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# FLORIDA PROFIT/NON PROFIT CORPORATION JOLLY ARTS ACADEMY, INC.

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ARTICLES OF INCORPORATION

OF

JOLLY ARTS ACADEMY, INC.

FAX AUDIT NUMBER: ((H16000118412-3)))

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SECRETARY OF STATE FALLAHASSEE FLORIDA

(In compliance with Chapter 617, Florida Statutes (Not for Profit))

## ARTICLE I. NAME

The name of this Corporation shall be JOLLY ARTS ACADEMY, INC.

### ARTICLE II. MAILING ADDRESS & PRINCIPAL OFFICE

The mailing address and principal place of business of the Corporation is 6315 2nd Avenue NW. Bradenton, Florida 34209.

### ARTICLE III. PURPOSE

- A. This Corporation is a not-for-profit corporation organized under Chapter 617, Florida Statutes. It is not organized for the private gain of any person. The specific purpose of this Corporation is to operate a private school which will serve to educate its students as well as enhance, foster and encourage its students to embrace and excel in the arts. In carrying out such purpose, the Corporation shall have the power to exercise all rights conferred by the laws of the State of Florida upon not-for-profit corporations.
- B. The purpose for which JOLLY ARTS ACADEMY, INC., is organized is exclusively charitable within the meaning of § 501(c)(3) of the Internal Revenue Code of 1986, as it may hereafter be amended (hereinafter "Code"), and its corresponding Regulations, or the corresponding provision of any future United States Internal Revenue Law.
- C. Notwithstanding any of the above statements of purpose or powers, this Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purpose of the Corporation.
- D. The Corporation has not been formed for pecuniary profit or financial gain, and no part of the assets, income, or profit of the corporation is distributable to, or inures to the benefit of its directors or officers except to the extent permitted by the Florida Not For Profit Corporation Act. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not

PREPARED BY: Jason M. DePaola, Esquire (Bar No. 0180040) Porges, Hamlin, Knowles & Hawk, P.A. 1205 Manatee Avenue West Bradenton, Florida 34205 (941) 748-3770 FAX AUDIT NUMBER: (((H16000118412 3)))

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conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under § 501(c)(3) of the Code and Regulations issued pursuant thereto as they now exist or as they may hereafter be amended, or by an organization contributions to which are deductible under § 170(c)(2) of the Code and Regulations issued pursuant thereto as they now exist or as they may hereafter be amended.

- E. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, any Director of the Corporation or any member of the Corporation or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation affecting one or more of its purposes), and no Director of the Corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.
- F. 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 publication or distribution of statements) any political campaign on behalf of any candidate for public office.
- G. In the event of dissolution, the residual assets of the Corporation will be turned over by the Board of Directors to one or more Organizations which themselves are exempt as Organizations described in §§ 501(c)(3) and 170(c)(2) of the Code or corresponding sections of any subsequent Internal Revenue Code or Regulation, as the Board of Directors shall determine. Any of such assets not so disposed of shall be disposed of by the Circuit Court in Manatee County, Florida, exclusively for such purposes or to such organization or organizations, as the Court shall determine, which are organized and operated exclusively for such purposes.

#### ARTICLE IV. MEMBERS

The Corporation shall not have members.

### ARTICLE V. BOARD OF DIRECTORS

All corporate powers shall be exercised by or under the authority of, and the business of the Corporation shall be managed under the direction of a Board of Directors. The number of the Directors on this Corporation's Board of Directors shall initially be three (3), provided, however, that the number of Directors may be decreased or increased from time to time (but can never have less than three (3) Directors), as provided in this Corporation's By-laws. Such Directors are to be elected or appointed in the manner provided for by the Corporation's By-laws.

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# ARTICLE VI. INITIAL DIRECTORS AND/OR OFFICERS

The initial directors and officers of the Corporation are:

Kurt M. Jolly

Director and President

Sarah Peace

Director and Secretary

Miriam J. Jolly

Director and Treasurer

### ARTICLE VII. INITIAL REGISTERED AGENT AND STREET ADDRESS

The name and address of this Corporation's initial registered agent shall be Jason M. DePaola, Esquire, at 1205 Manatee Avenue West, Bradenton, Florida 34205.

# ARTICLE VIII. INCORPORATOR

The name and address of the individual who shall serve as this Corporation's Incorporator is Jason M. DePaola, Esquire, at 1205 Manatee Avenue West, Bradenton, Florida 34205.

IN WITNESS WHEREOF, the undersigned has signed these Articles of Incorporation on the 12th day of May, 2016.

Jason M. DePaola, Incorporator

In accordance with Chapter 617, <u>Florida Statutes</u>, the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in § 817.155, <u>Florida Statutes</u>.

### ACCEPTANCE BY REGISTERED AGENT

In accordance with § 617.0501, <u>Florida Statutes</u>, having been named as Registered Agent and to accept service of process for the above-stated Corporation at the place designated in this certificate, I hereby accept the appointment as Registered Agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties,

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and I am familiar with and accept the obligations of my position as Registered Agent as provided in Chapter 617, Florida Statutes.

DATED this 12th day of May, 2016.

Jason M. DePaola, Registered Agent

STATE OF FLORIDA COUNTY OF MANATEE

On May 12, 2016, Jason M. DePaola, designated above as the Incorporator for the Corporation and the individual who shall serve as this Corporation's Registered Agent, who is personally known to me and who did not take an oath, personally appeared before me and signed these Articles of Incorporation.

Notary Public, State of Florida

My Commission Expires: (affix Notary seal)

JOYCE M. STERNER

Printed, Typed, or Stamped Name of Notary Public



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SECAN ASSEE FLORIDA

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