

710274

Requestor's Name



Brevard Symphony Orchestra

1500 Highland Avenue
P.O. Box 361965
Melbourne, Fl. 32936-1965

700002412217--1
-01/26/98--01129--003
*****35.00 *****35.00

Office Use Only

CORPORATION NUMBER(S)

NUMBER(S), (if known):

1. _____
(Corporation Name) (Document #)
2. _____
(Corporation Name) (Document #)
3. _____
(Corporation Name) (Document #)
4. _____
(Corporation Name) (Document #)

- Walk in Pick up time _____ Certified Copy
 Mail out Will wait Photocopy Certificate of Status

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NEW FILINGS	
<input type="checkbox"/>	Profit
<input type="checkbox"/>	NonProfit
<input type="checkbox"/>	Limited Liability
<input type="checkbox"/>	Domestication
<input type="checkbox"/>	Other

AMENDMENTS	
<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Resignation of R.A., Officer/ Director
<input type="checkbox"/>	Change of Registered Agent
<input type="checkbox"/>	Dissolution/Withdrawal
<input type="checkbox"/>	Merger

OTHER FILINGS	
<input type="checkbox"/>	Annual Report
<input type="checkbox"/>	Fictitious Name
<input type="checkbox"/>	Name Reservation

REGISTRATION/ QUALIFICATION	
<input type="checkbox"/>	Foreign
<input type="checkbox"/>	Limited Partnership
<input type="checkbox"/>	Reinstatement
<input type="checkbox"/>	Trademark
<input type="checkbox"/>	Other

AM/RO/NC
1/30

Examiner's Initials	
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ARTICLES OF AMENDMENT AND RESTATEMENT
TO
ARTICLES OF INCORPORATION
OF
THE BREVARD SYMPHONY ORCHESTRA, INC.

1. The Articles of Incorporation of The Brevard Symphony Orchestra, Inc. are amended and restated to read as follows:

ARTICLE I

Name

The name of the corporation is BREVARD SYMPHONY ORCHESTRA, INC.

ARTICLE II

Principal Office; Registered Office and Agent

The street address of the principal office of the corporation is 1500 Highland Avenue, Melbourne, Florida 32935, and the mailing address of the corporation is P.O. Box 361965, Melbourne, Florida 32936-1965. The street address of the registered office of the corporation is 1500 Highland Avenue, Melbourne, Florida 32935. The name of the registered agent of the corporation at that address is Dallas Gillespie.

ARTICLE III

Statement of Corporate Nature

This is a corporation not for profit organized solely for general charitable purposes pursuant to the Florida Not for Profit Corporation Act set forth in Chapter 617, *Florida Statutes*.

ARTICLE IV

Duration

The period of duration of this corporation not for profit shall be perpetual.

ARTICLE V

General and Specific Purposes

The specific and primary purposes for which this corporation is organized are to establish and maintain a symphony orchestra in Brevard County, Florida and adjacent areas, to foster and encourage excellence in the production of orchestral, instrumental, and other forms of music, to encourage

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professional relationships among musicians, to educate the public in various types of music including symphonic and chamber ensemble literature, to provide community service, and to encourage and assist in the music education of musicians and those interested in music.

The general purposes for which this corporation is organized are exclusively religious, charitable, scientific, literary, and educational within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Law. Notwithstanding any other provision of these Articles of Incorporation, the corporation shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax under section 501 (c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Law.

ARTICLE VI

Nonmember Corporation

This corporation shall have no members.

ARTICLE VII

Nonstock Corporation

This corporation shall be a nonstock corporation and shall not declare or pay any dividends or pay any pecuniary profits.

ARTICLE VIII

Subscribers

The names and addresses of the subscribers of the corporation at the time of its incorporation were as follows:

<u>Name</u>	<u>Address</u>
William Pomeroy	132 Rockledge Avenue, Rockledge, Florida
Mrs. O.J.W. Christ	408 Naish Avenue, Cocoa Beach, Florida
Frederick W. Jaehne	93 West Bay Drive, Cocoa Beach, Florida

ARTICLE IX

Directors

The method of election of directors shall be stated in the Bylaws. The number of Directors may be changed from time to time by the Bylaws; provided the number of directors cannot be reduced below three (3) directors.

ARTICLE X

Amendment to Articles of Incorporation

The Articles of Incorporation may be amended by a majority vote of the Board of Directors.

ARTICLE XI

Bylaws

The Bylaws of the corporation may be amended or rescinded by a majority vote of the Board of Directors.

ARTICLE XII

Dissolution

Upon dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Law, or shall be distributed to the federal, state, or local government for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purposes.

2. Under the terms of the Articles of Incorporation in effect prior to this amendment and restatement, any amendment to the Articles of Incorporation was required to be approved by a majority vote of the Board of Directors, proposed by the Board of Directors to the members upon not less than thirty days' notice by mail setting forth the proposed amendment, and approved at a meeting by the vote of at least two thirds of the members present. There being no members of the corporation at this time, pursuant to section 617.1002, *Florida Statutes*, this amendment and restatement was adopted at a meeting of the Board of Directors on JAN. 21, 1998, by a majority vote of the directors in office.

IN WITNESS WHEREOF, the undersigned chair and secretary of the corporation have executed these Articles of Amendment and Restatement on this 21 day of JAN., 1998

BREVARD SYMPHONY ORCHESTRA, INC.

By: [Signature]
DALLAS GILLESPIE, Chair

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 21 day of JAN, 1998 by DALLAS GILLESPIE, who is personally known to me, or who has produced _____ as identification, and who did/did not take an oath.

[Signature]
NOTARY PUBLIC, State of Florida
Print Name: JERRY W. ALLENDER

My commission expires:  Jerry W. Allender
MY COMMISSION # CC624995 EXPIRES
March 25, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

BREVARD SYMPHONY ORCHESTRA, INC.

Attest: [Signature]
SHIRLEY C. ERICSON, Secretary

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 21 day of JAN, 1998 by SHIRLEY C. ERICSON, who is personally known to me, or who has produced _____ as identification, and who did/did not take an oath.

[Signature]
NOTARY PUBLIC, State of Florida
Print Name: JERRY W. ALLENDER

My commission expires:  Jerry W. Allender
MY COMMISSION # CC624995 EXPIRES
March 25, 2001
BONDED THRU TROY FAIN INSURANCE, INC.