

03/2020

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FAX AUDIT NO. H200001769313

ARTICLES OF AMENDMENT  
TO  
ARTICLES OF INCORPORATION  
OF  
THE HORIZON FOUNDATION, INC.

2020 Jun 11 11:06:57

Document Number: N98000006173

Pursuant to the provisions of Section 617.1006, Florida Statutes, this Florida Not For Profit Corporation adopts the following amendments to its Articles of Incorporation:

**FIRST:** Article IV of the Articles of Incorporation shall be deleted in its entirety and the following text was adopted by the corporation as the new Article IV to its Articles of Incorporation:

**"ARTICLE IV  
PURPOSE**

The Corporation is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding section of any future federal tax code) (the "Code"). Specifically, the mission and purposes for which the Corporation is organized are: (1) to support, foster, and encourage the economic development and diversity of business interests in Lee County, Florida; (2) to provide financial, advisory, and other support for the Lee County Economic Development Office (EDO) and the Horizon Council of Lee County, a public/private advisory board to the Lee County Board of County Commissioners (Lee BOCC) created by Lee County Resolution 91-07-111, as amended; and (3) to provide financial and other support to such other organizations and entities that the Corporation determines will promote and complement the interests and mission of the Corporation, the EDO, and/or the Horizon Council.

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, directors, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its Section 501(c)(3) purposes. 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, or in opposition to, any candidate for public office.

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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 Code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code."

**SECOND:** Paragraph (b) of Article VII of the Articles of Incorporation shall be deleted in its entirety and the following text was adopted by the corporation as the new paragraph (b) of Article VII to its Articles of Incorporation:

"(b) **COMPOSITION OF BOARD OF DIRECTORS.** The Board of Directors of the Corporation shall be elected and serve in accordance with the Bylaws of the Corporation."

**THIRD:** Article XII of the Articles of Incorporation shall be deleted in its entirety and the following text was adopted by the corporation as the new Article XII to its Articles of Incorporation:

**"ARTICLE XII  
DISTRIBUTION OF ASSETS UPON DISSOLUTION**

In the event of dissolution of this Corporation, none of the assets shall be distributed to any director or officer of the Corporation; instead, the Board of Directors, after paying or making provision for the payment of all liabilities of the Corporation, shall arrange for all remaining assets to be disposed of by the Directors to such organization or organizations in operation, as said Directors shall determine, which are organized and operated exclusively for such purposes and qualify as a tax-exempt organization under the provisions of Section 501(c)(3) of the Code, all in accordance with the laws governing dissolution of not-for-profit organizations and organizations exempt from federal income tax under Section 501(c)(3) of the Code or the corresponding provision of any future United States Internal Revenue law. Provided, however, if the Directors are unable to make a determination as to the recipients of the assets, the Directors may arrange for such assets to be disposed of by a court of competent jurisdiction in Lee County, Florida, to such organization or organizations in operation as said Court shall determine, which are organized and operated exclusively for such purposes and qualify as a tax-exempt organization under the provisions of Section 501(c)(3) of the Code."

**FOURTH:** The amendments to the Articles of Incorporation were duly adopted by the Board of Directors of this Corporation on the 5th day of June 2020, and the number of votes cast by the Board of Directors were sufficient for approval. The amendments to the Articles of Incorporation were duly adopted by the Members of this Corporation on the 5th day of June 2020, and the number of votes cast by the Members were sufficient for approval.

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The undersigned officer of this Corporation has executed these Articles of Amendment  
on the 5th day of June 2020.



Print Name: Daniel Eveloff

Print Title: Horizon Foundation President