

N49512

(Requestor's Name)

COMMUNITY HOUSING INITIATIVE  
P.O. BOX 410522  
MELBOURNE, FL 32941-0522

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only



000021994790

08/12/03--01057--004 \*\*35.00

FILED  
03 SEP -3 AM 8:56  
CLERK OF STATE  
FLORIDA

Restated Articles

ghm  
9/15/03

## TRANSMITTAL LETTER

TO: Amendment Section  
Division of Corporations

SUBJECT: Community Housing Initiative, Inc..  
(Name of corporation)

DOCUMENT NUMBER: N49512

The enclosed Statement of Change of Registered Office/Agent and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Nicole Tenpenny  
(Name of person)

Community Housing Initiative, Inc.  
(Name of firm/company)

PO Box 410522.  
(Address)

Melbourne, FL 32941-0522.  
(City/state and zip code)

For further information concerning this matter, please call:

Nicole Tenpenny. at ( 321. ) 253-0053.  
(Name of person) (Area code & daytime telephone number)

Enclosed is a \$35.00 check made payable to the Department of State.

**Mailing Address:**  
Amendment Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

**Street Address:**  
Amendment Section  
Division of Corporations  
409 E. Gaines Street  
Tallahassee, FL 32399

FILED

03 SEP -3 AM 8: 56

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**RESTATED ARTICLES OF INCORPORATION**  
**OF**  
**COMMUNITY HOUSING INITIATIVE, INC.**

*In compliance with the requirements of Chapter 617, Florida Statutes, Community Housing Initiative, Inc. (the "Corporation"), which filed its original Articles of Incorporation with the Florida Secretary of State on June 23, 1992, hereby files these Restated Articles of Incorporation. These Amendments were adopted by the Directors of the Corporation by unanimous vote at the meeting of the Board of Directors duly held on the 17th day of July, 2003. The Restated Articles of Incorporation only restate and integrate and do not further amend the Articles of Incorporation as amended and there is no discrepancy between the Articles of Incorporation previously amended and the provisions of the Restated Articles of Incorporation other than the omission of matters of historical interest.*

**ARTICLE I**

**CORPORATE NAME**

The name of the Corporation is **COMMUNITY HOUSING INITIATIVE, INC.**

**ARTICLE II**

**PRINCIPAL OFFICE AND MAILING ADDRESS**

The principal office of the Corporation is 3033 College Wood Drive, Melbourne, FL 32935. Mailing address of the Corporation is PO Box 410522, Melbourne, FL, 32941-0522.

### **ARTICLE III**

#### **REGISTERED AGENT AND STREET ADDRESS**

Nicole Tenpenny whose address is 3033 College Wood Drive, Melbourne, FL 32935, is hereby appointed registered agent of this Corporation.

### **ARTICLE IV**

#### **PURPOSE AND POWERS OF THE CORPORATION**

The specific purposes for which the Corporation is organized are:

1. To provide for assistance in the acquisition of decent housing, suitable living environment, economic opportunities for underprivileged persons and persons of very low, low, and moderate income; and community rehabilitation, restoration and development activities which may be supported by U.S. Federal Assistance, according to the provisions contained in Title 42 Sections 5301-5320, known as Chapter 69, Community Development, and subsequent sections.
2. To make available, for each project undertaken by the Corporation, (a) at least seventy-five (75%) of the units are occupied by residents that qualify as low-income (80% percent of the area's median income). Up to twenty-five percent (25%) of the units may be provided at market rates to persons who have incomes in excess of low-income limit.
3. To be organized as a non-profit Corporation operated exclusively for charitable purposes, qualified under Section 501(C)(3) of the Internal Revenue Code of 1986 ( or the corresponding provisions of any subsequent United States Revenue Law).
4. To educate the public on the need and desirability of making housing available on a non-discriminatory basis to underprivileged persons and persons of very low, low and moderate incomes.

5. To aid underprivileged persons and persons of very low, low and moderate income families by lessening neighborhood tensions and combating community deterioration.

6. To disseminate information to underprivileged persons and persons of very low, low and moderate incomes concerning availability of affordable housing.

7. To lessen the burden of government in regard to the provision of affordable housing opportunities for the underprivileged persons and persons of very low, low and moderate incomes.

8. To receive, maintain, and accept as assets of the Corporation, any property, whether real, personal, or mixed, by way of gift, bequest, devise, or purchase from any person, firm, trust, or Corporation, to be held, administered and disposed of in accordance with and pursuant to the provisions of these Articles; but no gift, bequest, devise, or purchase of any such property shall be received or made and accepted if it is conditioned or limited in such manner as shall require the disposition of income or principal to any organizations other than a charitable organization or for any purpose other than charitable purposes within the meaning of such term as defined herein or which would jeopardize the Federal income tax exemption of this Corporation pursuant to Section 501 (c)(3) or the Internal Revenue Code of 1986 (or the corresponding provisions of any subsequent United States Revenue Law).

## **ARTICLE V**

### **BOARD OF DIRECTORS**

**Section 1.** The general management of the affairs of the organization shall be vested in the Board of Directors.

**Section 2.** Number of Director

The number of directors shall be not less than three, which may be changed from time to time by an amendment of these By-Laws in the manner herein provided.

### **Section 3. Qualifications of Directors**

At least one-third of the member of the Board of Directors must be:

- a. Residents of low income neighborhoods (neighborhoods where 51% or more of the residents are low income);
- b. Other low income residents of the community; or
- c. Elected representatives of low income neighborhood organizations.
- d. No more than one-third of the Board may be public officials nor may more than one-third of the Board be selected by a state or local government. The Board members appointed by state or local government may not, in turn, appoint the remaining two-thirds of the Board.

### **Section 4. Election of Directors and Officers**

The directors shall serve on the Board for a two-year term, at which time they may be re-elected for an additional term of two years. No director shall serve more than two consecutive terms, maximum of four (4) years. Any director may resign at any time by providing the remaining directors thirty (30) days prior written notice.

The officers are elected annually at the annual meeting. Officers shall serve a one (1) year term. Any officer may resign at any time by providing the remaining directors thirty (30) days prior written notice. Vacancies on the Board shall be filled within sixty (60) days of the event that caused the vacancy. Officers filling vacancies on the Board shall be chosen to serve until the next annual meeting of the Board.

## **ARTICLE VI**

### **EXISTENCE**

This corporation shall have perpetual existence.

## **ARTICLE VII**

### **DISTRIBUTION OF ASSETS**

Upon dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the Corporation, dispose of all of the assets of the Corporation in such manner, an to such organization or organizations which are organized exclusively for charitable, educational, religious or scientific purposes, as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any assets not so disposed of shall be disposed of by a court of competent jurisdiction in the county in which the principal office of the Corporation is then located, exclusively for such purpose, or to such organizations as such Court shall determine.

## **ARTICLE VIII**

### **BY-LAWS**

The by-laws of the Corporation may be made, altered, rescinded, added to, or new by-law's may be adopted, by a vote of majority of the Board of Directors.

## **ARTICLE IX**

### **AMENDMENTS TO ARTICLES OF INCORPORATION**

Amendments to these Articles of Incorporation may be adopted by a vote of the majority of the Board of Directors.

## **ARTICLE X**

### **INDEMNIFICATION**

Each person (including the heirs, executors, administrators, personal representative, or estates of such person):

- (a) who is or was a director or officer of the Corporation;
- (b) who is or was an agent, employee, or advisor of the Corporation other than a director or officer and to whom the Corporation has agreed to grant such indemnity; or
- (c) who is or was serving at the request of the Corporation as its representative in the position of a director, officer, agent, or employee of another Corporation, partnership, joint venture, trust, or other enterprise, and to whom the Corporation has agreed to grant such indemnity shall be indemnified by the Corporation as of right to the fullest extent permitted or authorized by current or future legislation or by current or future judicial or administrative decision, against any lien, liability, cost, or expense including attorney's fees, asserted against him/her or incurred by him/her in his/her capacity as such director, officer, agent, employee, advisor, or representative. The foregoing right of indemnification shall not be exclusive or other rights to which those seeking an indemnification may be entitled.

## **ARTICLE XI**

### **EARNINGS & ACTIVITIES OF CORPORATION.**

- (a) Directors and officers will be reimbursed for reasonable expenses incurred in carrying out their duties.

(b) This Corporation shall not, as a substantial part of its activities, carry on propaganda or otherwise attempt to influence legislation; nor shall it participate or intervene (by publication or distribution of any statements or otherwise) in any political campaign on behalf of any candidate for public office.

(c) 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 of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a Corporation whose contributions are deductible under Section 170 (c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law.)

(d) If, at any time, the Corporation becomes a private foundation as defined in Section 509 of the Internal Revenue Code of 1986 (or corresponding provision of any United States Revenue Law), the Corporation:

Shall distribute income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code of 1986, (or corresponding provisions of any future United States Revenue Law).

Shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code of 1986 (or corresponding provisions of any future United States Revenue Law).

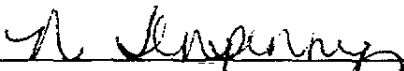
Shall not retain any excess business holdings as defined in Section 4943 (c) of the Internal Revenue Code of 1986 (or corresponding provisions of any future United States Revenue Law).

Shall not make any investments in such manner as to subject it to taxes under Section 4944 of the Internal Revenue Code of 1986 (or corresponding provisions of any future United States Revenue Law).

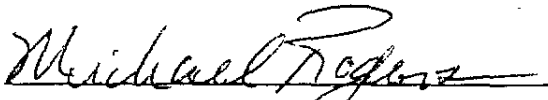
Shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code of 1986 (or corresponding provisions of any future United States Revenue Law).

(e) 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.

We, the undersigned, being the President and Secretary of this Corporation have executed these Articles of Incorporation this 17<sup>th</sup> day of July, 2003.

  
Nicole Tenpenny, President/Executive Director

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

  
Michael Rogers, Treasurer

STATE OF FLORIDA  
COUNTY OF BREVARD

I HEREBY CERTIFY that on this day, before me, the undersigned authority, personally came and appeared, Nicole Tenpenny and Michael Rogers, as Executive Director and Treasurer, respectively, of Community Housing Initiative, Inc. a Florida Corporation on behalf of such Corporation, known to me to be the persons who executed the foregoing Restated Articles of Incorporation and they acknowledge before me that they executed those Restated Articles of Incorporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 17th day of July, 2003.

  
NOTARY PUBLIC Brenda Weed

State of Florida

My Commission Expires: 12-28-05

