm that you have retained the check for \$43.75 to cover filing and certified copy fees, as I did not receive the check back with your September 21 correspondence. Thank you for your attention to this matter.

Sincerely,



Ann M. Joslin, Esq.

CC: Jan Martine

Attachments

Articles of Amendment
to
Articles of Incorporation
of

HERNANDO EMERGENCY RECOVERY COUNCIL, INC.

DOCUMENT NUMBER OF CORPORATION: N06000008093

Pursuant to the provisions of Sections 617.1002 and 617.1006, Florida Statutes, this *Florida Not for Profit Corporation* adopts the following amendments to its Articles of Incorporation:

ARTICLE I:

The name of the corporation has been changed to Fresh Start Hernando, Inc.

ARTICLE II:

The principal place of business of the corporation is:

10239 Xeric Street
New Port Richey, FL 34654

The mailing address of the corporation is:

2398 Commercial Way, #214
Spring Hill, FL 34606

ARTICLE III. CORPORATE PURPOSES:

The purposes for which this corporation is formed are exclusively charitable and educational and consist of the following:

- 1) To assist disaster recovery efforts in Hernando and surrounding Counties.
- 2) To provide assistance to affected individuals in Hernando and surrounding Counties who are in need and do not have the necessary resources to recover from a disaster, especially the physically infirm and the economically disadvantaged.
- 3) To promote disaster training opportunities through the cooperative efforts humanitarian services organizations.
- 4) To do any and all lawful activities which may be necessary, useful, or desirable for the furtherance, accomplishment, or attaining of the foregoing purposes, either alone or in conjunction with other persons or organizations of any kind or nature.

FILED
10 SEP 20 PM 2:43
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

- 5) All of the foregoing purposes shall be exercised exclusively for charitable and educational purposes in such a manner that the Corporation will qualify as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue laws.
- 6) Notwithstanding any other provisions of these amended Articles of Incorporation, the corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt under Section 501(c)(3) of the Internal Revenue Code of 1986 and its regulations as they now exist or may hereafter be amended.

ARTICLE IV shall remain unchanged.

ARTICLE V.

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

Jan L. Martine
10239 Xeric Street
New Port Richey, FL 34654

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature:  _____

ARTICLES VI shall remain unchanged.

ARTICLE VII:

The initial officers and directors of the corporation have resigned.

The new officers and directors of the corporation are as follows:

Title: Director, President and Chair: Chaplain Jan Martine, DD, BA, MBA
Title: Director, Vice President and Vice Chair: Nils Lenz, BS, BS, BA, MBA
Title: Director and Board Member: The Rev. Christopher Byars, M. Div., MBA
Title: Director and Board Member: Todd Rogers

The following Article is hereby added:

ARTICLE VIII. ADDITIONAL 501(C)(3) LIMITATIONS:

- 1) **No Private Inurement:** The Corporation is not organized nor shall it be operated for the primary purpose of generating pecuniary gain or profit. The Corporation shall not distribute any gains, profits or dividends to the Directors, Officers, or Members thereof, or to any individual, except as reasonable compensation for services actually performed in carrying out

the Corporation's charitable and educational purposes. The property, assets, profits and net income of the Corporation are irrevocably dedicated to charitable and educational purposes no part of which shall inure to the benefit of any individual.

- 2) **Lobbying and Political Campaigns:** No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in, any political campaign on behalf of any candidate for public office.
- 3) **Dissolution:** Upon winding up and dissolution of the Corporation, the assets of the Corporation remaining after payment of all debts and liabilities shall be distributed to an organization recognized as exempt under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of the future United States Internal Revenue laws, to be used exclusively for charitable and educational purposes. If the Corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by decree of the Circuit Court of the district in which the Corporation's principal office is located, upon petition thereof by the Attorney General or by any person concerned in the liquidation.
- 4) **Private Foundation Status:** In the event that this Corporation shall become a "private foundation" within the meaning of Section 509 of the Internal Revenue Code 1954, the Corporation shall distribute its income for each taxable year at such time and in such manner as not to subject it to tax under Section 4942 of the Internal Revenue Code; shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code; shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code; and shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code.

There are no members entitled to vote on the amendments. This amendment was adopted by the Board of Directors on August 9, 2010.

These Amendments to the Articles of Incorporation are hereby executed by the President and Chair on this 19th day of October, 2010.

I have attached a copy of the signed document by the Initial Incorporator and previous Board of Directors stating that the new appointments were approved on August 9, 2010.


Jan L. Martine