

3/13/2020

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Florida Department of State

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TY SAM MEMORIAL FOUNDATION, INC.

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ARTICLES OF INCORPORATION
OF
TY SAM MEMORIAL FOUNDATION, INC.
a corporation not for profit

I, the undersigned with other persons being desirous of forming a corporation not for profit, do agree to the following:

ARTICLE I - NAME

The name of this corporation shall be TY SAM MEMORIAL FOUNDATION, INC. The principal office address and mailing address shall initially be 18110 Reservation Rd, NE, Okeechobee, Florida 34974. The duration of the corporation shall be perpetual.

ARTICLE II - PURPOSE

The corporation is organized to solicit funds for charitable causes and to stage events in pursuit of charitable causes.

ARTICLE III - POWERS

The corporation shall have all powers provided for Corporations Not For Profit by Chapter 617.0302 of Florida Statutes and including but not limited to the powers:

To receive and maintain a fund or funds of real or personal property, or both, and subject to the restrictions and limitations hereinafter set forth, to use and apply the whole or any part of the income there from and the principal thereof exclusively for the purposes described herein.

Nothing contained in the foregoing statement of purposes or in these powers shall be construed to authorize this corporation to carry on any activity for the profit of its members, or to distribute any gains, profits, or dividends to its members.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, any Director or Officer of the corporation or any member of the corporation or any other private individual (except that reasonable compensation may be paid for services rendered by any individual) and no individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

THIS DOCUMENT PREPARED BY:

Thomas K. Boardman

THOMAS K. BOARDMAN, P.A.

P.O. Box 2197

LaBelle, Florida 33975

(863) 674-1027

Florida Bar No. 103581

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The corporation shall not engage in any act of self-dealing as defined on Section 4941(d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

The corporation shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

The corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

The corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws.

Notwithstanding any other provisions of these Articles of Incorporation, the corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and Regulations issued pursuant thereto as they now exist or as they may hereafter be amended.

ARTICLE IV - OFFICERS

The officers of the corporation shall be a President, a Vice-President, a Secretary, and a Treasurer. Such officers will be elected annually as provided for in the by-laws. The names of the persons who are to serve as officers until the first election of officers under these Articles of Incorporation are as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Frank W. Huff	18110 Reservation Rd., NE. Okeechboee, FL 34974
Vice-President/ Secretary/ Treasurer	Ashton Baxley	15940 Reservation Rd., NE Okeechobee, FL 34974

ARTICLE V - DIRECTORS

The operation of this corporation shall be under the control of a Board of Directors who shall be not less than three (3) nor more than twelve (12) in number. Directors shall be elected as provided in the By-Laws.

The names and addresses of the persons who shall comprise the initial Board of Directors are Frank W. Huff, 18110 Reservation Rd., NE, Okeechobee, FL 34974; Ashton Baxley, 15940 Reservation Rd., Okeechobee, FL 34974; and Nicole W. Tijerina, 1538 Hudson Rd., Alford, FL 32420.

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ARTICLE VI - INCORPORATORS

The name and address of the incorporator hereof is as follows:

NAMEADDRESS

Frank W. Huff

18110 Reservation Rd., NE
Okeechobee, Florida 34974ARTICLE VII - REGISTERED AGENT

The registered agent of the corporation shall be Frank W. Huff. The street address of the registered agent is 18110 Reservation Rd., NE, Okeechobee, Florida 34974.

ARTICLE VIII - BY-LAWS

The by-laws of the corporation are to be made, altered or rescinded by a majority vote of members of the corporation present and voting at any regular or special meeting provided the proposal is submitted to all members one week in advance of the meeting by U.S. mail or other methods provided in the by-laws.

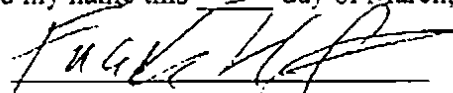
ARTICLE IX - AMENDMENTS

These Articles of Incorporation may be amended by a majority vote of the members present and voting at any regular or special meeting provided the proposed amendment and notice of meeting announced one week in advance and a copy of the proposed amendment is posted by U.S. mail or as otherwise provided in the by-laws, to each member, in advance of the meeting.

ARTICLE X - DISSOLUTION

This corporation is one which does not contemplate pecuniary gain or profit to the members thereof and it is organized solely for nonprofit purposes. On the winding up and dissolution of this corporation, after payment of or adequate provision for the debts and obligations of the corporation, the remaining assets shall be distributed to a nonprofit fund, foundation, or corporation, which is organized and operated exclusively for those purposes permitted under Section 501 Subsection (c) (5) of the Internal Revenue Code.

IN WITNESS WHEREOF, I have subscribed my name this 13 day of March, 2010.


FRANK W. HUFF

I hereby am familiar with and accept the duties and responsibilities as registered agent for said corporation.


FRANK W. HUFF

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