

N09000003730

(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:

4/13/09 Batchwork

Office Use Only



100148817581

04/14/09--01003--007 **87.50

FILED
2009 APR 13 P 1:54
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

COVER LETTER

A

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

SUBJECT: Upward Bound, Incorporated

(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: J Michael Montgomery

Name (Printed or typed)

258 Sand Pine Road

Address

Indianalantic, Florida 32903

City, State & Zip

321 426 4303

Daytime Telephone number

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

As well — original " " " " " acceptance (please)
If you will be so kind, please return certified copies with doc's in manila folder
Sincerely J Michael Montgomery, Inc.

ARTICLE **BOTH** TION **FILED**
Upward Bound **SIDES** **Incorporated** 2009 APR 13 P 1:54
A Florida corporation
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The undersigned, acting as incorporator of a corporation under Chapter 617 of Florida Statutes, adopts the following Articles of Incorporation:

A. NAME OF CORPORATION: The name of the corporation is Upward Bound, Incorporated.

B. PRINCIPAL OFFICE: The principal office of the corporation is located at 258 Sand Pine Road, Indialantic, Florida 32903-2116. The situs of the corporation and/or principal office may be changed at any time by the Directors of the church corporation.

C. MAILING ADDRESS: The mailing address of the corporation is 258 Sand Pine Road, Indialantic, Florida 32903-2116..

D. REGISTERED AGENT: The name of the registered agent of the corporation is The Reverend J. Michael Montgomery. The address of this registered agent is 258 Sand Pine Road, Indialantic, Florida 32903-2116..

E. DURATION/MEMBERSHIP: The period of duration is perpetual. The qualification for members, if any, and the manner of their admission shall be regulated by the bylaws.

F. BOARD OF DIRECTORS: The initial Board of Directors shall be selected by the Incorporator – Founder and shall serve until resignation, removal, or incapacity as defined in the By-Laws. Additional, replacement, and/or temporary Directors shall be elected by major vote of the Directors at the time of such election subject to approval of the Founder-Incorporator if he is still a Director, and shall serve for the term designated by the Board at the time of election.

Members of the Initial Board of Directors are

The Reverend J. Michael Montgomery, Guy F. Baker, W. Richard Reed II, Michael Sloan Montgomery, and Mary Louise Montgomery.

G. INCORPORATOR: The name and address of the Incorporator is: The Reverend J. Michael Montgomery, 258 Sand Pine Road, Indialantic, Florida 32903-2116.

H. CORPORATE PURPOSES: The purposes for which this corporation is formed are exclusively for the conduct of church activities and consist of the following:

1. This corporation is formed exclusively for church and religious purposes within

purposes. If the Corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by the enabling trust indenture or agreement or 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.

J. **INDEMNIFICATION** - Any person (and the heirs, executors and administrators of such person) made or threatened to be made a party to any action, suit or 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 or administrators) may be entitled apart from this Article.

EXECUTION

These Articles of Incorporation are hereby executed by the incorporator on this 18 day of April, 2009.


The Reverend J. Michael Montgomery

**Upward Bound, Incorporated
A Florida Non-Profit Church Corporation
ACCEPTANCE OF APPOINTMENT AND ELECTION
ACTION BY CONSENT**

FILED

2009 APR 13 P 1:54

**SECRETARY OF STATE
TALLAHASSEE, FLORIDA**

1. I hereby accept appointment as an Officer and/or Board Member of Upward Bound Incorporated, a Florida non-profit corporation, as listed below.
2. I hereby waive notice of meeting and consent to Action By Consent of the appointment and election of the following Officers and Registered Agent of the corporation.:

Officers of the Corporation

L. E. Foster, Chairperson Emeritus
The Reverend J. Michael Montgomery, Founder, Chairperson, Chief Executive Officer
Guy F. Baker, President
W. Richard Reed II, Secretary
Mary L. Montgomery, Co-Founder, Treasurer

Members of the Board of Directors

The Reverend J. Michael Montgomery
Guy E. Baker
W. Richard Reed II
Michael Sloan Montgomery
Mary Louise Montgomery

Registered Agent

The Reverend J. Michael Montgomery


Signature

MICHAEL MONTGOMERY Date APRIL 1, 2009
Printed Name
