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Amend & List.
C.COULLETTE

JAN 05 2011

EXAMINER

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: AMERICAN ASSOCIATION OF CAREGIVING YOUTH

DOCUMENT NUMBER: N98000004706

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

CYNTHIA CUMMINGS

(Name of Contact Person)

AMERICAN ASSOCIATION OF CAREGIVING YOUTH, INC.

(Firm/ Company)

1515 N FEDERAL HWY, STE 214

(Address)

BOCA RATON/FL/33432

(City/ State and Zip Code)

CYNTHIA@AACY.ORG

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

For further information concerning this matter, please call:

CYNTHIA CUMMINGS

(Name of Contact Person)

at (561) 391-7401

(Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount made payable to the Florida Department of State:

☐ \$35 Filing Fee

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Certified Copy
(Additional Copy
is enclosed)

Mailing Address

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

Amended and Restated
Articles of Incorporation
of
American Association of Caregiving Youth, Inc.
a Florida Not For Profit Corporation

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DIVISION OF CORPORATIONS
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These Amended and Restated Articles of Incorporation of American Association of Caregiving Youth, Inc. (the "Corporation"), whose original Articles of Incorporation were filed with the Florida Department of State on August 14, 1998 and amended on August 4, 2005, November 16, 2009 and December 21, 2009, have been duly executed and are being filed by the undersigned authorized officer of the Corporation pursuant to Section 617.1007, Florida Statutes.

ARTICLE I.
NAME

- 1.1 The name of the Corporation is American Association of Caregiving Youth, Inc.

ARTICLE II.
PRINCIPAL PLACE OF BUSINESS AND MAILING ADDRESS

- 2.1 The principal place of business and mailing address of the Corporation is:

American Association Of Caregiving Youth, Inc.
1515 North Federal Highway, Suite 214
Boca Raton, Florida 33432

ARTICLE III.
PURPOSES

- 3.1 The general purposes for which this Corporation is formed are to operate exclusively for charitable and educational purposes which will qualify it as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provisions of any subsequent federal tax laws, including, for those purposes, the making of distributions to organizations which qualify as tax exempt organizations under the Code, and include, among others, the purposes contained in Section 3.2 through Section 3.13 of this Article III.

- 3.2** The primary charitable purpose for which this Corporation is formed is to operate' and provide support services to individuals and/or their friend and family caregivers of any age who, by reason of minority, or advanced age, or physical inability or disability, or mental limitations or incapacity, may be unable (either partly or wholly) to care for, assist, or provide for themselves in undertaking, performing and/or satisfying their basic and/or necessary daily needs and desires, and to this end, shall include, among others, the purposes hereinafter following under this Article III.
- 3.3** To promote, establish and maintain a staff and volunteers for individuals and/or their friend or family caregivers.
- 3.4** To interest adult and young men and women to dedicate a portion of their lives by engaging in volunteer caregiving services to individuals and/or their friend or family caregivers.
- 3.5** To instruct and educate volunteer caregivers on the methods and means of providing support services to individuals and/or their friend or family caregivers.
- 3.6** To maintain and promote the welfare, dignity, independence, and quality of life of individuals and/or their friend or family caregivers through the implementation of the purposes specified in this Article III.
- 3.7** To enable individuals and/or their caregivers access to and/or contact with representatives and members of their religious faith and/or chosen places of worship and related institutions.
- 3.8** To promote and provide counseling, education and activities in both individual and group sessions to friend and family caregivers of individuals.
- 3.9** To conduct public discussion groups, forums, panels, lectures, or other similar programs (including personal, written, audio, visual, and audio-visual intercourse) so as to inform and educate the general public with respect to the needs of individuals and/or their friend or family caregivers, the programs and/or facilities available to satisfy such needs or the lack thereof, the means and methods available and/or required to satisfy such needs, and in general to make the public aware of the needs of individuals and/or their caregivers, stimulate and encourage a better understanding and relations between them and the general public, and strengthen and widen participation by the general public and all members of the community in the support of those activities, events, and programs which engender a broader public awareness, interest and understanding of individuals and their caregivers.
- 3.10** To act as a liaison to local, state and federal agencies with respect to the charitable and educational purpose for which this Corporation is formed.
- 3.11** To act as a clearing house (a) for information related to or affecting individuals and/or caregiving support services, and (b) in maintaining listings and records of agencies and organizations (private and governmental) which provide services to individuals and/or friend or family caregivers so as to

enable this Corporation to refer to and collaborate with the appropriate agency or organization the needs of particular individuals and/or their family caregivers in a prompt and expeditious manner and avoid duplicity of effort and response.

3.12 To engage in fund raising and solicitation, either directly or through sponsored programs and events, the net proceeds of which will be used, disbursed or donated for exclusively charitable purposes, with the principal and income therefrom to be distributed or disbursed either directly or indirectly for the purposes specified in this Article III, or to other organizations organized and operated exclusively for charitable, educational, religious, or literary purposes, and found exempt from tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provisions of any subsequent federal tax laws.

3.13 To provide support services to individuals and/or family caregivers regardless of age, disability, condition, religious affiliation, ethnicity, or cultural makeup, and in general to care and provide for the welfare of such persons, which services include on a needs driven basis, among others, the following:

(a) support in the form of transportation to health care providers, pharmacies, financial institutions, and places of worship and religious institutions, and other activities;

(b) support in running errands, shopping for food and other personal needs, housekeeping services, yard work, minor repairs to the home and fixtures and appliances therein, assistance in making arrangements for major repairs to the home and fixture and appliances therein and replacements thereof;

(c) to provide the individuals and/or family caregivers with personal visitations and/or telephone reassurances, guidance, and comfort, and furnish educational and recreational activities;

(d) to provide for or make arrangements for the home delivery of prepared meals and/or food stuffs, and/or for the preparation of meals for those families who do not qualify for any programs which furnish prepared meals and/or whom are unable to adequately prepare meals for themselves or dependant persons in the household; and

(e) to provide respite services for both individuals and friend and/or family caregivers of the individuals, so as to enable such caregivers to care for their own health and welfare, academic, business and personal activities, and spiritual needs.

3.14 In furtherance of its corporate purpose, the Corporation shall have all of the general powers enumerated in Section 617.0302, Florida Statutes, and all of the emergency powers enumerated in Section 617.0303 of the Florida Statutes, and such other powers as may, from time to time, be enacted thereunder as law.

ARTICLE IV.
LIMITATION OF CORPORATE POWERS

Notwithstanding any powers granted to the Corporation by its Articles of Incorporation, Bylaws or by laws of the State of Florida, the following limitations of power shall apply:

- 4.1** Nothing contained in these Articles of Incorporation shall authorize the Corporation, either directly or indirectly, to engage in or include among its purposes any activities which would otherwise require organization under a designated class of corporations not for profit.
- 4.2** Nothing herein shall authorize the Corporation, either directly or indirectly, to engage in or include among its purposes any activities which, if engaged in or included among its purposes, would be violative of any law of the State of Florida or for which a license, approval, authorization, consent, endorsement, leave, permission, permit or sanction is required from the State of Florida and/or from any of its departments or agencies.
- 4.3** No Director of this Corporation or any private person or individual shall have any right, title, or interest in the income, property or assets of the Corporation, nor shall any portion of its income, property, or assets be distributed to any Director or private person or individual on the dissolution or winding up of the Corporation. The Directors of the Corporation shall not be personally liable for the debts, liabilities, or obligations of the Corporation, and shall not be subject to assessments.
- 4.4** The Corporation is not an "action" organization as defined in Reg. Section 1.501(c)(3) 1(c)(3) of the Internal Revenue Code of 1986, and specifically, 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 any candidate for public office.
- 4.5** Notwithstanding any other provisions contained in these Articles of Incorporation, the Corporation shall not carry on any activities not permitted to be carried on by (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any subsequent federal tax laws), or (b) a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provisions of any subsequent federal tax laws).

**ARTICLE V.
MANNER OF ELECTION OF DIRECTORS**

- 5.1** The manner in which the Directors are elected or appointed shall be governed by the Bylaws.

**ARTICLE VI.
REGISTERED AGENT**

- 6.1** The name and street address of the Registered Agent is:

Connie Siskowski
2021 N. W. 53rd Street
Boca Ration, FL 33496

**ARTICLE VII.
DISSOLUTION**

- 7.1** In the event of the dissolution of this Corporation, or in the event it shall cease to carry out the objects and purposes herein set forth, all of the business, property, and assets of the Corporation shall go and be distributed to such non profit charitable organization or organizations exempt from tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986 or under a corresponding section of any future federal tax code, as may be selected by the Board of Directors of this Corporation, so that the business properties and assets of this Corporation shall then be used for, and devoted to, the purpose of carrying on non profit charitable and/or educational activities primarily for the benefit of individuals as herein described and/or the elderly residing in the United States of America, provided such organization or organizations previously and continuously conducted such tax exempt purposes for a period of not less than three (3) years (the "non profit charitable purpose") and at the time of distribution continues to conduct its operation for a non profit charitable purpose. In no way shall any of the assets of this Corporation, or the proceeds from any of its assets or property, in the event of dissolution, go or be distributed to any member of the Board of Directors, the Advisory Board, the Sponsors' Committee, or to any other person or entity for reimbursement of any sums subscribed, donated, or contributed by them, or for any other purpose, it being intended that in the event of the dissolution of this Corporation, or upon it ceasing to carry out the objects and purposes herein set forth, the property and assets then owned by the Corporation shall be devoted to the non profit charitable purposes, subject to the order and further direction of the Court having competent jurisdiction of the county in which the principal office of the Corporation is then located. Failing the deviation of the assets to the nonprofit charitable purposes, any such assets not so disposed of shall be disposed of by a like Court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for the purposes of carrying on non profit charitable, religious, eleemosynary,

benevolent, educational, or similar purposes consistent with the provisions contained in Chapter 617, Florida Statutes.

The Corporation does not have any members. The Board of Directors of the Corporation adopted these Amended and Restated Articles of Incorporation pursuant to Section 617.0821, Florida Statutes, *on October 18, 2010.*

The undersigned Chairman of the Board of Directors of the Corporation has executed these Amended and Restated Articles of Incorporation this 23rd day of December, 2010.


Fred Galland, Chairman of the Board