

N08000005611

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Special Instructions to Filing Officer:

per Karen Beyer 6/3/08

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05/22/08--01031--010 **87.50

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
08 MAY 22 AM 9:07

N080000025652

EP 6/11/08



FLORIDA DEPARTMENT OF STATE
Division of Corporations

May 23, 2008

RICHARD M. WEINER, P.A.
7479 N.W. 4TH STREET
PLANTATION, FL 33317-2227

SUBJECT: ARTS IN EDUCATION FOUNDATION, INC.
Ref. Number: W08000025652

We have received your document for ARTS IN EDUCATION FOUNDATION, INC. and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

Section 617.0202(d), Florida Statutes, requires the manner in which directors are elected or appointed be contained in the articles of incorporation or a statement that the method of election of directors is as stated in the bylaws.

Please correct Article X if you are also the registered agent.

Please return the corrected original and one copy of 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) 245-6062.

Eula Peterson
Regulatory Specialist II
New Filing Section

Letter Number: 108A00032826

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06 JUN -9 AM 8:06

DIVISION OF CORPORATIONS

RICHARD M. WEINER, P.A.
E-MAIL: RMWLAW@BELLSOUTH.NET

DIRECT: (954) 321-1815
FAX: (954) 321-1817

June 6, 2008

Karon Beyer, Bureau Chief of
Commercial Recordings
Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

Re: Arts in Education Foundation, Inc. – Articles of Incorporation
a Florida Not for Profit Corporation

Dear Chief Beyer:

Thank you for your assistance this morning in resolving issues that had previously prevented the filing of the articles of incorporation for the above-referenced not for profit corporation. I appreciate all of your efforts to help me help this upstart not for profit entity.

As we had discussed, I am enclosing the original and one (1) copy of the Articles of Incorporation as previously mailed for overnight delivery on May 22, 2008. I am hereby restating my request for a certificate of status and a certified copy of the articles be returned to this office at the address set forth at the bottom of this cover letter. By cover letter dated May 22, 2008 that had accompanied the enclosed articles, I had provided this firm's check no. 3226 made payable to the Florida Department of State in the sum of \$87.50, to cover the filing fee and costs for the requested documents.

Should you have any questions, or require the payment of any additional fees to accomplish this request, please call this office so that we might expeditiously resolve same. In the event that the enclosed check exceeds the applicable fee for such requested services, I would once again request that you kindly please issue a refund check for the difference and return same to the undersigned at your earliest opportunity.

Yours truly,



RICHARD M. WEINER

RMW/rw
Enclosures

cc: Wendy H. Weiner, Ed.D., Executive Director
(with enclosures)

RICHARD M. WEINER, P.A.

E-MAIL: RMWLAW@BELL SOUTH.NET

DIRECT: (954) 321-1815

FAX: (954) 321-1817

May 22, 2008

Via Overnight Delivery

Florida Department of State
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, Florida 32301

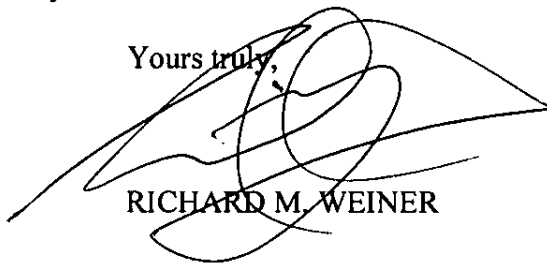
Re: Arts in Education Foundation, Inc. – Articles of Incorporation
a Florida Not for Profit Corporation

To whom it may concern:

Please find enclosed the original and two (2) copies of the Articles of Incorporation for the above-referenced Not for Profit Corporation. I am requesting that a certificate of status and a certified copy of the articles be returned to this office at the address set forth at the bottom of this cover letter. I am additionally enclosing herewith this firm's check made payable to the Florida Department of State in the sum of \$87.50, to cover the filing fee and costs for the requested documents.

Should you have any questions, or require the payment of any additional fees to accomplish this request, please do not hesitate to call this office. In the event that the enclosed check exceeds the applicable fee for such requested services, please issue a refund check for the difference and return same to the undersigned at your earliest opportunity.

Yours truly,



RICHARD M. WEINER

RMW/rw

Enclosures

cc: Wendy H. Weiner, Ed.D., Executive Director
(with enclosures)

ARTICLES OF INCORPORATION
OF
ARTS IN EDUCATION FOUNDATION, INC.

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ARTICLE I – CORPORATE NAME

The name of this Florida Not for Profit Corporation shall be: ARTS IN EDUCATION FOUNDATION, INC.

ARTICLE II – PRINCIPAL OFFICE

The corporation's principal office shall be situated at 7479 N.W. 4TH STREET, PLANTATION, FLORIDA 33317-2227, and said corporation shall have and otherwise retain the right and privilege of establishing, operating and doing business in Broward County, and in such other counties of the State of Florida and in such states of the United States and foreign countries as the Board of Directors may from time to time order and establish.

ARTICLE III – PURPOSES

The purposes for which this corporation is organized are as follows:

- A. To receive and to administer funds, and to operate exclusively for charitable, scientific, literary, educational and/or religious purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended, or subsequent provisions of subsequent legislation and to give funds and property from time to time to other organizations to be used and held for use directly in carrying out one or more of such purposes.
- B. To acquire, own, purchase, lease, dispose of and deal with real and personal property and interests, either absolutely or in trust therein and to apply gifts, grants, bequests, and devises and the proceeds thereof in furtherance of these purposes.
- C. All funds, whether income or principal, and whether acquired by gift or contribution or otherwise, shall be devoted to said purposes.
- D. Primary amongst these purposes is to provide for the promotion, enhancement, integration and inclusion of arts-based curricula in educational programs, including the establishment and issuance of scholarships and financial assistance awards to make such opportunities more readily available for students, or to otherwise defray the costs associated with student participation in such arts-based programs.

E. To do such things and to perform such actions to accomplish its purpose as the Board of Directors may determine to be appropriate and as are not otherwise forbidden by Section 501(c)(3) of the Internal Revenue Code, with all powers conferred on not for profit corporations under the laws of the State of Florida.

ARTICLE IV – RESTRICTIONS AND LIMITATIONS

At all times the following shall operate as conditions restricting the operations and activities of the corporation:

1. No part of the net earnings of the corporation shall inure to any member of the corporation not qualifying as exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended, nor to any Director or officer of the corporation, nor to any other private persons, excepting solely such reasonable compensation that the corporation shall pay for services actually rendered to the corporation, or allowed by the corporation as a reasonable allowance for authorized expenditures incurred on behalf of the corporation;
2. No part of the activities of the corporation shall constitute the carrying on of propaganda or otherwise attempting to influence legislation, or any initiative or referendum before the public, and the corporation shall not participate in, nor intervene in (including by publication or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office, nor advocate in support of or in opposition to any referendum issue; and
3. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended.
4. The corporation shall not lend any of its assets to any officer or director, nor guarantee to any person the payment of a loan by any of its officers or directors.

ARTICLE V - DIRECTORS/MEMBERS

The corporation shall have no voting members. The management and affairs of the corporation shall be at all times under the direction of a Board of Directors, whose operations in governing the corporation shall be defined by statute and by the corporation's by-laws. No Director shall have any right, title, or interest in or to any property of the corporation.

The corporation's initial Board of Directors, all of whom are citizens of the United States, shall hold office for the first year of the corporation's existence or until their successors are duly seated, and who shall initially hold the respective officer positions so designated, is comprised of the following natural persons:

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WENDY H. WEINER, ED.D.
President, Executive Director, Director
5850 South Pine Island Road
Davie, Florida 33325

RICHARD M. WEINER
Treasurer, Director
Richard M. Weiner, P.A.
7479 N.W. 4th Street
Plantation, Florida 33317

ROBERT D. HIRSCH
Director
Four Sawgrass Village Drive
Suite 150A
Ponte Vedra Beach, Florida 32082

Any and all subsequent Directors shall be appointed by the then serving Executive Director, and whose investiture shall be subject to approval by a simple majority of the then existing Board of Directors.

ARTICLE VI – CORPORATE EXISTENCE

This corporation shall have perpetual existence, subject to the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended, or subsequent provisions of subsequent, applicable federal or state legislation.

ARTICLE VI – CORPORATE STOCK

This corporation is organized as a non-stock organization.

ARTICLE VIII - DEBT OBLIGATIONS AND PERSONAL LIABILITY

No member, officer or Director of this corporation shall be personally liable for the debts or obligations of this corporation of any nature whatsoever, nor shall any of the property of the members, officers or Directors be subject to the payment of the debts or obligations of this corporation.

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ARTICLE IX - DISSOLUTION

Upon the time of dissolution of the corporation, assets shall be distributed by the Board of Directors, after paying or making provisions for the payment of all debts, obligations, liabilities, costs and expenses of the corporation, 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 such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction 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 said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE X - INCORPORATOR /REGISTERED AGENT

The incorporator(s) of this corporation is:

RICHARD M. WEINER
c/o RICHARD M. WEINER, P.A.
7479 N.W. 4TH STREET
PLANTATION, FLORIDA 33317-2227

ACKNOWLEDGMENT BY INCORPORATOR AND REGISTERED AGENT

The undersigned incorporator, having been named as Registered Agent to accept service of process for the above-named Florida Not for Profit Corporation at the place designated in this certificate, hereby certifies that I am familiar with and accept the appointment as Registered Agent and agree to act in this capacity.



Signature - Registered Agent
and Incorporator

Date May 22, 2008

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