

Division of Corporations

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N 9300000 2720

Florida Department of State
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BASIC AMENDMENT

PLYMOUTH CONGREGATIONAL CHURCH FOUNDATION, INC.

Certificate of Status	0
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Estimated Charge	\$35.00

AMEND
PG 11-1
4

NOVEMBER 5, 2002

PLYMOUTH CONGREGATIONAL CHURCH FOUNDATION, INC.
3400 DEVON ROAD
MIAMI, FL 33133

SUBJECT: PLYMOUTH CONGREGATIONAL CHURCH FOUNDATION, INC.
REF: N93000002720

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THE DOCUMENT MUST BE SIGNED BY THE CHAIRMAN, ANY VICE CHAIRMAN OF THE BOARD OF DIRECTORS, ITS PRESIDENT, OR ANOTHER OF ITS OFFICERS.

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KAREN GIBSON
DOCUMENT SPECIALIST

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ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION
OF
PLYMOUTH CONGREGATIONAL CHURCH FOUNDATION, INC.

Document Number N93000002720

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Pursuant to the provisions of Section 617.1006, Florida Statutes, the undersigned Florida nonprofit corporation adopts the following articles of amendment to its articles of incorporation.

FIRST: Amendment(s) adopted:

Article VI of the Articles of Incorporation of Plymouth Congregational Church Foundation, Inc. is deleted in its entirety and the following is substituted therefor:

ARTICLE VI -- ENDOWMENT FUNDS

The assets of the Corporation shall be divided into the following categories and the use, and the restrictions on the use, of each category of such assets shall be as hereinafter provided:

A. Restricted Endowment. The Foundation's historic endowment which is subject to the terms of a governing instrument and gifts to the Foundation or the Church which are transferred by the Church to the Foundation and which are subject to the terms of a governing instrument (collectively, such endowment the "Restricted Endowment") shall be maintained in accordance with applicable law, accounting principles and the terms of the governing instruments governing such endowment. The Restricted Endowment shall be distributed to the Church only for the purpose, and according to the restrictions, designated by the donor thereof, unless the governing instrument includes an alternative use clause and the Board of Trustees of the Church, upon the affirmative vote of its members, determines that such purpose is no longer feasible or required. In such event, subject to the requirements of applicable law and the terms of the governing instrument, the fund shall be expended for a purpose established by the affirmative vote of the members of the Board of Trustees of the Church. If there is not a donor imposed restricted purpose or use, a Restricted Endowment gift may be expended by the Church for the purpose and use determined from time to time by the Board of Trustees of the Church to be appropriate and in the best interest of the Church. If the Restricted Endowment is not subject to distribution instructions, distributions of such endowment shall be made annually to the Church in the same manner as the Non-Restricted-Endowment (as such term is hereinafter defined). "Governing instrument" as used herein shall mean the document(s) setting forth the terms and restrictions, if any, under which the fund is established and to be governed.

B. Non-Restricted-Endowment. All of the Corporation's assets other than its Restricted Endowment shall be referred to as "Non-Restricted Endowment." Within ninety (90)

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days of the end of each of its fiscal years, the Corporation shall distribute to the Church five percent (5%), of the most recent twelve quarter rolling average of the fair market value of the Non-Restricted Endowment computed as of the end of such fiscal year.

The Corporation shall distribute to the Church in any fiscal year an amount less than, or in excess of, five percent (5%) of the most recent twelve quarter rolling average of the fair market value of the Non-Restricted Endowment if two-thirds of the members of the Church present at a duly called meeting of the members of the Church, the notice for which meeting specifically provided that a lesser distribution or an extraordinary distribution, as the case may be, from the Corporation was to be considered, vote that no amount or a specified amount held by the Corporation be distributed to the Church. The Corporation shall distribute to the Church, within a reasonable time after receipt of notice of such vote, the amount, if any, approved in such vote. Thereafter, in computing the annual distribution from the Non-Restricted Endowment the amount of the extraordinary distribution, if any, shall be deducted from most recent twelve quarterly Non-Restricted Endowment fund balances in arriving at the base to which the applicable percentage is to be applied.

SECOND: The date of adoption of the amendment(s) was: September 29, 2002.

THIRD: Adoption of Amendment (check one):

☒ The amendment(s) was (were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.

☐ There are no members or members entitled to vote on the amendment. The amendment(s) was (were) adopted by the board of directors.

By:


David B. McCrea, President

Date: September 29, 2002

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