

ARTICLES OF INCORPORATION

FOSTERING HOPE

The incorporator forms a nonprofit corporation pursuant to the “Arkansas Nonprofit Corporation Act of 1993”:

1. **NAME.** The name of this corporation (“Corporation”) is: Fostering Hope
2. **DURATION.** The period of existence of this Corporation will be perpetual.

3. **PURPOSES.** The Corporation is formed exclusively for religious, charitable, scientific, literary and educational purposes within the meaning of Internal Revenue Code §501(c)(3), which includes the authority to distribute property of the Corporation to organizations that then qualify as exempt organizations under Internal Revenue Code §501(c)(3), and to hold, dispose of, invest, reinvest or deal with any property in such manner as in the judgment of the Board of Directors will best promote these purposes (except as limited by (1) any instrument under which property is received, (2) these Articles of Incorporation, (3) the Bylaws or (4) applicable laws). The Corporation may engage in all activities necessary, proper or incidental to the execution of these purposes.

4. **POWERS.** The Corporation will have, and is authorized to exercise, the powers described in Section 4-33-302 of the Arkansas Code of 1987 Annotated or any successor provisions of Arkansas law and all other powers necessary, proper or incidental to the execution of its purposes. Without limiting the generality of this provision, the Corporation will have the power to:

- (1) own, take title to, receive and hold, sell, exchange, assign, convey, lease and transfer legal and equitable title to property, real, personal or mixed, wherever situated or however acquired, without limitation as to amount or value;
- (2) acquire, operate, improve and develop property of the Corporation;
- (3) receive gifts, bequests and contributions outright, in trust or in any other form;
- (4) take title to property in the name of the Partnership or as trustee (with or without disclosing the identity of the principal) and allow registration of securities in “street name” under a custodial arrangement with a securities brokerage firm, trust department or other custodian;
- (5) borrow money, finance, refinance or otherwise incur obligations for the account of the Corporation and pledge, mortgage and grant security interests in property of the Corporation;
- (6) grant and exercise options to buy or sell;
- (7) sue and be sued.

These powers are subject to the limitation that the Corporation will not have any power to act in a manner forbidden to a tax exempt organization described in Internal Revenue Code §501(c)(3), nor will it have any right, power or privilege not permitted by Arkansas law. This statement of powers

does not exclude the Corporation from any other permitted power, right or privilege otherwise given by law.

5. **EXEMPT STATUS.** It is intended that the Corporation will initially have, and continue to have, the status of a corporation which is exempt from federal income taxation under Internal Revenue Code §501(a) as an organization described in Internal Revenue Code §501(c)(3), contributions to which are deductible under Internal Revenue Code §170(c)(2). Therefore:

- (A) No part of the net earnings of the Corporation will inure to the benefit of or be distributable to any of its members, directors, officers or other private individuals within the meaning of Internal Revenue Code §501(c)(3) (for example, the Corporation may pay reasonable compensation for services rendered to or for the Corporation in carrying out its purposes and may make payments and distributions in furtherance of its purposes).
- (B) No substantial part of the activities of the Corporation will be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation will 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.
- (C) Regardless of any other provision of these Articles or the Bylaws, the Corporation will not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax as described.

These Articles of Incorporation will be construed to accomplish this intention and the powers and activities under these Articles of Incorporation are limited accordingly.

6. **CODE LIMITATIONS.** Notwithstanding any other provisions set forth in these Articles, at any time during which the Corporation is deemed a private foundation, the Corporation:

- (1) will not engage in any act of self-dealing as defined in Internal Revenue Code §4941(d);
- (2) will distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Internal Revenue Code §4942;
- (3) will not own any excess business holdings that would subject it to tax under Internal Revenue Code §4943;
- (4) will not make any investments in such manner as to subject it to the tax imposed by Internal Revenue Code §4944; and
- (5) will not make taxable expenditures as defined in Internal Revenue Code §4945(d).

7. **NO ALIENATION.** No assets held by the Corporation may be alienated, encumbered or otherwise disposed of by any distributee of the Corporation (“Distributee”) while such assets are in the control and possession of the Corporation, even if the Corporation has established a regular pattern of distributions or has set aside a separate fund from which to make distributions to the Distributee. If a Distributee should attempt to alienate, encumber or dispose of assets of the Corporation before the assets have been distributed to the Distributee, or if by reason of bankruptcy or insolvency or an attempted execution, levy, attachment or seizure of assets held by the

Corporation under claims of creditors or otherwise, a distribution or a proposed distribution of assets set aside for the Distributee might fail to be enjoyed by the Distributee or might be enjoyed by some other person or entity, then any interest of the Distributee in such distribution or proposed distribution will terminate and those assets will be distributed thereafter as the Board of Directors determines.

8. **MAILING ADDRESS AND REGISTERED AGENT.** The mailing address of the Corporation is 6219 S. 29th Street, Rogers, AR 72758. The registered agent of the Company is William Dunlap. The street address of this registered agent of the Company is 6219 S. 29th Street, Rogers, AR 72758.

9. **AMENDMENT OF ARTICLES.** The Articles of Incorporation may be amended by a two-thirds vote of the membership present at any membership meeting called with one of its stated purposes being the amendment of these Articles of Incorporation.

10. **DISSOLUTION DISTRIBUTION.** In the event of a dissolution of the Corporation, after payment or provision for all liabilities of the Corporation, any remaining property of the Corporation will be distributed as the Board of Directors determines to organizations then tax-exempt under Internal Revenue Code §501(c)(3).

11. **INCORPORATOR.** The name and address of the incorporator is:

William Dunlap
6219 S. 29th Street
Rogers, AR 72758

12. **MEMBERS.** The Corporation will have one or more members and the membership and voting rights of the members will be as set forth in the Bylaws.

13. **TYPE OF CORPORATION.** This Corporation is a public benefit corporation.

14. **GOVERNING LAW.** The Corporation will be governed by the Arkansas Nonprofit Corporation Act of 1993 as amended.

15. **SECTION REFERENCE.** References to the Internal Revenue Code are to the Internal Revenue Code of 1986 as amended and to corresponding sections of future Federal tax codes and to the Treasury Regulations interpreting these laws.

DATED: June 19, 2023.

INCORPORATOR:

William Dunlap

Annual Report- Contact Information

1. **Jurisdiction** Domestic
2. **Entity Type:** Non-profit Corporation
3. **Entity name as used in Arkansas:** Fostering Hope
4. **Contact Person:** William Dunlap
6219 S. 29th Street
Rogers, AR 72758
(901) 438-7348
Fosteringhopenwa@gmail.com

The information provided herein is true to the best of my knowledge and is made with the intent to file with the Arkansas Secretary of State. I understand that the statements made herein are under oath, and that knowingly making a false statement herein is a Class C felony (A.C.A. § 5-53-102) or a Class A misdemeanor (A.C.A. § 5-53-103), or both.

DATED: June 19, 2023

William Dunlap