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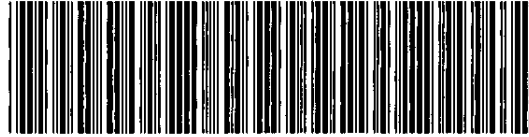
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COVER LETTER

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

SUBJECT: JUDGE ELIJAH AND KATHY SMILEY EDUCATIONAL AND CHARITABLE 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: KATHY SMILEY

Name (Printed or typed)

2510 PARKWOOD DRIVE

Address

PANAMA CITY, FL 32405

City, State & Zip

850 769-1127

Daytime Telephone number

judgesmiley@att.net

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

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

**ARTICLES OF INCORPORATION FOR
JUDGE ELIJAH AND KATHY SMILEY
EDUCATIONAL AND CHARITABLE FOUNDATION, INC.
A NOT-FOR-PROFIT CORPORATION**

ARTICLE I NAME

The Name of the Corporation shall be: **Judge Elijah and Kathy Smiley Educational and Charitable Foundation, Inc.**

ARTICLE II PRINCIPAL OFFICE

The principal place of business and the mailing address of the corporation is:

2510 Parkwood Drive, Panama City, Florida 32405.

ARTICLE III PURPOSE

Said corporation is organized exclusively for charitable, educational, scientific, and literary purposes including the making of distributions to 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.

The exempt purposes set forth in section 501(c)(3) are charitable, religious, educational, scientific, literary, testing for public safety, fostering national or international amateur sports competition, and preventing cruelty to children or animals. The term *charitable* is used in its generally accepted legal sense and includes relief of the poor, the distressed, or the underprivileged; advancement of religion; advancement of education or science; erecting or maintaining public buildings, monuments, or works; lessening the burdens of government; lessening neighborhood tensions; eliminating prejudice and discrimination; defending human and civil rights secured by law; and combating community deterioration and juvenile delinquency.

ARTICLE IV MANNER OF ELECTION

Initial Directors and Officers shall be appointed by the Incorporator. Subsequent directors and officers shall be appointed by a majority of directors. The initial directors are:

- (D) Elijah Smiley, 2510 Parkwood Drive, Panama City, FL 32405**
- (D) Kathy Smiley, 2510 Parkwood Drive, Panama City, FL 32405**
- (D) Danielle Smiley, 2510 Parkwood Drive, Panama City, FL 32405**

15 JUN -2 PM 4:08
NOTARIAL PUBLIC
JUDITH A. SMITH
PANAMA CITY, FLORIDA

ARTICLE V INITIAL REGISTERED AGENT AND STREET ADDRESS

The register agent name and address is: Kathy Smiley, 2510 Parkwood Drive, Panama City, FL 32405

ARTICLE VI CORPORATE RESTRICTIONS

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 that 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 set forth in Article Third hereof. 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 or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. Notwithstanding any other provision of these articles, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

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 un-distributed income imposed by section 4942 of the Internal Revenue Code, or the corresponding section of any future federal tax code.

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.

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.

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.

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.

ARTICLE VII DISSOLUTION

Upon the dissolution of the corporation, assets shall be distributed 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 VIII INCORPORATOR

The name and address of the Incorporator is: **Kathy Smiley, 2510 Parkwood Drive, Panama City, FL 32405.**

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this corporation, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.

In witness whereof, I hereunto subscribe my name this day of July 2015.

Kathy Smiley
Kathy Smiley, Registered Agent

5-30-2015
Date

Kathy Smiley
Kathy Smiley, Incorporator

5-30-2015
Date