

ARTICLES OF INCORPORATION OF WESTGATE COMMUNITY FOUNDATION

The undersigned, a natural person over the age of eighteen years, hereby certifies as follows:
This corporation is organized for the purpose of forming and becoming a corporation under the Nebraska Non-Profit Corporation Act, Sections 21-1901 to 21-1991, Revised Statutes of Nebraska, 1943, and for that purpose the following Articles of Incorporation are hereby adopted:

ARTICLE I

The name of this corporation shall be Westgate Community Foundation.

ARTICLE II

This corporation is a mutual benefit non-profit corporation.

ARTICLE III

The address of the initial registered office of the corporation shall be 3262 S. 72nd Ave, Omaha, NE 68124. The mailing address shall be P.O. Box 24713, Omaha, NE 68124. The name of the initial registered agent of the corporation at it's said initial registered office is Benjamin Taggett, Treasurer.

ARTICLE IV

The name of the incorporator is Brent Koster, 3262 S. 72nd Ave, Omaha, NE 68124.

ARTICLE V

The members of this corporation shall be individual or institutional.

- a. Any dues-paying individual interested in the purpose of the corporation may, upon the approval of the officers of the corporation, as provided by the By-Laws, become an individual member.
- b. Any social, civic, educational, character building, health or charitable organization or agency, public or private, interested in the purpose of the corporation may, upon the approval of the officers of the corporation, as provided in the By-Laws, become an institutional member.

ARTICLE VI

At all times the following shall operate as conditions restricting the operations and activities of the Corporation:

- a. part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, 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 VII hereof.
- b. 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.
- c. 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 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 VII

- a. The Corporation is organized exclusively for charitable, religious, educational, and scientific purposes as specified in Section 501(c)(3) of the Internal Revenue Code, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future

federal tax code. The specific purposes of the Corporation are to provide support and resources for the benefit and improvement of Westgate Neighborhood; to provide learning and enrichment opportunities for the residents of the Westgate Neighborhood, and to organize events and gatherings that promote community and pride throughout the Westgate Neighborhood.

- b. The Corporation shall not be conducted or operated for profit and no part of the net earnings of the Corporation shall inure to the benefit of any individual, nor shall any of the profits or assets of the Corporation be used other than for the purposes of the Corporation.
- c. The names and the street addresses who serve as the initial officers are:
 - a. Brent Koster, 3262 S. 72nd Ave, Omaha, NE 68124, President
 - b. Garrick McMahon, 7232 Oak St., Omaha, NE 68124, Vice President
 - c. Melissa Kirkpatrick, 3220 S. 72nd Ave, Omaha, NE 68124, Secretary
 - d. Benjamin Taggett, 7263 Hascall St., Omaha, NE 68124, Treasurer

ARTICLE VIII

- a. The affairs and the business of the corporation shall be managed by the Board of Directors and officers of the corporation. The Directors and Officers shall serve without compensation.
- b. The Board of Directors shall be responsible for overseeing the operation and management of the Foundation as outlined in the By-Laws. Any board director must live within the Westgate Neighborhood, To be defined as: [West of 72nd Street, North of "D" Street, East of 84th Street, and South of W. Center Rd.] The Board of Directors shall not be fewer than three members. The number of directors within the aforesaid limitation, the manner in which they are elected, appointed, or otherwise chosen, and their respective terms of office as prescribed in the By-Laws.
- c. The Board of Directors may elect officers from its membership as described in the By-Laws. The directors shall have the authority to fill vacancies on the board. Any officer must live within the Westgate Neighborhood as defined as: [West of 72nd Street, North of "D" Street, East of 84th Street, and South of W. Center Rd.] The officers shall be responsible for their specific duties as outlined in the By-Laws.
- d. The Board of Directors may enact By-Laws governing the affairs of the corporation, and may alter and amend such By-Laws, at any regular meeting of the Board of Directors or at any special meeting held for that purpose.
- e. The officers of the corporation shall be a president, vice president, secretary and treasurer. The officers of the corporation shall be appointed by the Board of Directors for a term of two years, with the option of a one-year extension, as approved by the Board of Directors, and until their successors are elected and qualified. By custom, past Presidents shall serve at least one term ex officio as director beyond their term as President.

ARTICLE IX

The meetings of the members of the corporation shall be called and conducted in the manner prescribed in the By-Laws.

ARTICLE X

The duration of the corporate existence shall be perpetual. In the event of liquidation, dissolution, or winding up of the Corporation, whether voluntary, involuntary, or by the operation of law, the property or other assets of the Corporation remaining after the payment, satisfaction, and discharge of liabilities or obligations, shall be distributed 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 federal government, or to a 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 corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE XI

The Articles of Incorporation may be amended by the officers at any special meeting called for that

purpose. Any amendments to the Articles may be submitted by the Board of Directors and members of the organization. All amendments shall require an affirmative vote of two-thirds (2/3) of the Board of Directors. Notice of all amendments shall be as required by the By-Laws of the corporation.

IN WITNESS WHEREOF, I have subscribed my name this 12th day of July, 2019.


_____ Brent Koster, Incorporator/President/Director


_____ Garrick McMahon, Vice President/Director


_____ Melissa Kirkpatrick, Secretary/Director


_____ Benjamin Taggett/Treasurer/Director