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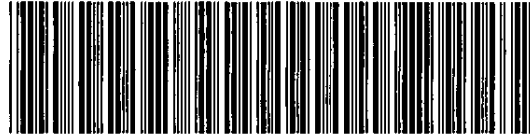
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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

MRD  
7/16/12

## COVER LETTER

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

SUBJECT: Hurlburt Family 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: Robert D. Hurlburt

Name (Printed or typed)

5125 S. Lakeland Drive, Ste 3

Address

Lakeland, FL 33813

City, State & Zip

863-701-9717

Daytime Telephone number

Rob@hurlburtfinancial.com

E-mail address: (to be used for future annual report notification)

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

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12 JUL 13 PM 3:56

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

# **Articles Of Incorporation Of Hurlburt Family Foundation, Inc.**

THE UNDERSIGNED natural person being the age of eighteen (18) years or more, acting as incorporator of a corporation under the Florida Nonprofit Corporation Act, adopts the following Articles of Incorporation for such corporation:

## **ARTICLE I CORPORATE NAME**

- 1.1 The name of the corporation is Hurlburt Family Foundation, Inc.

## **ARTICLE II DURATION**

- 2.1 The period of duration of this corporation is perpetual.

## **ARTICLE III PURPOSES**

- 3.1 The corporation is organized exclusively for charitable, religious, educational and scientific purposes, and not for profit, including:

- (a) To act and operate exclusively as a nonprofit corporation pursuant to the laws of the State of Florida, and to act and operate as a charitable organization in lessening the burdens of government, providing relief of the poor, the hungry, the homeless, and distressed by educational training program, self-help program, providing financial support and providing food and clothing to the aforesaid.
- (b) To engage in any and all activities and pursuits, and to support or assist such other 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), as may be reasonably related to the foregoing and following purposes.

- (c) To engage in any and all other lawful purposes, activities and pursuits, which are substantially similar to the foregoing and which are or may hereafter be authorized by Section 501(c)(3) of the Internal Revenue Code and are consistent with those powers described in the Florida Nonprofit Corporation and Corporation Association Act, as amended and supplemented.
- (d) To solicit and receive contributions, purchase, own and sell real and personal property, to make contracts, to invest corporate funds, to spend corporate funds for corporate purposes, and to engage in any activity "in furtherance of, incidental to, or connected with any of the other purposes."

3.2 The corporation shall have the power to conduct activities and engage in transactions incidental to the accomplishment of the above purposes, including 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 its members, directors, officers or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to the corporation and to make payments and distributions in furtherance of the purposes set forth above;
- (b) 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 any candidate for public office except as authorized under the most current Internal Revenue Code;
- (c) Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law); or (2) by a corporation, contributions to which are deductible under Section 170(c)(2) of said Internal Revenue Code.

3.3 If the corporation is ever classified by the Internal Revenue Service as a

Private Foundation, the following provisions will prevail:

- (a) The corporation shall distribute its income for each tax year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942.
- (b) The corporation shall not engage in any act of self-dealing as defined in Section 4941(d).
- (c) The corporation shall not retain any excess business holdings as defined in Section 4943(c).
- (d) The corporation shall not make any investments in such manner as to subject it to tax under Section 4944.
- (e) The corporation shall not make any taxable expenditures as defined in Section 4945.

3.4 Any references herein to "Section" refers to a section of the Internal Revenue Code of 1986, as amended, and to any corresponding subsequent federal tax laws.

#### **ARTICLE IV MEMBERSHIP**

- 4.1 The corporation shall have no members.

#### **ARTICLE V SHARES**

- 5.1 The corporation shall not issue any shares of stock.

#### **ARTICLE VI BY-LAWS**

6.1 Provisions for the regulation of the internal affairs of the corporation are to be determined and set forth in the By-Laws. The original By-Laws shall be adopted by the Board of Directors of the corporation. Thereafter, By-Laws may be adopted, amended or repealed by the Board of Directors in accordance with the By-Laws.

#### **ARTICLE VII**

## **DISSOLUTION**

7.1 Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the corporation, dispose of all the assets of the corporation in such manner to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3).

7.2 Any such assets not so disposed of by the Board of Directors shall be disposed of by the district 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 said court shall determine which are organized and operated exclusively for such purposes.

## **ARTICLE VIII DIRECTORS**

8.1 The number of Directors of this corporation shall be three, or more than three, as fixed from time to time by the By-Laws of the corporation. The number of Directors constituting the initial Board of Directors is three, and the names and addresses of the persons who are to serve as Directors until their successors are elected and shall qualify are:

Robert D. Hurlburt  
5125 S. Lakeland Drive, Suite 3, Lakeland, FL 33813

Michael T. Hurlburt  
13350 Lewis Gallagher Road, Dover, FL 33527

Douglas J. Hurlburt  
5116 Moll Acres, Plant City, FL 33567

8.2 In order to qualify, Directors need not be a resident of the State of Florida.

8.3 The method of selection of Directors is stated in the Bylaws of this corporation.

8.4 The Board of Directors shall elect Officers for the corporation in accordance with the provisions stated in the Bylaws of this corporation.

**ARTICLE IX  
INCORPORATORS**

9.1 The name and address of the incorporator(s) is:

Robert D. Hurlburt  
5125 S. Lakeland Drive, Suite 3, Lakeland, FL 33813

**ARTICLE X  
PRINCIPAL PLACE OF BUSINESS**

10.1 The principal place of business of this corporation is: 5125 S. Lakeland Drive, Suite 3, Lakeland, FL 33813.

The business of this corporation may be conducted in all counties of the State of Florida and in all states of the United States, and in all territories thereof, and in all foreign countries as the Board of Directors shall determine.

**ARTICLE XI  
REGISTERED OFFICE AND AGENT**

11.1 The name and address of the corporation's initial registered office shall be:

Robert D. Hurlburt  
5125 S. Lakeland Drive, Suite 3, Lakeland, FL 33813

Such office may be changed at any time by the Board of Directors without amendment of these Articles of Incorporation. Such agent hereby acknowledges and accepts appointment as Corporate Registered Agent.

**ARTICLE XII  
INDEMNIFICATION**

12.1 Every person who now is or hereafter shall be a Director or Officer of the corporation shall be indemnified by the corporation against all costs and expenses (including counsel fees) hereafter reasonably incurred by or imposed upon him or her in connection with or resulting from any action, suit or proceeding of whatever nature to which he or she is or shall be made a party by reason of his or her being or having been a Director or Officer of the corporation (whether or not he or she is a Director or Officer of the corporation at the time he or she is made a party to such action, suit or proceeding or

at the time such cost or expense is incurred by or imposed upon him or her), except in relation to matters as to which he or she shall be finally adjudged in such action, suit or proceeding to have been derelict in the performance of his or her duties as such Director or Officer. The right of indemnification herein provided shall not be exclusive of other rights to which any such person may now or hereafter be entitled to as a matter of law.

IN WITNESS WHEREOF, I have executed these Articles of Incorporation in duplicate this 6<sup>th</sup> day of July, 2012, and say that I am the Incorporator herein and have read the above and foregoing Articles of Incorporation and know the contents thereof.

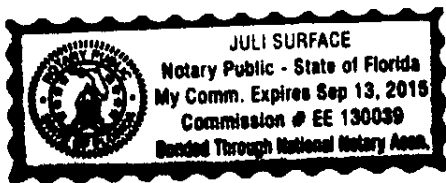
INCORPORATOR:

R.D. Hurlburt  
Robert D. Hurlburt

FILED  
12 JUL 13 PM 3:56  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

STATE OF Florida  
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 6 day of July, 2012, by Robert D. Hurlburt, as Incorporator.



Juli Surface  
Notary Public  
4719 S. Florida Ave  
Lakeland FL 33813  
Residing at:

9-13-2015  
My commission expires:



**CERTIFICATE OF DESIGNATION AND ACCEPTANCE OF REGISTERED  
AGENT/REGISTERED OFFICE**

Pursuant to the provisions of Chapter 607 of the Florida Statutes, in particular section 607.0501 or 617.0501, the undersigned corporation, organized under the laws of the State of Florida, submits the following statement in designating the registered office/registered agent, in the State of Florida.

The Hurlburt Family Foundation, Inc. declares the name and address of the registered agent and office in Article XI above.

Acceptance: having been named to accept service of process for the above stated corporation, at the place designated in Article XI of these articles of incorporation, the undersigned agrees to act in this capacity and further agrees to comply with the provisions of all statutes relative to the proper and complete performance of his duties.

Dated this 6<sup>TH</sup> day of July, 2012.

Signature of REGISTERED AGENT: R+D Hlt  
Robert D. Hurlburt

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12 JUL 13 PM 5:56  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA