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J. Shivers SEP 27 2006

# **COVER LETTER**

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

SUBJECT: KHME KROM BUDDHIST TEMPLE OF FLORIDA, INC. (PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)

seu is an original a	and one(1) copy of the Arti	icles of incorporation and	a cneck 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 CO	PY REQUIRED

FROM:	Doc Thach		
	Name (Printed or typed)		
	2725 Zuni Rd		
	Address		
	Saint Cloud, FL 34771		
	City, State & Zip		
	407-227-6437		
	Daytime Telephone number		

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

#### ARTICLES OF INCORPORATION

In Compliance with Chapter 617, F.S., (Not for Profit)

#### ARTICLE I NAME

The name of the corporation shall be:

Khmer Krom Buddhist Temple of Florida, Inc.

### ARTICLE II PRINCIPAL OFFICE

The principal place of business and mailing address of this corporation shall be:

751 Sugar Mill Drive New Smyrna Beach, FL 32168

#### ARTICLE III PURPOSE

The purpose for which the corporation is organized is:

For charitable, religious, scientific, and educational purposes. To promote the teaching and use of Buddhist principles in daily life by individuals and organizations in order to create and enlightened and just society. To solicit funds to create and establish Buddhist temples, schools, and charitable organizations and for other charitable purposes.

#### ARTICLE IV MANNER OF ELECTION

The manner in which the directors are elected or appointed:

The method of election of directors shall be stated in the bylaws.

#### ARTICLE V INITIAL DIRECTORS AND/OR OFFICERS

List name(s), address(es) and specific title(s):

President:

Mr. Ly Salenh 1816 Derby Glen Dr. Orlando, FL 32837 Vice President

Mr. My Thach 3233 Tindall Acres RD Kissimmee, FL 34744

Treasurer:

Mr. Bot Thach 3050 Gus Road Kissimmee, FL 34744

Secretary:

Mr. Doc Thach 2387 Great Harbor Drive Kissimmee, FL 34746

# ARTICLE VI INITIAL REGISTERED AGENT AND STREET ADDRESS

The name and Florida street address (P.O. Box NOT acceptable) of the registered agent is:

Edward H. Beazley, Jr. Attorney-At-Law 221 North Causeway New Smyrna Beach, FL 32169

## ARTICLE VII INCORPORATOR

The name and address of the Incorporator is:

Edward H. Beazley, Jr.
Attorney-At-Law
221 North Causeway
New Smyrna Beach, FL 32169

#### ARTICLE VIII ADDITIONAL PROVISIONS:

All of the foregoing purposes shall be exercised exclusively religious, 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 law.

1. CORPORATE PURPOSES: Notwithstanding any other provisions of these articles of incorporation, this non-profit corporation shall not engage in any activities that are not permitted either (i) by a Florida not for profit corporation exempt from federal corporate

income tax under §501 (c) (3) of the Internal Revenue Code, or (ii) by a non-profit corporation whose contributions are deductible under §170 (c) (2) of the Internal Revenue Code.

- 2. EXCLUSIVITY: The Corporation is organized exclusively for religious, charitable and educational purposes.
- 3. 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 the religious, charitable and educational purposes no part of which shall inure to the benefit of any individual.
- 4. 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.
- 5. 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 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.
- 6. "PRIVATE FOUNDATION" PROVISIONS: In the event this Corporation is considered to be a "Private Foundation" by the U.S. Internal Revenue Service under provisions of the United States Code the following provisions apply:
- a.) The Corporation will distribute its income for each tax year at a time and in a manner as not to become subject to the tax on undistributed income imposed by section 4942 of the Internal Revenue Code, or the corresponding section of any future federal tax code.
- b.) The Corporation will not engage in any act of self-dealing as defined in section 4941(d) of the Internal Revenue Code, or the corresponding section of any future federal tax code.
- c.) The Corporation will not retain any excess business holdings as defined in section 4943(c) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

- d.) The Corporation will not make any investments in a manner as to subject it to tax under section 4944 of the Internal Revenue Code, or the corresponding section of any future federal tax code.
- e.) The Corporation will not make any taxable expenditures as defined in section 4945(d) of the Internal Revenue Code, or the corresponding section of any future federal tax code.
- 7. INDEMNIFICATION: Any person (and the heirs, executors and administrators of such person) made or threatened to be made a party to any action, suit of proceeding by reason of the fact that he is or was a Director or Officer of the Corporation shall be indemnified by the Corporation against any and all liability and the reasonable expenses, including attorney's fees and disbursements, incurred by him (or by his heirs, executors or administrators) in connection with the defense or settlement of such action, suit or proceeding, or in connection with any appearance therein, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such Director or Officer is liable for negligence or misconduct in the performance of his duties. Such right of indemnification shall not be deemed exclusive of any other rights to which such Director or Officer (or such heirs, executors of administrators) may be entitled apart from this Article.

# **EXECUTION**

These Articles of Incorporation 25th day of September	are hereby executed by the incorporator on this, 2006.
	Sullluc

Edward H. Beazley, Jr.

STATE OF FLORIDA )
COUNTY OF VOLUSIA )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Edward H. Beazley, Jr., who is either personally known to me or who produced a valid Florida Driver's license, executed the foregoing instrument as incorporator (or the agent of the incorporator) and acknowledged before me that he or she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this day of Superment, 2006.



NOTARY PUBLIC STATE OF FLORIDA
My Commission Expires:

# REGISTERED AGENT'S ACCEPTANCE OF APPOINTMENT

I, Edward H. Beazley, Jr., hereby accept my appointment as registered agent for Khmer Krom Buddhist Temple of Florida, Inc., a Florida not for profit corporation.

Edward H. Beazley, Jr.

Date