

# N020000006775

U. S. COAST GUARD PIPE BAND INC.  
A Florida Nonprofit Corporation

Jim Smith  
Secretary of State  
Florida Department of State  
Amendment Section  
Division of Corporations  
409 E. Gaines Street  
Tallahassee, Florida 32399

September 12, 2002

RE: Articles of Correction for U.S. Coast Guard Pipe Band Inc.  
Document Number N02000006775

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Dear Sir:

In my capacity as a corporate officer, Secretary/Treasurer, of U.S. Coast Guard Pipe Band Inc., I file herewith Articles of Correction for said corporation pursuant to the provisions of Florida Statutes §§ 607.0124/617.0124.

We wish to correct the attached Certified Copy of the Electronic Articles of Incorporation for U.S. Coast Guard Pipe Band Inc. As reflected therein, said Articles were filed electronically on September 6, 2002.

Subsequently, we have come to realize that, as a result of the very limited amount of information that can be accepted in an electronic filing, critical text, required for our status as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code was erroneously omitted from our Articles of Incorporation. It is, therefore, necessary to supplement said Electronic Articles by adding information required by the Internal revenue Service to be in the Articles of Incorporation for a 501(c)(3) tax exempt organization.

Accordingly, therefore, we wish to correct the original Electronic Articles of Incorporation by substituting the attached Articles of Incorporation. No information contained in the original Electronic Articles of Incorporation has been changed. Rather, additional information, erroneously omitted from the original Articles has been added to supplement the original Electronic Articles.

Enclosed please find my check #4300 in the amount of \$43.75 to cover the cost of filing fee for the Articles of Correction and a Certified Copy of the Corrected Articles of Incorporation. Please mail the Certified Copy to me at:

Andrew W. Anderson  
Houck, Hamilton & Anderson P.A.  
Suite 300  
200 South Biscayne Blvd  
Miami, FL 33131-2332

*Amended & Restated*  
*HTS*  
*9-27-2002*

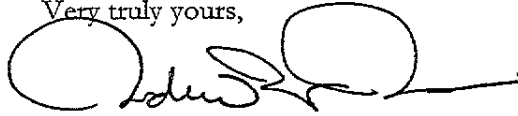
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SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
2002 SEP 13 PM 4:23

The U. S. Coast Guard Pipe Band is a Florida Nonprofit Corporation. The U. S. Coast Guard Pipe Band is not a part of the United States Coast Guard but is recognized by the U. S. Coast Guard as an affiliated organization.

**U. S. COAST GUARD PIPE BAND INC.**  
A Florida Nonprofit Corporation

Should you need to contact me, my telephone number is (305) 372-9044. Please do not hesitate to contact me if you have any questions or wish to discuss anything in more detail.

Very truly yours,



Andrew W. Anderson  
Secretary/Treasurer  
U.S. Coast Guard Pipe Band Inc.

*Mr. Anderson authorized to  
change title to amended  
& Restated and to add  
date of adoption by  
members.*

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AMENDED AND RESTATED ARTICLES OF INCORPORATION

OF

**U. S. COAST GUARD PIPE BAND INC.**

**In Compliance with Chapter 617, F.S., (Not for Profit)**

**ARTICLE I- NAME**

The name of the corporation shall be "U. S. COAST GUARD PIPE BAND INC." Authority to use the name "U. S. Coast Guard Pipe Band Inc." has been granted by Headquarters, U. S. Coast Guard, pursuant to Commandant (G-I) letter dated 6 November 2001.

**ARTICLE II- PRINCIPAL OFFICE**

The principal place of business and mailing address of this corporation shall be:

U. S. Coast Guard Pipe Band Inc.  
C/O Houck, Hamilton & Anderson, P.A..  
Suite 300  
200 South Biscayne Boulevard  
Miami, Florida 33131-2332

**ARTICLE III-PURPOSE**

The purpose for which the corporation is organized, and will be exclusively operated, is charitable purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, including, for such purposes, the making of distributions to an organization that qualifies as an exempt organization under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, that is, the Coast Guard Foundation. Specifically, the corporation is organized exclusively for the benefit of, and at all times hereafter will be operated in connection with, the Coast Guard Foundation, a publicly supported non-profit organization within the meaning of section 501(c)(3) of the Internal Revenue Code, to support their efforts to benefit the men and women of the United States Coast Guard, an entity of the United States Government; and, further, to support and carry out, for the benefit of all members of the Coast Guard, and their families, activities to foster and promote greater public understanding, recognition and appreciation of the history, traditions, contributions, sacrifices, roles and missions of the men and women of the U. S. Coast Guard.

The corporation will operate in connection with and support the mission of the Coast Guard Foundation; to raise funds and support projects that enhance the lives and well-being of all Coast

Guard members, and their families; to address needs that cannot be met through the Coast Guard's budget, especially for morale, welfare and recreational purposes; and, to promote greater public recognition and awareness of the sacrifices, services and accomplishments of the men and women of the Coast Guard, in war and peace. The corporation, in the conduct of its activities, will maintain a close and continuing relationship with the leadership of the U. S. Coast Guard and the officers and directors of the Coast Guard Foundation, in order to ensure they have a significant voice in the conduct of the activities of the corporation in support of the Coast Guard and Coast Guard Foundation and to ensure that the corporation is responsive to their needs. The corporation will support and assist the fund raising and recognition events of the Coast Guard Foundation financially and by operating a pipe band to participate in and support fund raising activities and recognition events. The corporation will promote greater public recognition and appreciation of the history, traditions, contributions, sacrifices, roles and missions of the men and women of the U. S. Coast Guard, by various activities including, but not limited to, participation of the pipe band in memorial services, military balls, highland games, patriotic and military parades, public ceremonies, public concerts, Commissioning Ceremonies for Coast Guard vessels and units, Change of Command Ceremonies, Retirement Ceremonies, funerals of Coast Guard members, or similar ceremonies and events in which any active, reserve or auxiliary component of the Coast Guard or U. S. Armed Forces is participating.

In pursuance of these purposes, the corporation shall have the power to carry on any activities which may be lawfully conducted by a Not for Profit corporation organized under the laws of the State of Florida, whether or not related to the foregoing purposes, to the extent consistent with maintaining tax exempt status under section 501(c)(3), and to do all other things necessary, proper and consistent with maintaining tax exempt status under section 501(c)(3).

#### **ARTICLE IV-MANNER OF ELECTION**

The manner in which the directors are elected or appointed shall be as follows: There shall be eight directors of the corporation. The directors shall hold office until their successors are elected and take office. One director shall be the Vice Commandant of the Coast Guard or his designee. The other seven directors shall be elected by the members. Not less than thirty days before the Annual General Meeting of the corporation, any member of the corporation may submit a nomination, in writing, of any qualified member to the chair of the nominating committee as appointed by the President. The names of those nominees, together with the names of any other qualified members nominated by the committee, will be circulated to the membership not less than ten days prior to the Annual General Meeting. The election of directors will be held by secret written ballot at the Annual General Election. Voting, including voting by proxy, will be conducted in accordance with procedures established in the bylaws. Nominations from the floor will be permitted. The names of the seven nominees receiving the greatest number of votes will be submitted to the Vice Commandant of the Coast Guard within thirty days of the election. Unless the Vice Commandant objects in writing prior thereto, the directors will take office the following January 1<sup>st</sup>. In the event the Vice Commandant objects to any director(s) taking office, said director(s) will not take office and a new election will be held for the position(s) thus vacant in accordance with procedures set forth in the bylaws. Any director(s) may be removed for cause by the Vice Commandant or by a vote of the majority of the members. Vacancies in the Board of Directors will be filled by an election in the manner specified by the bylaws. The officers of the corporation shall be elected from among and by the directors in the manner specified in the bylaws.

## **ARTICLE V-INITIAL OFFICERS/DIRECTORS**

The names and addresses of the persons who are to serve as the initial officers and directors of the corporation until the first annual meeting or until their successors are designated/elected, qualified and take office are:

<b>President/Director:</b>	<b>CWO Kevin P. Gilheany USCG</b> 132 LaVergne Street New Orleans LA 70114
<b>Vice President/Director:</b>	<b>Ian Anderson USCG AUX</b> 1085 Highlands Drive Charlottesville VA 22901
<b>Secretary/Treasurer /Director:</b>	<b>CDR Andrew W. Anderson USCG (RET)</b> 6041 NW 68 <sup>th</sup> Street Parkland FL 33067
<b>Director:</b>	<b>IV1 James W. B. Taylor USCGR</b> 15641 NE 95 <sup>th</sup> Way Redmond WA 98052
<b>Director:</b>	<b>MKCM Paul Rothwell USCG</b> 20407 32 <sup>nd</sup> Place South Seattle WA 98198
<b>Director:</b>	<b>BMC Robert S. Cochran USCGR</b> 8311 Morningside Drive Manassas VA 20112
<b>Director:</b>	<b>LT Steven Young USCG</b> 11412 Silverleaf Lane Fredericksburg VA 22407
<b>Director:</b>	<b>CWO Michael D. Henry USCG</b> 20247 Westwood Drive Strongsville OH 44149

## **ARTICLE VI-INITIAL REGISTERED AGENT**

The **name and Florida street address** of the registered agent is:

CDR Andrew W. Anderson USCG (RET)  
Suite 300  
200 South Biscayne Boulevard  
Miami, Florida 33131-2332

## **ARTICLE VII- INCORPORATOR**

The **name and address** of the Incorporator is:

CDR Andrew W. Anderson USCG (RET)  
Suite 300  
200 South Biscayne Boulevard  
Miami, Florida 33131-2332

## **ARTICLE VIII-MEMBERSHIP**

Membership in the corporation shall be open to all active duty, reserve and retired members of the U. S. Coast Guard, active members of the U. S. Coast Guard Auxiliary and honorably discharged wartime Coast Guard Veterans who support the purposes of the corporation. Membership shall not be limited to persons of Scottish descent but shall be open to any person meeting the membership requirements regardless of race, color, national origin, ethnic origin, age, religion, sex, handicap or marital status.

## **ARTICLE IX-PROHIBITED ACTIVITIES**

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 the purposes set forth in Article III hereof. No part of the activities of the corporation shall involve the carrying on of propaganda, or otherwise attempting to influence legislation and this corporation shall not intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, or any bylaws adopted thereunder, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

## ARTICLE X- ACTION UPON DISSOLUTION

Upon the dissolution of the corporation, assets shall be distributed to the Coast Guard Foundation, a publicly supported non-profit organization within the meaning of section 501(c)(3) of the Internal Revenue Code, or for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the Vice Commandant of the Coast Guard 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 corporation is then located, exclusively for such purposes or to such organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

.....

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.

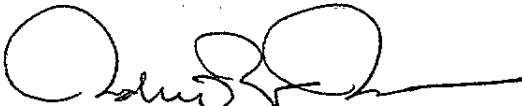


Andrew W. Anderson

Signature/Registered Agent

September 6, 2002

Date

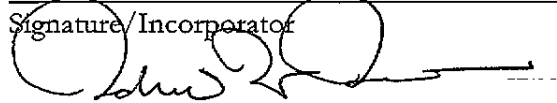


Andrew W. Anderson

Signature/Incorporator

September 6, 2002

Date



Andrew W. Anderson

Secretary/Treasurer

September 6, 2002

The amended and restated articles in incorporation were adopted by the members on September 6, 2002.