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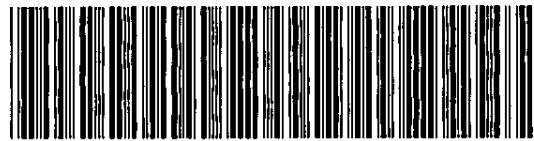
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# CAPITAL CONNECTION, INC.

417 E. Virginia Street, Suite 1 • Tallahassee, Florida 32301  
(850) 224-8870 • 1-800-342-8062 • Fax (850) 222-1222

St. Patrick Catholic Parish In Sarasota,

Inc.

Signature

Requested by: SETH

01/08/15

Name

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**ARTICLES OF INCORPORATION  
OF  
ST. PATRICK CATHOLIC PARISH IN SARASOTA, INC.**

The undersigned, being desirous of forming a corporation for charitable purposes under the provisions of Chapter 617 of the Florida Statutes, does agree to the following:

**ARTICLE I  
NAME**

The name of the corporation shall be **ST. PATRICK CATHOLIC PARISH IN SARASOTA, INC.** and its principal place of business and mailing address is 7900 Bee Ridge Road, Sarasota, Florida 33852.

**ARTICLE II  
PREAMBLE**

Through the grace of God the Father, Son and Holy Spirit, the Roman Catholic Parish of St. Patrick in Sarasota, Florida, is a definite community of the Christian Faithful established on a stable basis within the Diocese of Venice in union with the Latin rite of the Holy Roman Catholic Church. In accord with the doctrine and laws of the Roman Catholic Church, St. Patrick Parish in Sarasota, Florida is a portion of the People of God entrusted to the pastoral care of the pastor within the Diocese of Venice in Florida. The parish strives to assist the faithful in their journey of faith through Divine Worship, Evangelization, Catechesis, Faith Formation, Catholic Education, Christian Community and Fellowship, Works of Charity and Social Justice, and Strengthening of Families, all in accord with the Canonical Statutes of the Parish, incorporated herein.

**ARTICLE III  
COMMENCEMENT AND TERM OF EXISTENCE**

St. Patrick Catholic Parish in Sarasota was erected in 1988 as a juridic person under Canon Law and will now commence its civil existence as a corporation from the date of filing with the Secretary of State of Florida. The Corporation is to exist perpetually.

**ARTICLE IV  
PURPOSES**

The corporation is organized as a not-for-profit organization exclusively for religious purposes. The purposes of the corporation are:

- A. To carry on the general religious ministry of the Roman Catholic Church in the Diocese of Venice in Florida, United States of America, and to engage in all aspects of establishing, conducting and maintaining a Roman Catholic parish. In particular the corporation shall minister to the spiritual and temporal needs of people in strict accordance with the teachings, tenets, and policy of the Roman Catholic Church.

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- B. To manage the temporal affairs of the corporation in such a manner that does not cause undue prejudice to the laws and disciplines of the Roman Catholic Church. To that end the corporation may establish, receive, maintain a fund or funds for the operational support of a Catholic parish and may take and receive by gift, grant, bequest, devise, or otherwise any and all property of any sort or nature without limitation as to amount or value and to manage, administer, invest, reinvest, and dispose of the same; to administer endowment funds; from time to time, pay and apply other funds and property of the corporation, as well as income thereof, for the support of the parish.
- C. Subject to the limitations and conditions contained in any gift, devise or bequest received by the corporation, the corporation may invest its funds in such investment vehicles, including but not limited to, accounts with an FDIC insured banking institution, mutual funds, bonds, debentures, shares of preferred and common stock, mortgages, and other securities and property as its Trustees shall deem advisable.

#### **ARTICLE IV POWERS**

The corporation is empowered:

- A. To buy, own, sell, convey, assign, mortgage, lease, or encumber any interest in real property and personal property, and to construct, maintain and operate improvements thereon necessary or insistent to the accomplishment of the purposes set forth in these Articles of Incorporation.
- B. To borrow money and issue evidence of indebtedness in furtherance of any or all of the objects of the purposes described in these Articles of Incorporation and to secure the same by mortgage, pledge or other lien upon the corporation's profit.
- C. To the extent permitted by law under Chapter 616, Florida Statutes and the laws and guidelines of the Roman Catholic Church, to do everything necessary or proper for the carrying out of the foregoing purposes.
- D. In the event of dissolution of the corporation or the winding up of its affairs, or other liquidation of its assets, the corporation's assets shall be distributed to organizations selected by the Member which have qualified for exemption under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future Federal Tax Code.
- E. Notwithstanding any other provisions of these Articles, this corporation will not carry on any other activities not permitted to be carried on by (a) a corporation exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of

1986 or the corresponding provision of any future United States Internal Revenue law or (b) a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 or any other corresponding provision of any future United States Internal Revenue Law.

F. The corporation is established as an apostolate of the Roman Catholic Church and as such, in accordance with canon law, the following rights are reserved to the Member:

1. The approval of the Canonical Statutes of this Parish and the operating philosophy of the corporation shall be approved by the Member;
2. Corporate property may not be sold, encumbered, or otherwise alienated without the express written approval of the Member;
3. The corporation may not be merged or dissolved without the express written approval of the Member; and
4. Any additional rights as provided for in the Bylaws.

#### **ARTICLE V MEMBER**

The sole Member of this corporation shall be the Most Rev. Frank J. Dewane as Bishop of the Diocese of Venice, and his successors in office. In the absence of the bishop, the diocesan administrator *sede vacante* shall assume the role as Member, until a successor diocesan bishop has taken Canonical possession of the Diocese of Venice.

#### **ARTICLE VI BOARD OF TRUSTEES**

The business affairs of this corporation shall be managed by the Board of Trustees. The corporation shall have Trustees to be elected and serve as provided in the Bylaws of the corporation.

The names and addresses of the persons initially serving as Trustees are:

Rev. Robert Dziedziak, 7900 Bee Ridge Road, Sarasota, Florida 34241  
Rev. Msgr Stephen E. McNamara, V.G., 1000 Pinebrook Road, Venice, Florida 34285  
Dr. Volodymyr Smeryk, 1000 Pinebrook Road, Venice, Florida 34285

#### **ARTICLE VII OFFICERS**

Section 1. The officers of the corporation may include President, one or more Vice Presidents, a Secretary, a Treasurer, any additional Assistant Secretaries or Treasurers, and such other officers as the Board of Trustees may elect from time to time. A person may hold more than one office at one time. A person need not be a Trustee in order to hold office.

Section 2. The officers shall be elected at the annual meeting of the Board of Trustees or as provided in the Bylaws.

## **ARTICLE VIII BYLAWS**

The Board of Trustees may adopt or amend the Bylaws for the conduct of the corporation's business and the carrying out of its purposes, subject however, to the prior approval of the Member of the corporation.

## **ARTICLE IX AMENDMENTS**

These Articles of Incorporation may be amended only upon a majority vote of the Trustees of the corporation at any regular or special meeting called for that purpose, but such amendments shall not be effective until approved by the Member of the Corporation in writing.

## **ARTICLE X CONDUCT OF AFFAIRS**

The business and affairs of the corporation shall be conducted in a manner consistent with the code of Canon Law, the religious directives of the Diocese of Venice, all applicable directives and teachings of the Roman Catholic Church, and the provisions of the Articles of Incorporation and Bylaws of this corporation.

## **ARTICLE XI LIMITATIONS ON ACTIVITIES**

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of this corporation. 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 or public office.

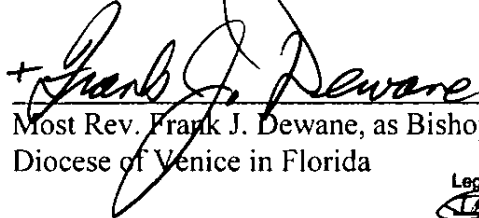
## **ARTICLE XII REGISTERED OFFICE AND AGENT**

The street address of the registered office of this corporation is 4514 Central Avenue, St. Petersburg, Florida 33711, and the name of the registered agent of this corporation at this address is Joseph A. DiVito, Esquire.

**ARTICLE XIII  
INCORPORATOR**

The name of the incorporator is Most Rev. Frank J. Dewane, as Bishop of the Diocese of Venice in Florida, his successors in office and the address of the incorporator is 1000 Pinebrook Road, Venice, Florida 34285.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation on the 15<sup>th</sup> day of December, 2014.

  
\_\_\_\_\_  
Most Rev. Frank J. Dewane, as Bishop of the  
Diocese of Venice in Florida

Legal Dept.  

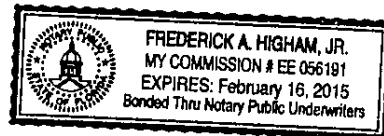

STATE OF FLORIDA  
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me on the 15<sup>th</sup> day of December, 2014 by Most Rev. Frank J. Dewane, as Bishop of the Diocese of Venice in Florida who is personally known to me and who acknowledged before me that he executed and subscribed to these Articles of Incorporation.

\_\_\_\_\_  
NOTARY PUBLIC


Name: \_\_\_\_\_

My Commission expires: \_\_\_\_\_



### ACCEPTANCE BY REGISTERED AGENT

Having been named to accept service of process on behalf of the above-styled corporation, at the office stated above, I hereby accept to act in the capacity of Registered Agent and agree to comply with the provisions relative to keeping said office open.

  
\_\_\_\_\_  
JOSEPH A. DIVITO, ESQ.  
Registered Agent



## STATUTES

### ST. PATRICK PARISH OF THE DIOCESE OF VENICE IN FLORIDA

- 1) TITLE: The Public Juridic Person (*universitates personarum*) referred to herein is titled as St. Patrick Catholic Church of the Diocese of Venice in Florida.
- 2) HISTORY AND PATRIMONY: The parish's history, its benefactors and donors as well as the spiritual and temporal goods validly acquired during its existence, constitute the particular patrimony of the parish as a Public Juridic Person in the Church. The patrimony of the parish is to be inventoried, recorded, kept up to date and maintained according to the norm of law (here and hereafter to mean the CIC of 1983 and those particular laws that apply to the parish) and the written policies of the Diocese of Venice in Florida and precepts of the diocesan bishop. The actual condition of the parish's patrimony and any potential risk to that patrimony must be considered according to the norm law whenever juridic acts may affect the patrimony.
- 3) CONSTITUTION: These statutes are established by the competent legislative authority for the parish of St. Patrick (here after the parish.) The parish was established by a decree of the bishop of (St. Augustine, St. Petersburg, Miami, Orlando or Venice) on (insert date of erection) a Public Juridic Person in the Church by the prescript of law (canon 515 CIC) These statutes are the proper ordinances (canon 94 §1 CIC) of the Public Juridic Person and thus bind that portion of the Christian Faithful entrusted to the pastoral care of the proper pastor of the parish in all of the parish activities and operations. The authentic interpretation of these statutes is governed by norm of law (canons 17-22 CIC.)
  - a. The parish was constituted a stable community of the Christian Faithful and attached to the church by the decree of its erection which also determined the parish limits to be territorial (or personal) and defined the territorial limits (or quality of persons) included in the stable community of the parish.
  - b. The community of the Christian Faithful entrusted to the proper pastor of the parish are contained in the parish limits as it was originally defined or later amended by the competent authority to erect or alter parishes.
    - i. All of the Catholic Faithful who have domicile or quasi domicile within the parish limits belong to the parish and have the right to pastoral care from its proper pastor and those who assist him.
    - ii. The Christian Faithful within the parish who are catechumens, travelers or transients or non-Catholics are to be afforded the pastoral care of the parish in keeping with their rights in law.

- iii. The Christian faithful who do not have domicile within the limits of the Parish, but wish to become part of this Parish Community may register in the Parish to acquire the right to the pastoral care from its proper Pastor.
- iv. Others who are not members of the Christian Faithful are due that Christian Hospitality and decent respect that befits their dignity as Children of God.

4) PURPOSES:

- a. The purpose of a Catholic Parish is defined in law (canons 516 CIC and following)
- b. Especially the parish is to extend the pastoral care of Christ's Church to the Christian Faithful entrusted to it.
- c. The parish is obliged to foster ecclesiastical communion and be an instrument of unity within the Diocese of Venice in Florida as well as to collaborate in charity with the other parishes in the Vicariate of (insert deanery) and Diocese of Venice.
- d. Moreover the parish is meant to serve all the people within the parish while evangelizing and planting the seeds of the Church's faith with charity and respect toward all.

5) GOVERNMENT:

- a. The parish is governed by the universal and particular laws that govern the Catholic Church as well as the laws of the State of Florida that apply to it. These Statutes are supplemental norms which instruct the individual Public Juridic Person as to how to comply with and act in accord with the norms of law that bind the parish.
- b. The power of governance of the parish is vested in the presbyter assigned by the diocesan bishop as its proper pastor. In the act of appointment the diocesan bishop gives the pastor the ordinary power of the pastoral office with all of its rights and obligations as defined in law. The Pastor loses this office according to the norm of canon 538 by transfer, resignation, removal, privation, or death. Removal or transfer of a Pastor is subject to the norms of canons 1740-1752.
- c. In those particular cases where the diocesan bishop assigns a presbyter as Parochial Administrator rather than as Pastor; the diocesan bishop—without prejudice to canon 193 CIC-- reserves to himself the right to determine the administrator's stability in office. All other rights and duties that are attached to the pastoral office by law or given in these statutes to pastors are given to the parochial administrator also.
- d. The term of office for a Pastor, unless it is specified otherwise by the diocesan bishop, is established in accord to canon 523.

- e. The Pastor according to law is the sole juridic officer of the public juridic person of the parish. No one shall be named as signatory for the parish or otherwise to act on behalf of the parish in juridic affairs without the express written permission of the diocesan bishop.
- f. The Pastor is obliged to comply with the universal law, the particular law of the Diocese of Venice and those laws of the State of Florida that apply to the parish and ensure that his parochial vicars and employees to do the same.
- g. While not required by Canon Law, a Pastor should arrange for a Pastoral Advisory Council over which he presides to consider as and propose practical recommendations concerning the pastoral work of the parish and functions in a consultative manner.
- h. THE PARISH FINANCE COUNCIL
  - i. The Pastor is to establish a Parish Finance Council (canon 537 CIC) over which he presides. The members of the parish Finance Council are appointed by the pastor according to the norm of law and the Diocese of Venice Financial Policy and Procedure Manual.
  - ii. The Parish Finance Council is to assist the Pastor in the governance of the temporal affairs of the parish and the administration of temporal goods of the parish according to the norm of law and the Diocese of Venice Financial Policy and Procedure Manual.
  - iii. Since the Finance Council is an essential consultative and deliberative body for the parish, the pastor shall see to it that the Parish Finance Council is convened and meets at least quarterly and that minutes of its meetings are diligently recorded and filed in the parish archives.
  - iv. In order to fulfill the obligation that the ownership of ecclesiastical goods by The Public Juridic Person is protected by civilly valid methods (Canon 1284 §1, 2°)
    - 1. the parish is also to be established as a civil corporation under the laws of the State of Florida.
    - 2. A copy of the ARTICLES OF INCORPORATION and BY-LAWS are to be attached to these statutes and viewed as incorporated in these statutes and having the same force as these statutes in as much as they deal with:
      - a. The merely civil effects of the operation of the parish
      - b. Those merely ecclesiastical laws that yield to the authority of the civil law.
    - 3. A copy of these Statutes is to be included within the Articles of Incorporation and By-Laws of the Corporation.

## 6) METHODS OF OPERATION

a. The Pastor of the parish exercising the pastoral care of the community committed to him carries out the functions of teaching, sanctifying, and governing with the assistance of other clerics, religious and lay members of the Christian Faithful.

- i. The Pastor is to work diligently to ensure the cooperation of the other clerics and religious assigned to the parish; providing for their spiritual and temporal needs in a spirit of common fraternity and simplicity of life; and seeing them as his principal co-workers.
- ii. The Pastor is to exhort the lay members of the Christian Faithful of the parish to assist the pastoral works of the parish by their common efforts and by their financial support. The Pastor is to foster the full participation of the lay faithful according to their state in life while taking note of their particular talents and abilities.
- iii. The parish is to establish in its Rules of Order the manner in which the parish will employ volunteers and paid staff, and adequately train and lead them to assist the pastor in his roles of teaching sanctifying and governing.
- iv. The Pastor is to ensure that the parish complies with the guidelines of the Diocese in organizing parish staff, providing appropriate job descriptions; determining a just salary and benefits, observing the discipline required to properly hire, supervise, correct and when necessary terminate employment of parish staff members.
- v. The parish is to provide for those committees, programs and associations that aid the pastor and parish staff in the roles of teaching, sanctifying and governing of the parish. A list of those committees programs and associations instituted in the parish should be recorded in the parish Rules of Order along with the particular functions assigned to them and the necessary written guidance as to their methods of operation.
- vi. The parish shall establish such additional committees or programs for the proper operations and administration of the parish, including the following as appropriate (this list is not meant to be exhaustive):
  1. Faith Formation Programs for children, youth and adults;
  2. RCIA Program;
  3. School Advisory Committee where applicable;
  4. Social or Outreach Ministry.
- vii. The Pastor is to follow the guidelines of the Diocesan Department of Catholic Education in the methods of operation for the parochial school. The Pastor is to establish, with School Administration, the Parochial

School's Handbook of Policies and Procedures which should be reviewed annually and amended as necessary.

- viii. The Pastor is to be diligent in keeping the sacramental records of the Church up to date and accurate.
- ix. The parish may have a Parish Liturgy Committee presided over by the pastor or other cleric delegated by the pastor.
- b. The financial administration of the parish is to conform to Book V of the Code of Canon Law and the *Diocesan Financial Policy and Procedure Manual*. The Pastor and Parish Finance Council will ensure that the parish is in compliance with all standard procedures and internal controls called for by the Code of Canon Law and *Diocesan Financial Policy and Procedure Manual*. In that regard:
  - i. The primary source of the parish funding is free will offerings of the faithful (offertory collections). When needed, a building fund might be established in accordance with the diocesan policy;
  - ii. Special collections are to be approved by the Local Ordinary and are to be taken as scheduled each year. The collected funds are not the property of the parish and are to be sent to the Finance Department without delay (canon 1266);
  - iii. Offerings given to the Pastor are presumed to be intended for the use and benefit of the Parish, unless it is clearly established that the offering was intended personally for the pastor (canon 1267).
  - iv. All requests from non-diocesan (outside organizations) to raise funds by way of special collections (special fundraising events etc.) for any charitable or religious causes must be approved by the Chancellor's Office.
  - v. The accounts of the parish, or any organization which operates on the parish property, are subject to the diocesan particular law; the inspection and oversight of the Diocesan Finance Department and the Pastor.
- c. Mass offering is defined by the bishops of the province by decree (canon 952), and is given to a priest by a member of the Christian faithful for the application of a specific intention. Mass offerings are not considered assets of the parish and are to be accounted for separately.
  - i. The Pastor is to record "accurately the number of Masses to be celebrated, the intention, the offering given, and their celebration" in a record book set for this purpose. This record book is to be reviewed annually by the Bishop or his delegate (canon 958).
- d. The Pastor's authority and discretion in the administration of the parish and alienation of parish goods are limited in accordance with the norm of law and the Diocese of Venice Financial Policy and Procedure Manual. Those activities that

fall within the limits defined in the Diocese of Venice for ordinary and extraordinary administration as well as those acts of administration that are by their nature more important and require greater caution. The Parish Finance Council and the pastor are to ensure that the limits and restrictions found in the Diocese of Venice Financial Policy and Procedure Manual are complied with by the parish and that all necessary operating procedures are conducted validly by parish administration.

- e. The parish is to consider the actual condition of the parish's patrimony and any potential risk to that patrimony according to the norm law whenever a financial transaction may affect the patrimony.

7) RULES OF ORDER

- a. The parish is to have Rules of Order (by-laws) which must be observed in parish meetings, as well in those things to be defined as to pertaining to the constitution, direction and ways of proceeding of the parish.
- b. The Rules of Order must also include those items deferred to the Rules of Order by these statutes.
- c. The Rules of Order are to be approved by the pastor after hearing from the Pastoral Advisory Council and Parish Finance Council and received the *nihil obstat* of the diocesan bishop.
- d. The Rules of Order bind those who participate in the parish.
- e. To amend the Rules of Order the parish must follow the same procedure given in paragraph 9/c. above.

- 8) AMENDMENTS: To amend these statutes those alterations considered must be presented to the diocesan bishop for approval and published by his legislative authority.

- 9) PROMULGATION: These statutes will be valid 30 days after they are approved and published by the decree of the diocesan bishop exercising his legislative authority to the parish.

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