

September 4, 2013

Internal Revenue Service Center

RE: Maple Lake – Lake Property Association, Inc. (MLLPOA)  
Form 1023 Application for 501c3 Status

Dear IRS:

Attached please find a completed Form 1023 – Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code - for the Maple Lake - Lake Property Owners Association, Inc., (MLLPOA) along with the requisite Exhibits and Attachments.

By way of background, the MLLPOA was originally formed on November 5, 1970 in Minnesota as the "Lower Maple Lake Property Owners Assn. Inc." Its purpose was primarily social, to let neighbors get to know each other through social gatherings, but also to share ideas about maintaining the quality of Maple Lake. No tax returns were filed, and from what records are available, it appears annual revenues from dues, activity fees, etc. ranged from \$2,000 to \$4,000 per year.

In 2003, the MLLPOA Board of Directors filed with the Secretary of State of Minnesota a set of revised Articles of Incorporation, which included a change to its current name. Revised Bylaws were also drafted (included in Exhibits) and approved by a vote of the membership on October 3, 2003. A TIN was obtained, and a Form 1024 was filed with the Service. A ruling was obtained granting the MLLPOA tax exempt 501(c)(7) status.

About this time, the fish population of the lake was becoming depleted, and invasive weed species were negatively impacting lake usability and quality. Board members meet with the Department of Natural Resources (DNR) each year, attend lake management seminars held by the DNR with other lake associations, and apply for grants for fish stocking, weed control assistance (harvesting, spraying), and erosion control. During these seminars, it was learned other lake associations have been granted 501(c)(3) tax status, to solicit tax deductible donations to defray these costs. Outside support and donations are becoming more important as DNR grants became smaller, at the same time the problems are becoming worse, and solutions more expensive.

To raise money to help defray the costs of fish stocking and weed control, the MLLPOA now hosts an annual ice fishing contest. Association members and volunteers solicit funds from sponsors, sell raffle tickets, and charge entry fees. All net proceeds are used to pay lake management costs. Several members have indicated donations would be significantly larger if they could deduct the contributions, prompting the MLLPOA to submit this filing.

The attached 1023 Form is adapted from another lake association that was granted 501(c)(3) tax status a few years ago, but revised to the MLLPOA situation. If there are any questions or issues that can be resolved by phone, please feel free to contact me directly.

Regards,

Robert L. Porter  
Director, Maple Lake – Lake Property Association, Inc.  
612.384.4324

**Maple Lake - Lake Property Owners Association, Inc.**  
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**Under Section 501(c)(3) of the Internal Revenue Code**

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**Form 1023 Checklist****(Revised June 2006)****Application for Recognition of Exemption under Section 501(c)(3) of the Internal Revenue Code**

**Note.** Retain a copy of the completed Form 1023 in your permanent records. Refer to the General Instructions regarding Public Inspection of approved applications.

**Check each box to finish your application (Form 1023). Send this completed Checklist with your filled-in application. If you have not answered all the items below, your application may be returned to you as incomplete.**

- ☒ Assemble the application and materials in this order:
- ☒ • Form 1023 Checklist
  - ☒ • ~~Form 2848, Power of Attorney and Declaration of Representative (if filing)~~ N/A
  - ☒ • ~~Form 8821, Tax Information Authorization (if filing)~~ N/A
  - ☒ • ~~Expedite request (if requesting)~~ N/A
  - ☒ • Application (Form 1023 and Schedules A through H, as required) *Schedule E ONLY*
  - ☒ • Articles of organization - *Original & Restated*
  - ☒ • ~~Amendments to articles of organization in chronological order~~ N/A
  - ☒ • Bylaws or other rules of operation and amendments *Original & Restated*
  - ☒ • ~~Documentation of nondiscriminatory policy for schools, as required by Schedule B~~ N/A
  - ☒ • ~~Form 5768, Election/Revocation of Election by an Eligible Section 501(c)(3) Organization To Make Expenditures To Influence Legislation (if filing)~~ N/A
  - ☒ • All other attachments, including explanations, financial data, and printed materials or publications. Label each page with name and EIN.
- \$850<sup>00</sup>* ☒ User fee payment placed in envelope on top of checklist. DO NOT STAPLE or otherwise attach your check or money order to your application. Instead, just place it in the envelope.
- ☒ Employer Identification Number (EIN) *41-1463171*
- ☒ Completed Parts I through XI of the application, including any requested information and any required Schedules A through H.
- You must provide specific details about your past, present, and planned activities.
  - Generalizations or failure to answer questions in the Form 1023 application will prevent us from recognizing you as tax exempt.
  - Describe your purposes and proposed activities in specific easily understood terms.
  - Financial information should correspond with proposed activities.
- ☒ Schedules. Submit only those schedules that apply to you and check either "Yes" or "No" below.
- |            |  |            |  |
|------------|--|------------|--|
| Schedule A | Yes ___ No <input checked="" type="checkbox"/> | Schedule E | Yes <input checked="" type="checkbox"/> No ___ |
| Schedule B | Yes ___ No <input checked="" type="checkbox"/> | Schedule F | Yes ___ No <input checked="" type="checkbox"/> |
| Schedule C | Yes ___ No <input checked="" type="checkbox"/> | Schedule G | Yes ___ No <input checked="" type="checkbox"/> |
| Schedule D | Yes ___ No <input checked="" type="checkbox"/> | Schedule H | Yes ___ No <input checked="" type="checkbox"/> |

TIN 41-1463171

- ☒ An exact copy of your complete articles of organization (creating document). Absence of the proper purpose and dissolution clauses is the number one reason for delays in the issuance of determination letters.
  - Location of Purpose Clause from Part III, line 1 (Page, Article and Paragraph Number) P2 Amend, A.2.1-2,
  - Location of Dissolution Clause from Part III, line 2b or 2c (Page, Article and Paragraph Number) or by operation of state law P2 Amend, A.8
- ☒ Signature of an officer, director, trustee, or other official who is authorized to sign the application.
  - Signature at Part XI of Form 1023.
- ☒ Your name on the application must be the same as your legal name as it appears in your articles of organization.

Send completed Form 1023, user fee payment, and all other required information, to:

Internal Revenue Service  
P.O. Box 192  
Covington, KY 41012-0192

If you are using express mail or a delivery service, send Form 1023, user fee payment, and attachments to:

Internal Revenue Service  
201 West Rivercenter Blvd.  
Attn: Extracting Stop 312  
Covington, KY 41011



Printed on recycled paper

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**Application for Recognition of Exemption  
Under Section 501(c)(3) of the Internal Revenue Code**

OMB No. 1545-0056

*Note: If exempt status is approved, this application will be open for public inspection.*

Use the instructions to complete this application and for a definition of all **bold** items. For additional help, call IRS Exempt Organizations Customer Account Services toll-free at 1-877-829-5500. Visit our website at **www.irs.gov** for forms and publications. If the required information and documents are not submitted with payment of the appropriate user fee, the application may be returned to you.

Attach additional sheets to this application if you need more space to answer fully. Put your name and EIN on each sheet and identify each answer by Part and line number. Complete Parts I - XI of Form 1023 and submit only those Schedules (A through H) that apply to you.

**Part I Identification of Applicant**

<b>1</b> Full name of organization (exactly as it appears in your organizing document)		<b>2</b> c/o Name (if applicable)
Maple Lake - Lake Property Owners Association, Inc.		Mike E. Raiche
<b>3</b> Mailing address (Number and street) (see instructions)	Room/Suite	<b>4</b>
PO Box 460		41-1463171
City or town, state or country, and ZIP + 4		<b>5</b>
Maple Lake MN 55358		12
<b>6</b> Primary contact (officer, director, trustee, or authorized representative) a Name: Michael E. Raiche		b Phone: 612-716-4526
		c Fax: (optional)
<b>7</b> Are you represented by an authorized representative, such as an attorney or accountant? If "Yes," provide the authorized representative's name, and the name and address of the authorized representative's firm. Include a completed Form 2848, <i>Power of Attorney and Declaration of Representative</i> , with your application if you would like us to communicate with your representative. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>8</b> Was a person who is not one of your officers, directors, trustees, employees, or an authorized representative listed in line 7, paid, or promised payment, to help plan, manage, or advise you about the structure or activities of your organization, or about your financial or tax matters? If "Yes," provide the person's name, the name and address of the person's firm, the amounts paid or promised to be paid, and describe that person's role. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>9a</b> Organization's website: <b>www.maplelakeonline.com</b>		
<b>b</b> Organization's email: (optional) <b>bcporter@q.com</b> (Form completed by Board Member Bob Porter)		
<b>10</b> Certain organizations are not required to file an information return (Form 990 or Form 990-EZ). If you are granted tax-exemption, are you claiming to be excused from filing Form 990 or Form 990-EZ? If "Yes," explain. See the instructions for a description of organizations not required to file Form 990 or Form 990-EZ. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>11</b> Date incorporated if a corporation, or formed, if other than a corporation. (MM/DD/YYYY) <b>11 / 05 / 1970</b>		
<b>12</b> Were you formed under the laws of a foreign country? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," state the country.		

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**Part II Organizational Structure**

You must be a corporation (including a limited liability company), an unincorporated association, or a trust to be tax exempt. (See instructions.) **DO NOT file this form unless you can check "Yes" on lines 1, 2, 3, or 4.**

- 1** Are you a **corporation**? If "Yes," attach a copy of your articles of incorporation showing **certification of filing** with the appropriate state agency. Include copies of any amendments to your articles and be sure they also show state filing certification. ☒ **Yes** ☐ **No** *See Exhibits C, D, E*
- 2** Are you a **limited liability company (LLC)**? If "Yes," attach a copy of your articles of organization showing certification of filing with the appropriate state agency. Also, if you adopted an operating agreement, attach a copy. Include copies of any amendments to your articles and be sure they show state filing certification. Refer to the instructions for circumstances when an LLC should not file its own exemption application. ☐ **Yes** ☒ **No**
- 3** Are you an **unincorporated association**? If "Yes," attach a copy of your articles of association, constitution, or other similar organizing document that is dated and includes at least two signatures. Include signed and dated copies of any amendments. ☐ **Yes** ☒ **No**
- 4a** Are you a **trust**? If "Yes," attach a signed and dated copy of your trust agreement. Include signed and dated copies of any amendments. ☐ **Yes** ☒ **No**
- b** Have you been funded? If "No," explain how you are formed without anything of value placed in trust. ☐ **Yes** ☒ **No**
- 5** Have you adopted **bylaws**? If "Yes," attach a current copy showing date of adoption. If "No," explain how your officers, directors, or trustees are selected. ☒ **Yes** ☐ **No** *See Exhibits F, G*

**Part III Required Provisions in Your Organizing Document**

The following questions are designed to ensure that when you file this application, your organizing document contains the required provisions to meet the organizational test under section 501(c)(3). Unless you can check the boxes in both lines 1 and 2, your organizing document does not meet the organizational test. **DO NOT file this application until you have amended your organizing document.** Submit your original and amended organizing documents (showing state filing certification if you are a corporation or an LLC) with your application.

- 1** Section 501(c)(3) requires that your organizing document state your exempt purpose(s), such as charitable, religious, educational, and/or scientific purposes. Check the box to confirm that your organizing document meets this requirement. Describe specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document. Refer to the instructions for exempt purpose language. Location of Purpose Clause (Page, Article, and Paragraph): ☒ **P.1 Amended, Article 2.1-2.3** *Exhibit C*
- 2a** Section 501(c)(3) requires that upon dissolution of your organization, your remaining assets must be used exclusively for exempt purposes, such as charitable, religious, educational, and/or scientific purposes. Check the box on line 2a to confirm that your organizing document meets this requirement by express provision for the distribution of assets upon dissolution. If you rely on state law for your dissolution provision, do not check the box on line 2a and go to line 2c. ☒
- 2b** If you checked the box on line 2a, specify the location of your dissolution clause (Page, Article, and Paragraph). Do not complete line 2c if you checked box 2a. **P.2 Amended, Article 8** *Exhibit C*
- 2c** See the instructions for information about the operation of state law in your particular state. Check this box if you rely on operation of state law for your dissolution provision and indicate the state: ☐

**Part IV Narrative Description of Your Activities** *See Attached Exhibit I*

Using an attachment, describe your *past, present, and planned* activities in a narrative. If you believe that you have already provided some of this information in response to other parts of this application, you may summarize that information here and refer to the specific parts of the application for supporting details. You may also attach representative copies of newsletters, brochures, or similar documents for supporting details to this narrative. Remember that if this application is approved, it will be open for public inspection. Therefore, your narrative description of activities should be thorough and accurate. Refer to the instructions for information that must be included in your description.

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors** *See Exhibit K*

- 1a** List the names, titles, and mailing addresses of all of your officers, directors, and trustees. For each person listed, state their total annual **compensation**, or proposed compensation, for all services to the organization, whether as an officer, employee, or other position. Use actual figures, if available. Enter "none" if no compensation is or will be paid. If additional space is needed, attach a separate sheet. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
Betty Thomes	President	4169 58th Street NW Maple Lake, MN 55358	None
Michael Raiche	Vice President	1890 CR 37 NW Maple Lake, MN 55358	None
Kim Holland	Treasurer	1994 Dempsey Ave. NW Buffalo, MN 55313	None
Sheila Benson	Secretary	2060 Donnelly Drive NW Buffalo, MN 55343	None
<i>See Exhibit K attached.</i>			

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

- b** List the names, titles, and mailing addresses of each of your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation. Do not include officers, directors, or trustees listed in line 1a.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
NONE			

- c** List the names, names of businesses, and mailing addresses of your five highest compensated independent contractors that receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
NONE			

The following "Yes" or "No" questions relate to *past, present, or planned* relationships, transactions, or agreements with your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, and 1c.

- 2a** Are any of your officers, directors, or trustees **related** to each other through **family or business relationships**? If "Yes," identify the individuals and explain the relationship. ☐ Yes ☒ No

- b** Do you have a business relationship with any of your officers, directors, or trustees other than through their position as an officer, director, or trustee? If "Yes," identify the individuals and describe the business relationship with each of your officers, directors, or trustees. ☐ Yes ☒ No

- c** Are any of your officers, directors, or trustees related to your highest compensated employees or highest compensated independent contractors listed on lines 1b or 1c through family or business relationships? If "Yes," identify the individuals and explain the relationship. ☐ Yes ☒ No

- 3a** For each of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c, attach a list showing their name, qualifications, average hours worked, and duties.

- b** Do any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c receive compensation from any other organizations, whether tax exempt or taxable, that are related to you through **common control**? If "Yes," identify the individuals, explain the relationship between you and the other organization, and describe the compensation arrangement. ☐ Yes ☒ No

- 4** In establishing the compensation for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, and 1c, the following practices are recommended, although they are not required to obtain exemption. Answer "Yes" to all the practices you use. *N/A*  
*NO COMPENSATED OFFICERS, DIRECTORS OR EMPLOYEES*

- a** Do you or will the individuals that approve compensation arrangements follow a conflict of interest policy? ☐ Yes ☒ No
- b** Do you or will you approve compensation arrangements in advance of paying compensation? ☐ Yes ☒ No
- c** Do you or will you document in writing the date and terms of approved compensation arrangements? ☐ Yes ☒ No



**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

- d** Do you or will you record in writing the decision made by each individual who decided or voted on compensation arrangements? ☐ Yes ☒ No
- e** Do you or will you approve compensation arrangements based on information about compensation paid by **similarly situated** taxable or tax-exempt organizations for similar services, current compensation surveys compiled by independent firms, or actual written offers from similarly situated organizations? Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. ☐ Yes ☒ No
- f** Do you or will you record in writing both the information on which you relied to base your decision and its source? ☐ Yes ☒ No
- g** If you answered "No" to any item on lines 4a through 4f, describe how you set compensation that is **reasonable** for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c.

**5a** Have you adopted a **conflict of interest policy** consistent with the sample conflict of interest policy in Appendix A to the instructions? If "Yes," provide a copy of the policy and explain how the policy has been adopted, such as by resolution of your governing board. If "No," answer lines 5b and 5c. ☐ Yes ☒ No

**b** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you for setting their own compensation?

**c** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you regarding business deals with themselves?

**Note:** A conflict of interest policy is recommended though it is not required to obtain exemption. Hospitals, see Schedule C, Section I, line 14.

**6a** Do you or will you compensate any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, or 1c through **non-fixed payments**, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are determined, who is eligible for such arrangements, whether you place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. ☐ Yes ☒ No

**b** Do you or will you compensate any of your employees, other than your officers, directors, trustees, or your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year, through non-fixed payments, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are or will be determined, who is or will be eligible for such arrangements, whether you place or will place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. ☐ Yes ☒ No

**7a** Do you or will you purchase any goods, services, or assets from any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such purchase that you made or intend to make, from whom you make or will make such purchases, how the terms are or will be negotiated at **arm's length**, and explain how you determine or will determine that you pay no more than **fair market value**. Attach copies of any written contracts or other agreements relating to such purchases. ☐ Yes ☒ No

**b** Do you or will you sell any goods, services, or assets to any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such sales that you made or intend to make, to whom you make or will make such sales, how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you are or will be paid at least fair market value. Attach copies of any written contracts or other agreements relating to such sales. ☐ Yes ☒ No

**8a** Do you or will you have any leases, contracts, loans, or other agreements with your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," provide the information requested in lines 8b through 8f. ☐ Yes ☒ No

**b** Describe any written or oral arrangements that you made or intend to make.

**c** Identify with whom you have or will have such arrangements.

**d** Explain how the terms are or will be negotiated at arm's length.

**e** Explain how you determine you pay no more than fair market value or you are paid at least fair market value.

**f** Attach copies of any signed leases, contracts, loans, or other agreements relating to such arrangements.

**9a** Do you or will you have any leases, contracts, loans, or other agreements with any organization in which any of your officers, directors, or trustees are also officers, directors, or trustees, or in which any individual officer, director, or trustee owns more than a 35% interest? If "Yes," provide the information requested in lines 9b through 9f. ☐ Yes ☒ No

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

- b** Describe any written or oral arrangements you made or intend to make.
- c** Identify with whom you have or will have such arrangements. **NONE**
- d** Explain how the terms are or will be negotiated at arm's length. **N/A**
- e** Explain how you determine or will determine you pay no more than fair market value or that you are paid at least fair market value.
- f** Attach a copy of any signed leases, contracts, loans, or other agreements relating to such arrangements.

**Part VI Your Members and Other Individuals and Organizations That Receive Benefits From You**

The following "Yes" or "No" questions relate to goods, services, and funds you provide to individuals and organizations as part of your activities. Your answers should pertain to *past*, *present*, and *planned* activities. (See instructions.)

- 1a** In carrying out your exempt purposes, do you provide goods, services, or funds to individuals? If "Yes," describe each program that provides goods, services, or funds to individuals. ☐ Yes ☒ No
- b** In carrying out your exempt purposes, do you provide goods, services, or funds to organizations? If "Yes," describe each program that provides goods, services, or funds to organizations. ☐ Yes ☒ No
- 2** Do any of your programs limit the provision of goods, services, or funds to a specific individual or group of specific individuals? For example, answer "Yes," if goods, services, or funds are provided only for a particular individual, your members, individuals who work for a particular employer, or graduates of a particular school. If "Yes," explain the limitation and how recipients are selected for each program. ☐ Yes ☒ No
- 3** Do any individuals who receive goods, services, or funds through your programs have a family or business relationship with any officer, director, trustee, or with any of your highest compensated employees or highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c? If "Yes," explain how these related individuals are eligible for goods, services, or funds. ☐ Yes ☒ No

**Part VII Your History**

The following "Yes" or "No" questions relate to your history. (See instructions.)

- 1** Are you a **successor** to another organization? Answer "Yes," if you have taken or will take over the activities of another organization; you took over 25% or more of the fair market value of the net assets of another organization; or you were established upon the conversion of an organization from for-profit to non-profit status. If "Yes," complete Schedule G. ☐ Yes ☒ No
- 2** Are you submitting this application more than 27 months after the end of the month in which you were legally formed? If "Yes," complete Schedule E. ☒ Yes ☐ No **See Schedule E attached.**

**Part VIII Your Specific Activities**

The following "Yes" or "No" questions relate to specific activities that you may conduct. Check the appropriate box. Your answers should pertain to *past*, *present*, and *planned* activities. (See instructions.)

- 1** Do you support or oppose candidates in **political campaigns** in any way? If "Yes," explain. ☐ Yes ☒ No
- 2a** Do you attempt to **influence legislation**? If "Yes," explain how you attempt to influence legislation and complete line 2b. If "No," go to line 3a. ☐ Yes ☒ No
- b** Have you made or are you making an **election** to have your legislative activities measured by expenditures by filing Form 5768? If "Yes," attach a copy of the Form 5768 that was already filed or attach a completed Form 5768 that you are filing with this application. If "No," describe whether your attempts to influence legislation are a substantial part of your activities. Include the time and money spent on your attempts to influence legislation as compared to your total activities. ☐ Yes ☒ No
- 3a** Do you or will you operate bingo or **gaming** activities? If "Yes," describe who conducts them, and list all revenue received or expected to be received and expenses paid or expected to be paid in operating these activities. **Revenue and expenses** should be provided for the time periods specified in Part IX, Financial Data. ☐ Yes ☒ No
- b** Do you or will you enter into contracts or other agreements with individuals or organizations to conduct bingo or gaming for you? If "Yes," describe any written or oral arrangements that you made or intend to make, identify with whom you have or will have such arrangements, explain how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you pay no more than fair market value or you will be paid at least fair market value. Attach copies or any written contracts or other agreements relating to such arrangements. ☐ Yes ☒ No
- c** List the states and local jurisdictions, including Indian Reservations, in which you conduct or will conduct gaming or bingo.



**Part VIII Your Specific Activities (Continued)**

**4a** Do you or will you undertake **fundraising**? If "Yes," check all the fundraising programs you do or will conduct. (See instructions.) ☒ **Yes** ☐ **No**

☒ mail solicitations

☒ email solicitations

☒ personal solicitations

☐ vehicle, boat, plane, or similar donations

☐ foundation grant solicitations

☒ phone solicitations

☐ accept donations on your website

☐ receive donations from another organization's website

☒ government grant solicitations

☐ Other

Attach a description of each fundraising program.

*See ATTACHED EXHIBIT J*

**b** Do you or will you have written or oral contracts with any individuals or organizations to raise funds for you? If "Yes," describe these activities. Include all revenue and expenses from these activities and state who conducts them. Revenue and expenses should be provided for the time periods specified in Part IX, Financial Data. Also, attach a copy of any contracts or agreements. ☐ **Yes** ☒ **No**

**c** Do you or will you engage in fundraising activities for other organizations? If "Yes," describe these arrangements. Include a description of the organizations for which you raise funds and attach copies of all contracts or agreements. ☐ **Yes** ☒ **No**

**d** List all states and local jurisdictions in which you conduct fundraising. For each state or local jurisdiction listed, specify whether you fundraise for your own organization, you fundraise for another organization, or another organization fundraises for you.

**e** Do you or will you maintain separate accounts for any contributor under which the contributor has the right to advise on the use or distribution of funds? Answer "Yes" if the donor may provide advice on the types of investments, distributions from the types of investments, or the distribution from the donor's contribution account. If "Yes," describe this program, including the type of advice that may be provided and submit copies of any written materials provided to donors. ☐ **Yes** ☒ **No**

**5** Are you **affiliated** with a governmental unit? If "Yes," explain. ☐ **Yes** ☒ **No**

**6a** Do you or will you engage in **economic development**? If "Yes," describe your program. ☐ **Yes** ☒ **No**

**b** Describe in full who benefits from your economic development activities and how the activities promote exempt purposes.

**7a** Do or will persons other than your employees or volunteers **develop** your facilities? If "Yes," describe each facility, the role of the developer, and any business or family relationship(s) between the developer and your officers, directors, or trustees. ☐ **Yes** ☒ **No**

**b** Do or will persons other than your employees or volunteers **manage** your activities or facilities? If "Yes," describe each activity and facility, the role of the manager, and any business or family relationship(s) between the manager and your officers, directors, or trustees. ☐ **Yes** ☒ **No**

**c** If there is a business or family relationship between any manager or developer and your officers, directors, or trustees, identify the individuals, explain the relationship, describe how contracts are negotiated at arm's length so that you pay no more than fair market value, and submit a copy of any contracts or other agreements.

**8** Do you or will you enter into **joint ventures**, including partnerships or **limited liability companies** treated as partnerships, in which you share profits and losses with partners other than section 501(c)(3) organizations? If "Yes," describe the activities of these joint ventures in which you participate. ☐ **Yes** ☒ **No**

**9a** Are you applying for exemption as a childcare organization under section 501(k)? If "Yes," answer lines 9b through 9d. If "No," go to line 10. ☐ **Yes** ☒ **No**

**b** Do you provide child care so that parents or caretakers of children you care for can be **gainfully employed** (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). ☐ **Yes** ☒ **No**

**c** Of the children for whom you provide child care, are 85% or more of them cared for by you to enable their parents or caretakers to be gainfully employed (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). ☐ **Yes** ☒ **No**

**d** Are your services available to the general public? If "No," describe the specific group of people for whom your activities are available. Also, see the instructions and explain how you qualify as a childcare organization described in section 501(k). ☐ **Yes** ☒ **No**

**10** Do you or will you publish, own, or have rights in music, literature, tapes, artworks, choreography, scientific discoveries, or other **intellectual property**? If "Yes," explain. Describe who owns or will own any copyrights, patents, or trademarks, whether fees are or will be charged, how the fees are determined, and how any items are or will be produced, distributed, and marketed. ☐ **Yes** ☒ **No**

**Part VIII Your Specific Activities (Continued)**

- 11** Do you or will you accept contributions of: real property; conservation easements; closely held securities; intellectual property such as patents, trademarks, and copyrights; works of music or art; licenses; royalties; automobiles, boats, planes, or other vehicles; or collectibles of any type? If "Yes," describe each type of contribution, any conditions imposed by the donor on the contribution, and any agreements with the donor regarding the contribution. ☐ Yes ☒ No
- 12a** Do you or will you operate in a **foreign country or countries**? If "Yes," answer lines 12b through 12d. If "No," go to line 13a. ☐ Yes ☒ No
- b** Name the foreign countries and regions within the countries in which you operate.
- c** Describe your operations in each country and region in which you operate.
- d** Describe how your operations in each country and region further your exempt purposes.
- 13a** Do you or will you make grants, loans, or other distributions to organization(s)? If "Yes," answer lines 13b through 13g. If "No," go to line 14a. ☐ Yes ☒ No
- b** Describe how your grants, loans, or other distributions to organizations further your exempt purposes.
- c** Do you have written contracts with each of these organizations? If "Yes," attach a copy of each contract. ☐ Yes ☐ No
- d** Identify each recipient organization and any **relationship** between you and the recipient organization.
- e** Describe the records you keep with respect to the grants, loans, or other distributions you make.
- f** Describe your selection process, including whether you do any of the following:
- (i)** Do you require an application form? If "Yes," attach a copy of the form. ☐ Yes ☐ No
- (ii)** Do you require a grant proposal? If "Yes," describe whether the grant proposal specifies your responsibilities and those of the grantee, obligates the grantee to use the grant funds only for the purposes for which the grant was made, provides for periodic written reports concerning the use of grant funds, requires a final written report and an accounting of how grant funds were used, and acknowledges your authority to withhold and/or recover grant funds in case such funds are, or appear to be, misused. ☐ Yes ☐ No
- g** Describe your procedures for oversight of distributions that assure you the resources are used to further your exempt purposes, including whether you require periodic and final reports on the use of resources.
- 14a** Do you or will you make grants, loans, or other distributions to foreign organizations? If "Yes," answer lines 14b through 14f. If "No," go to line 15. ☐ Yes ☒ No
- b** Provide the name of each foreign organization, the country and regions within a country in which each foreign organization operates, and describe any relationship you have with each foreign organization.
- c** Does any foreign organization listed in line 14b accept contributions earmarked for a specific country or specific organization? If "Yes," list all earmarked organizations or countries. ☐ Yes ☐ No
- d** Do your contributors know that you have ultimate authority to use contributions made to you at your discretion for purposes consistent with your exempt purposes? If "Yes," describe how you relay this information to contributors. ☐ Yes ☐ No
- e** Do you or will you make pre-grant inquiries about the recipient organization? If "Yes," describe these inquiries, including whether you inquire about the recipient's financial status, its tax-exempt status under the Internal Revenue Code, its ability to accomplish the purpose for which the resources are provided, and other relevant information. ☐ Yes ☐ No
- f** Do you or will you use any additional procedures to ensure that your distributions to foreign organizations are used in furtherance of your exempt purposes? If "Yes," describe these procedures, including site visits by your employees or compliance checks by impartial experts, to verify that grant funds are being used appropriately. ☐ Yes ☐ No

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**Part VIII Your Specific Activities** (Continued)

- |           |  |   |
|-----------|--|---|
| <b>15</b> | Do you have a <b>close connection</b> with any organizations? If "Yes," explain.   | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
| <b>16</b> | Are you applying for exemption as a <b>cooperative hospital service organization</b> under section 501(e)? If "Yes," explain.  | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
| <b>17</b> | Are you applying for exemption as a <b>cooperative service organization of operating educational organizations</b> under section 501(f)? If "Yes," explain.  | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
| <b>18</b> | Are you applying for exemption as a <b>charitable risk pool</b> under section 501(n)? If "Yes," explain.   | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
| <b>19</b> | Do you or will you operate a <b>school</b> ? If "Yes," complete Schedule B. Answer "Yes," whether you operate a school as your main function or as a secondary activity.   | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
| <b>20</b> | Is your main function to provide <b>hospital or medical care</b> ? If "Yes," complete Schedule C.  | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
| <b>21</b> | Do you or will you provide <b>low-income housing</b> or housing for the <b>elderly</b> or <b>handicapped</b> ? If "Yes," complete Schedule F.  | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
| <b>22</b> | Do you or will you provide scholarships, fellowships, educational loans, or other educational grants to individuals, including grants for travel, study, or other similar purposes? If "Yes," complete Schedule H. | <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |

**Note:** Private foundations may use Schedule H to request advance approval of individual grant procedures.

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**Part IX Financial Data**

For purposes of this schedule, years in existence refer to completed tax years. If in existence 4 or more years, complete the schedule for the most recent 4 tax years. If in existence more than 1 year but less than 4 years, complete the statements for each year in existence and provide projections of your likely revenues and expenses based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. If in existence less than 1 year, provide projections of your likely revenues and expenses for the current year and the 2 following years, based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. (See instructions.)

**A. Statement of Revenues and Expenses**

Type of revenue or expense	Current tax year	3 prior tax years or 2 succeeding tax years			(e) Provide Total for (a) through (d)
	(a) From 01/01/12 To 12/31/12	(b) From 01/01/11 To 12/31/11	(c) From 01/01/10 To 12/31/10	(d) From 01/01/09 To 12/31/09	
<b>1</b> Gifts, grants, and contributions received (do not include unusual grants)					
<b>2</b> Membership fees received					
<b>3</b> Gross investment income					
<b>4</b> Net unrelated business income					
<b>5</b> Taxes levied for your benefit					
<b>6</b> Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)					
<b>7</b> Any revenue not otherwise listed above or in lines 9-12 below (attach an itemized list)					
<b>8</b> Total of lines 1 through 7					
<b>9</b> Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)					
<b>10</b> Total of lines 8 and 9					
<b>11</b> Net gain or loss on sale of capital assets (attach schedule and see instructions)					
<b>12</b> Unusual grants					
<b>13</b> Total Revenue Add lines 10 through 12					
<b>14</b> Fundraising expenses					
<b>15</b> Contributions, gifts, grants, and similar amounts paid out (attach an itemized list)					
<b>16</b> Disbursements to or for the benefit of members (attach an itemized list)					
<b>17</b> Compensation of officers, directors, and trustees					
<b>18</b> Other salaries and wages					
<b>19</b> Interest expense					
<b>20</b> Occupancy (rent, utilities, etc.)					
<b>21</b> Depreciation and depletion					
<b>22</b> Professional fees					
<b>23</b> Any expense not otherwise classified, such as program services (attach itemized list)					
<b>24</b> Total Expenses Add lines 14 through 23					

**Part IX Financial Data (Continued)****B. Balance Sheet (for your most recently completed tax year)**

Year End:

Assets		(Whole dollars)
1	Cash . . . . .	21180
2	Accounts receivable, net . . . . .	
3	Inventories . . . . .	
4	Bonds and notes receivable (attach an itemized list) . . . . .	
5	Corporate stocks (attach an itemized list) . . . . .	
6	Loans receivable (attach an itemized list) . . . . .	
7	Other investments (attach an itemized list) . . . . .	
8	Depreciable and depletable assets (attach an itemized list) . . . . .	
9	Land . . . . .	
10	Other assets (attach an itemized list) . . . . .	
11	Total Assets (add lines 1 through 10) . . . . .	21180
Liabilities		
12	Accounts payable . . . . .	
13	Contributions, gifts, grants, etc. payable . . . . .	
14	Mortgages and notes payable (attach an itemized list) . . . . .	
15	Other liabilities (attach an itemized list) . . . . .	
16	Total Liabilities (add lines 12 through 15) . . . . .	
Fund Balances or Net Assets		
17	Total fund balances or net assets . . . . .	21180
18	Total Liabilities and Fund Balances or Net Assets (add lines 16 and 17) . . . . .	21180
19	Have there been any substantial changes in your assets or liabilities since the end of the period shown above? If "Yes," explain. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Part X Public Charity Status**

Part X is designed to classify you as an organization that is either a **private foundation** or a **public charity**. Public charity status is a more favorable tax status than private foundation status. If you are a private foundation, Part X is designed to further determine whether you are a **private operating foundation**. (See instructions.)

- 1a Are you a private foundation? If "Yes," go to line 1b. If "No," go to line 5 and proceed as instructed. ☐ Yes ☒ No  
If you are unsure, see the instructions.
- b As a private foundation, section 508(e) requires special provisions in your organizing document in addition to those that apply to all organizations described in section 501(c)(3). Check the box to confirm that your organizing document meets this requirement, whether by express provision or by reliance on operation of state law. Attach a statement that describes specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document or by operation of state law. See the instructions, including Appendix B, for information about the special provisions that need to be contained in your organizing document. Go to line 2. ☐
- 2 Are you a private operating foundation? To be a private operating foundation you must engage directly in the active conduct of charitable, religious, educational, and similar activities, as opposed to indirectly carrying out these activities by providing grants to individuals or other organizations. If "Yes," go to line 3. If "No," go to the signature section of Part XI. ☐ Yes ☐ No
- 3 Have you existed for one or more years? If "Yes," attach financial information showing that you are a private operating foundation; go to the signature section of Part XI. If "No," continue to line 4. ☐ Yes ☐ No
- 4 Have you attached either (1) an affidavit or opinion of counsel, (including a written affidavit or opinion from a certified public accountant or accounting firm with expertise regarding this tax law matter), that sets forth facts concerning your operations and support to demonstrate that you are likely to satisfy the requirements to be classified as a private operating foundation; or (2) a statement describing your proposed operations as a private operating foundation? ☐ Yes ☐ No
- 5 If you answered "No" to line 1a, indicate the type of public charity status you are requesting by checking one of the choices below. You may check only one box.
- The organization is not a private foundation because it is:
- a 509(a)(1) and 170(b)(1)(A)(i)—a church or a convention or association of churches. Complete and attach Schedule A. ☐
- b 509(a)(1) and 170(b)(1)(A)(ii)—a **school**. Complete and attach Schedule B. ☐
- c 509(a)(1) and 170(b)(1)(A)(iii)—a **hospital**, a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital. Complete and attach Schedule C. ☐
- d 509(a)(3)—an organization supporting either one or more organizations described in line 5a through c, f, g, or h or a publicly supported section 501(c)(4), (5), or (6) organization. Complete and attach Schedule D. ☐

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**Part X Public Charity Status (Continued)**

- e** 509(a)(4)—an organization organized and operated exclusively for testing for public safety. ☐
- f** 509(a)(1) and 170(b)(1)(A)(iv)—an organization operated for the benefit of a college or university that is owned or operated by a governmental unit. ☐
- g** 509(a)(1) and 170(b)(1)(A)(vi)—an organization that receives a substantial part of its financial support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public. ☐
- h** 509(a)(2)—an organization that normally receives not more than one-third of its financial support from gross **investment income** and receives more than one-third of its financial support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions). ☐
- i** A publicly supported organization, but unsure if it is described in 5g or 5h. The organization would like the IRS to decide the correct status. ☐
- 6** If you checked box g, h, or i in question 5 above, you must request either an **advance** or a **definitive ruling** by selecting one of the boxes below. Refer to the instructions to determine which type of ruling you are eligible to receive.
- a Request for Advance Ruling:** By checking this box and signing the consent, pursuant to section 6501(c)(4) of the Code you request an advance ruling and agree to extend the statute of limitations on the assessment of excise tax under section 4940 of the Code. The tax will apply only if you do not establish public support status at the end of the 5-year advance ruling period. The assessment period will be extended for the 5 advance ruling years to 8 years, 4 months, and 15 days beyond the end of the first year. You have the right to refuse or limit the extension to a mutually agreed-upon period of time or issue(s). Publication 1035, *Extending the Tax Assessment Period*, provides a more detailed explanation of your rights and the consequences of the choices you make. You may obtain Publication 1035 free of charge from the IRS web site at [www.irs.gov](http://www.irs.gov) or by calling toll-free 1-800-829-3676. Signing this consent will not deprive you of any appeal rights to which you would otherwise be entitled. If you decide not to extend the statute of limitations, you are not eligible for an advance ruling. ☒

**Consent Fixing Period of Limitations Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code**

For Organization

(Signature of Officer, Director, Trustee, or other authorized official)

(Type or print name of signer)

(Date)

(Type or print title or authority of signer)

For IRS Use Only

IRS Director, Exempt Organizations

(Date)

- b Request for Definitive Ruling:** Check this box if you have completed one tax year of at least 8 full months and you are requesting a definitive ruling. To confirm your public support status, answer line 6b(i) if you checked box g in line 5 above. Answer line 6b(ii) if you checked box h in line 5 above. If you checked box i in line 5 above, answer both lines 6b(i) and (ii). ☐
- (i) (a)** Enter 2% of line 8, column (e) on Part IX-A. Statement of Revenues and Expenses. 1339
- (b)** Attach a list showing the name and amount contributed by each person, company, or organization whose gifts totaled more than the 2% amount. If the answer is "None," check this box. ☒
- (ii) (a)** For each year amounts are included on lines 1, 2, and 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each **disqualified person**. If the answer is "None," check this box. ☒
- (b)** For each year amounts are included on line 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each payer, other than a disqualified person, whose payments were more than the larger of (1) 1% of line 10, Part IX-A. Statement of Revenues and Expenses, or (2) \$5,000. If the answer is "None," check this box. ☒
- 7** Did you receive any unusual grants during any of the years shown on Part IX-A. Statement of Revenues and Expenses? If "Yes," attach a list including the name of the contributor, the date and amount of the grant, a brief description of the grant, and explain why it is unusual. ☐ Yes ☒ No

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**Part XI User Fee Information**

You must include a user fee payment with this application. It will not be processed without your paid user fee. If your average annual gross receipts have exceeded or will exceed \$10,000 annually over a 4-year period, you must submit payment of \$750. If your gross receipts have not exceeded or will not exceed \$10,000 annually over a 4-year period, the required user fee payment is \$300. See instructions for Part XI, for a definition of **gross receipts** over a 4-year period. Your check or money order must be made payable to the United States Treasury. *User fees are subject to change. Check our website at [www.irs.gov](http://www.irs.gov) and type "User Fee" in the keyword box, or call Customer Account Services at 1-877-829-5500 for current information.*

- 1 Have your annual gross receipts averaged or are they expected to average not more than \$10,000? ☐ Yes ☒ No  
If "Yes," check the box on line 2 and enclose a user fee payment of \$300 (Subject to change—see above).  
If "No," check the box on line 3 and enclose a user fee payment of \$750 (Subject to change—see above).
- 2 Check the box if you have enclosed the reduced user fee payment of \$300 (Subject to change). ☐
- 3 Check the box if you have enclosed the user fee payment of \$750 (Subject to change). ☒

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please  
Sign  
Here

  
(Signature of Officer, Director, Trustee, or other  
authorized official)

**Mike E. Raiche**

(Type or print name of signer)

**09/10/2013**

(Date)

**Vice President**

(Type or print title or authority of signer)

**Reminder:** Send the completed Form 1023 Checklist with your filled-in-application.

Form **1023** (Rev. 6-2006)

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**Schedule E. Organizations Not Filing Form 1023 Within 27 Months of Formation**

Schedule E is intended to determine whether you are eligible for tax exemption under section 501(c)(3) from the postmark date of your application or from your date of incorporation or formation, whichever is earlier. If you are not eligible for tax exemption under section 501(c)(3) from your date of incorporation or formation, Schedule E is also intended to determine whether you are eligible for tax exemption under section 501(c)(4) for the period between your date of incorporation or formation and the postmark date of your application.

- 1** Are you a church, association of churches, or integrated auxiliary of a church? If "Yes," complete Schedule A and stop here. Do not complete the remainder of Schedule E. ☐ Yes ☒ No
- 
- 2a** Are you a public charity with annual **gross receipts** that are normally \$5,000 or less? If "Yes," stop here. Answer "No" if you are a private foundation, regardless of your gross receipts. ☐ Yes ☒ No
- b** If your gross receipts were normally more than \$5,000, are you filing this application within 90 days from the end of the tax year in which your gross receipts were normally more than \$5,000? If "Yes," stop here. ☐ Yes ☒ No
- 
- 3a** Were you included as a subordinate in a group exemption application or letter? If "No," go to line 4. ☐ Yes ☒ No
- b** If you were included as a subordinate in a group exemption letter, are you filing this application within 27 months from the date you were notified by the organization holding the group exemption letter or the Internal Revenue Service that you cease to be covered by the group exemption letter? If "Yes," stop here. ☐ Yes ☐ No
- c** If you were included as a subordinate in a timely filed group exemption request that was denied, are you filing this application within 27 months from the postmark date of the Internal Revenue Service final adverse ruling letter? If "Yes," stop here. ☐ Yes ☐ No
- 
- 4** Were you created on or before October 9, 1969? If "Yes," stop here. Do not complete the remainder of this schedule. ☐ Yes ☒ No
- 
- 5** If you answered "No" to lines 1 through 4, we cannot recognize you as tax exempt from your date of formation unless you qualify for an extension of time to apply for exemption. Do you wish to request an extension of time to apply to be recognized as exempt from the date you were formed? If "Yes," attach a statement explaining why you did not file this application within the 27-month period. Do not answer lines 6, 7, or 8. If "No," go to line 6a. ☐ Yes ☒ No
- 
- 6a** If you answered "No" to line 5, you can only be exempt under section 501(c)(3) from the postmark date of this application. Therefore, do you want us to treat this application as a request for tax exemption from the postmark date? If "Yes," you are eligible for an advance ruling. Complete Part X, line 6a. If "No," you will be treated as a private foundation. ☒ Yes ☐ No
- Note.** Be sure your ruling eligibility agrees with your answer to Part X, line 6.
- b** Do you anticipate significant changes in your sources of support in the future? If "Yes," complete line 7 below. ☐ Yes ☒ No

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**Schedule E. Organizations Not Filing Form 1023 Within 27 Months of Formation** (Continued)

- 7** Complete this item only if you answered "Yes" to line 6b. Include projected revenue for the first two full years following the current tax year.

Type of Revenue	Projected revenue for 2 years following current tax year		
	(a) From 01/01/13 To 12/31/2013	(b) From 01/01/2014 To 12/31/2014	(c) Total
<b>1</b> Gifts, grants, and contributions received (do not include unusual grants)	5000	5000	10000
<b>2</b> Membership fees received	5000	5000	10000
<b>3</b> Gross investment income	25	25	50
<b>4</b> Net unrelated business income	0	0	0
<b>5</b> Taxes levied for your benefit	0	0	0
<b>6</b> Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)	0	0	0
<b>7</b> Any revenue not otherwise listed above or in lines 9-12 below (attach an itemized list)	0	0	0
<b>8</b> Total of lines 1 through 7	10025	10025	20050
<b>9</b> Gross receipts from admissions, merchandise sold, or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)	35000	35000	70000
<b>10</b> Total of lines 8 and 9	45025	45025	96050
<b>11</b> Net gain or loss on sale of capital assets (attach an itemized list)	0	0	0
<b>12</b> Unusual grants	0	0	0
<b>13</b> Total revenue. Add lines 10 through 12	45025	45025	90050

- 8** According to your answers, you are only eligible for tax exemption under section 501(c)(3) from the postmark date of your application. However, you may be eligible for tax exemption under section 501(c)(4) from your date of formation to the postmark date of the Form 1023. Tax exemption under section 501(c)(4) allows exemption from federal income tax, but generally not deductibility of contributions under Code section 170. Check the box at right if you want us to treat this as a request for exemption under 501(c)(4) from your date of formation to the postmark date. ▶ ☐

Attach a completed Page 1 of Form 1024, Application for Recognition of Exemption Under Section 501(a), to this application.

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**Maple Lake - Lake Property Owners Association, Inc.**  
**Form 1023 Part IX - Statement of Revenue and Expenses**  
**Five Years Ended December 31, 2012**

**Form 1023 Part IX:**

<b>Ln:</b>	<b>Description:</b>	<b>2012</b>	<b>2011</b>	<b>2010</b>	<b>2009</b>	<b>2008</b>	<b>Total</b>
1	Gifts and grants	\$ 12,646	\$ 3,543	\$ 3,045	\$ 10,532	\$ 11,707	\$ 41,473
2	Membership dues	4,765	4,560	4,620	5,515	5,245	24,705
3	Gross investment income	19	49	51	551	30	700
4	Net unrelated business income	-	-	-	-	-	-
5	Taxes	-	-	-	-	-	-
6	Value of services/rent	-	-	-	-	-	-
7	Other revenue not above	-	-	-	-	-	-
8	Total of Lines 1 - 7	17,430	8,152	7,716	16,598	16,981	66,878
9	Gross receipts from fundraising	20,092	32,001	30,170	16,529	21,745	120,537
10	Total of Lines 8 and 9	37,522	40,153	37,886	33,127	38,726	187,415
11	Gain/Loss sale of assets	-	-	-	-	-	-
12	Unusual grants	-	-	-	-	-	-
13	Total	37,522	40,153	37,886	33,127	38,726	187,415
14	Fundraising expenses	20,802	32,227	25,998	15,014	29,418	123,459
15	Contributions, gifts, grants paid out	-	-	-	-	-	-
16	Disbursements for benefit of members	-	-	-	-	-	-
17	Compensation of officers/directors	-	-	-	-	-	-
18	Other salaries and wages	-	-	-	-	-	-
19	Interest expense	-	-	-	-	-	-
20	Occupancy - rent, utilities, etc	-	-	-	-	-	-
21	Depreciation	-	-	-	-	-	-
22	Professional fees	-	-	-	-	-	-
23	Other expense (See Detail Below)	39,504	8,452	5,088	7,329	11,333	71,706
24	Total expenses	60,306	40,679	31,087	22,343	40,751	195,166

**Detail of Line 23 - Other Expense**

Administrative costs	\$ 2,054	\$ 2,065	\$ 179	\$ 815	\$ 104	\$ 5,218
Program Costs - Lake Weed Control	37,450	6,387	4,909	6,513	11,179	66,439
Program Costs - Fish Stocking	-	-	-	-	50	50
<b>Total - Form 1023 Part IX Line 23</b>	<b>\$ 39,504</b>	<b>\$ 8,452</b>	<b>\$ 5,088</b>	<b>\$ 7,329</b>	<b>\$ 11,333</b>	<b>\$ 71,706</b>



Filed 6-20-2013

## **AMENDED AND RESTATED ARTICLES OF INCORPORATION**

### **OF**

#### **MAPLE LAKE – LAKE PROPERTY OWNERS ASSOCIATION, INC.**

The undersigned incorporator, being a natural person 18 years of age or older, in order to amend and restate the Articles Of Incorporation of Maple Lake – Lake Property Owners Association, Inc., a nonprofit corporation under Minnesota Statutes, Chapter 317A, hereby adopts the following Amended And Restated Articles of Incorporation:

#### **ARTICLE 1 – NAME**

The name of this corporation shall be Maple Lake–Lake Property Owners Association, Inc.

#### **ARTICLE 2 – CHARITABLE PURPOSES**

2.1 This corporation is organized exclusively for charitable, religious, educational, and/or scientific purposes under section 501(c)(3) of the Internal Revenue Code, and all the powers of this corporation shall be exercised only so that this corporation's operation shall be exclusively within the contemplation of Section 501(c)(3) of the Internal Revenue Code of 1986 and the laws amendatory thereof and supplementary thereto.

2.2 This corporation may receive and disburse funds or other property incident to or necessary for the accomplishment of said purposes and do any and all acts incidental to the transaction of the business of this corporation or expedient for the attainment of said purposes.

2.3 This corporation shall have only such powers as are required by and are consistent with the foregoing purposes, including the power to acquire and receive funds and property of every kind and nature whatsoever, and dispose of said funds and property and income therefrom in furtherance of said purposes of this corporation.

#### **ARTICLE 3 – RESTRICTIONS**

3.1 This corporation shall not afford pecuniary gain, incidentally or otherwise, to its contributors, and no part of the net income or net earnings of this corporation shall inure to the benefit of any contributor: provided, however, that this corporation may distribute net income or net earnings to other organizations described in said Section 501(c)(3) and exempt from taxation under Section 501(a) of the Internal Revenue Code of 1986 and laws amendatory thereof and supplementary thereto.

3.2 This corporation shall not engage in any conduct designed to or attempting to influence legislation and shall not participate in or intervene in any political campaign on behalf of any candidate for public office.

#### **ARTICLE 4 – REGISTERED AGENT AND OFFICE**

The registered agent and office of this corporation shall be:

Michael Raiche, 1890 CR 37 NW, Maple Lake, MN 55358

20/40

## ARTICLE 5 – MANAGEMENT

The management and direction of the business of this corporation shall be vested in its Governing Board, comprised of a Board of Directors and an Executive Committee. The number, terms of office, powers, authorities and duties of the directors of this corporation, the time and place of their meeting, and such other regulations with respect to them as are not inconsistent with the express provisions of these Articles of incorporation shall be as specified from time to time in the Bylaws of this Corporation. An action may be taken by the Governing Board by written action signed by the number of directors that would be required to take the same action at a meeting of the Governing Board at which all directors were present; provided that all directors shall be notified of the text of the written action prior to the signing by any of the directors. All directors shall be notified immediately of the effective date of any such written action that is duly taken.

## ARTICLE 6 – CAPITAL STOCK

This corporation shall have no capital stock.

## ARTICLE 7 – NO PERSONAL LIABILITY

The directors of this corporation shall not be personally liable for the debts or obligations of this corporation of any nature whatsoever, nor shall any of the property of the directors or officers be subject to the payment of the debts or obligations of this corporation to any extent whatsoever.

## ARTICLE 8 – DISSOLUTION

Upon the dissolution of this corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purpose.

## ARTICLE 9 – SEAL

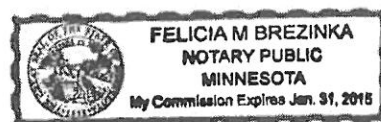
This corporation shall have no seal.

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of June, 2013.

*Michael E. Raiche*

Michael E. Raiche

*Felicia M. Brezinka*



21/40



**Work Item 679091100023**  
**Original File Number I-795**

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
FILED  
**06/28/2013 11:59 PM**

*Mark Ritchie*

Mark Ritchie  
Secretary of State

I 795

ARTICLES OF INCORPORATION

E-35, 230

1 We, the undersigned, do hereby associate ourselves together  
2 for the purpose of forming a corporation under the provisions of  
3 Minnesota non-profit corporation act and acts amendatory or supple-  
4 mentary thereto and for that purpose hereby adopt, sign and acknow-  
5 ledge the following certificate of incorporation.

6 I.

7 The name of this corporation shall be Lower Maple Lake  
8 Property Owners Assn. Inc.

9 II.

10 The corporate purposes are to operate and maintain an  
11 organization for the promotion of community welfare, recreational,  
12 scientific and social improvement of the property owners on Maple  
13 Lake, Wright County, Minnesota and other interested parties.

14 III.

15 This corporation does not afford pecuniary gain incidentally  
16 or otherwise to its members.

17 IV.

18 The duration of this corporation shall be perpetual.

19 V.

20 The registered office of this corporation shall be Maple  
21 Lake, Minnesota.

22 VI.

23 The names and addresses of the incorporators of this  
24 corporation are as follows:

25 Denis W. Larson, Rt. 2 Sherwood Forest, Maple Lake, Minn.  
26 Donald G. Trabant, Rt. 2 Sherwood Forest, Maple Lake, Minn.  
27 N. Daniel Grumstrup, Rt. 2 Sherwood Forest, Maple Lake, Minn.

28 VII.

29 The name and address of each of the first directors are  
as follows:

30 Denis W. Larson, Rt. 2 Sherwood Forest, Maple Lake, Minn.  
31 Donald G. Trabant, Rt. 2 Sherwood Forest, Maple Lake, Minn.  
32 N. Daniel Grumstrup, Rt. 2 Sherwood Forest, Maple Lake, Minn.

The term of office of the directors shall be until the first annual  
meeting of the corporation or until their successors shall have been  
elected and qualified.



VIII.

No member shall be to any extent personally liable for obligations incurred by or on behalf of this corporation.

IX.

This corporation has no capital stock.

X.

The members of the corporation shall be limited to persons as the By-Laws of the corporation shall from time to time prescribe.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 22nd day of October, 1970.

Donald W. Larson  
N. Daniel Grumstrup  
Ronald H. Chabot

STATE OF MINNESOTA }  
COUNTY OF WRIGHT } ss.

On this 22nd day of October, 1970, before me a Notary Public within and for said county, personally appeared, Denis W. Larson, Donald A. Trabant, and N. Daniel Grumstrup, to me known to be the persons named as incorporators and who executed the foregoing Articles of Incorporation and they acknowledge that they executed the same as their free act and deed for the purposes and uses therein set out.

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
I hereby certify that the within instrument was filed for record in this office on the 5 day of Nov A. D. 1970 at 9 o'clock P. M. and was duly recorded in Book E-35 of Incorporations, on page 230  
Joseph L. Donovan  
Secretary of State

Merle Skinner  
MERLE SKINNER  
Notary Public, Hennepin County, Minn.  
My Commission Expires Aug. 15, 1977

ROSEL SHADDOCK  
ATTORNEY AT LAW  
ANDERSON, MINN.

ADT  
INDEXED  
NOV 1970  
DEX CHECKED





**To All To Whom These Presents Shall Come, Greeting:**

**Whereas**, Articles of Incorporation, duly signed and acknowledged under oath, have been recorded in the office of the Secretary of State, on the —5th— day of November, A. D. 19 70 for the incorporation of

**Lower Maple Lake Property Owners Assn. Inc.**

under and in accordance with the provisions of the Minnesota Nonprofit Corporation Act, Minnesota Statutes, Chapter 317;

**Now, Therefore**, I, Joseph L. Donovan, Secretary of State of the State of Minnesota, by virtue of the powers and duties vested in me by law, do hereby certify that the said

**Lower Maple Lake Property Owners Assn. Inc.**

is a legally organized Corporation under the laws of this State.

Witness my official signature hereunto subscribed and the Great Seal of the State of Minnesota hereunto affixed this —fifth— day of November in the year of our Lord one thousand nine hundred and seventy

*Joseph L. Donovan*  
Secretary of State.

I-795

NP

y-53, 763

At the September 6th, 1980 regular fall meeting of the members of the Lower Maple Lake Property Owners Association, Inc., unanimous approval was given to the following resolution:-

RESOLVED, that Article I of the Articles of Incorporation shall be amended to read:

"The name of this corporation shall be Maple Lake - Lake Property Owners Association, Inc."

and be it further Resolved that the officers of this corporation are hereby authorized to take the necessary steps to implement this amendment.

Neil E. Greck  
President

Francis Blinkhorn  
Vice President

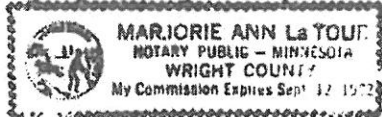
Joanne Kiehl  
Secretary

Bill E. Tallman  
Treasurer

371065

Signed this 8th day of November, 1980.

Marjorie Ann LaTour



STATE OF MINNESOTA  
DEPARTMENT OF STATE  
I hereby certify that this instrument was filed for record in this office on the 21 day of Nov A. D. 19 80 at 4:30 o'clock P M., and was duly recorded in Book 7-53 of Incorporations, on page 763  
Joan Anderson Brace  
CT Secretary of State

2640



NP-RO  
MINNESOTA SECRETARY OF STATE  
NOTICE OF CHANGE OF REGISTERED OFFICE/  
REGISTERED AGENT



Please read the instructions on the back before completing this form.

1. Entity Name:

Maple Lake-Lake Property Owners Association, Inc

I-795

2. Registered Office Address (No. & Street): List a complete street address or rural route and rural route box number.  
A post office box is not acceptable.

6406 Craig Ave NW

Maple Lake

MN

55358

Street

City

State

Zip Code

3. Registered Agent (Registered agents are required for foreign entities but optional for Minnesota entities):

NONE

If you do not wish to designate an agent, you must list "NONE" in this box. **DO NOT LIST THE ENTITY NAME.**

In compliance with Minnesota Statutes, Section 302A.123, 303.10, 308A.025, 317A.123 or 322B.135 I certify that the above listed company has resolved to change the entity's registered office and/or agent as listed above.

I certify that I am authorized to execute this notice and I further certify that I understand that by signing this notice I am subject to the penalties of perjury as set forth in Minnesota Statutes Section 609.48 as if I had signed this notice under oath.

Signature of Authorized Person

Name and Telephone Number of a Contact Person: Angie Pi. by 1 (320) 963-5657  
please print legibly

Filing Fee: For Profit Minnesota Corporations, Cooperatives and Limited Liability Companies: \$35.00.

Minnesota Nonprofit Corporations: No \$35.00 fee is due unless you are adding or removing an agent.

Non-Minnesota Corporations: \$50.00.

Make checks payable to Secretary of State  
Return to: Minnesota Secretary of State  
180 State Office Bldg.  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1299  
(651) 296-2803

STATE OF MINNESOTA  
FILED

JUL 7 2003

Secretary of State

2/7/40

**STATE OF MINNESOTA**  
**DEPARTMENT OF STATE**

I hereby certify that this is a  
true and complete copy of the  
document as filed for record in  
this office.

DATED Oct 3, 2003

*Marg Kiffmeyer*  
Secretary of State



By

*Willie C. Cullen*

These By-Laws supercede any other document pertaining to the Maple Lake Association.

ARTICLE I SEC. 1. The name of this Association shall be the MAPLE LAKE -LAKE PROPERTY OWNERS ASSOCIATION INC.

Sec. 2 In the following By-Laws the term "Maple Lake" shall in no way mean the city of Maple lake unless so indicated.

ARTICLE II. It is understood that this Association is non-sectarian, non-political and strictly non-profit.

ARTICLE III. Sec. 1 PURPOSE: To provide a means for all members to join together in an association, for their common good, in public meetings; to present and discuss topics and problems of general interest and concern, and to work out reasonable and equitable solutions.

Sec. 2 OBJECTIVE: To promote the maintenance and improvement of the Lake, and the general welfare of the members as it pertains to their property as related to Maple Lake.

ARTICLE IV. Sec. 1 Any property owner or resident within the proposed Lake Improvement District is eligible to become a member of the Association upon payment of dues.

Sec. 2 Each member is entitled to one vote either by voice or mail.

Sec. 3 A book shall be provided at each meeting for the signatures of member and attending guests.

ARTICLE V. Sec. 1 Meetings shall be held the FIRST SATURDAY in MAY, which shall be know as the ANNUAL or SPRING meeting, and a second meeting, known as the FALL meeting shall be held somewhere between mid-August or mid-September.

Sec. 2 The Governing Board can call a special meeting of the Association if it is found necessary, at any time.

ARTICLE VI. Sec. 1 The annual dues of the Association shall be determined by a vote of the members and shall be effective from January 1<sup>st</sup> through December 31<sup>st</sup> and payable on or before the ANNUAL SPRING meeting for that calendar year.

Sec. 2 Any special assessments must be by a 2/3 Majority vote of the Association members at the meeting in which the motion is made.



ARTICLE VII. Sec. 1 Elected officers shall be President, Vice President, Secretary, and Treasurer and shall constitute the Executive Committee.

Sec. 2 Elections shall be held every TWO (2) years at the ANNUAL SPRING meeting on even years. New officers will take office at the close of the meeting, books and records shall be turned over to them at that time.

Sec. 3 No Executive officer shall hold the same office for more than TWO (2) consecutive Terms which would consist of Four (4) Consecutive Years.

Sec. 4 The Vice-President is automatically nominated for President of the Executive Board. Other names may be placed in nomination either by the members of the Board or from the meeting floor.

Sec. 5 There shall be not less than 12 and not more than 18 directors with representation from each of the three lakes, suggested by the Governing Board at their Spring Meeting of any election year. This slate will then be presented to the Association at large for voting upon.

Sec. 6 The Executive Committee and the Directors shall constitute the Governing Board.

Sec. 7 In order to conduct Association meetings, there shall be in attendance a quorum of 20 paid up members. In order to conduct Association Board meetings, there shall be a quorum of 6 paid up members in attendance.

#### ARTICLE VIII. DUTIES

Sec. 1 The President shall preside at all meetings of the Association, enforce order and observance of the By-Laws, appoint committees, and sign all communication in the name of the Association and be the voice of the members in all the matters and contact between the Maple Lake - Lake Property Owners Association Inc. and other outside organizations or persons. He will open the meetings of the Governing Board before turning it over to the Chairman.

Sec. 2 The Vice-President shall perform all of the duties of the President in the event of absence or inability to attend to the duties of that office; shall work closely with the President in outlining the agenda of the Governing Board and shall act as Chairman of the Governing Board meetings.

Sec. 3 It shall be the duty of the Secretary to prepare and keep records showing in detail the proceedings of all meetings; handle mail in votes, notify members of meetings 15 days prior to date, answer all communications at the instructions of the President, keep up-to-date records of the spraying operations and maintain a file of notices, newspaper clippings, etc. of interest to the Association.

Bylaws  
10/11/2003

Sec. 4 The Treasurer shall collect all dues, pay all bills of the Association, keep up-to-date accurate accounts thereof and report in detail all financial transactions of the proceeding period at each meeting, including incoming funds and bills paid. A complete ANNUAL report shall be filed with the Secretary at the ANNUAL SPRING meeting. A complete list of paid members shall be filed with the Secretary at the Spring Governing Board meeting. This is to be used for appointment of special committees, notices of meetings, and spraying or other order of business.

#### ARTICLE IX. FOR THE GOOD OF THE ORDER

Sec. 1 All disbursements of funds shall be made by check and signed by the Treasurer and either the President or Vice-President. Only these three shall be authorized to sign checks and have their signatures on file at the bank.

Sec. 2 Two (2) signatures shall be required on all checks. One must be the Treasurer. Amounts up to \$150.00 may be paid out by the Treasurer. Disbursement of greater amounts must be approved by a 2/3 majority vote of the Governing Board present at the meeting in which the bill is presented.

Sec. 3 If any problem in the sphere of the Association arises, it shall be immediately be reported to the President who, with the Chairman of the Governing Board will determine if it is necessary to call a special meeting of the governing Board or of the Association at large.

Sec. 4 All projects on behalf of the Association must be done with the approval of its members and any contractor or sub-contractor hired must carry his own insurance adequate for liability or property damage.

Sec. 5 Two (2) consecutive absences from a regular Association meeting by a member of the Executive Committee shall declare the office vacant by a 2/3 majority of the Association members present at the meeting and shall be filled at that time.

Sec. 6 Any Special Committee appointed (Refreshments, Spraying, Membership, etc.) shall prepare and file with the Secretary a complete report of the activities including names, telephone numbers, etc. of contacts used, including firms and printers, or of the number of persons served.

Sec. 7 Members making a motion at a meeting shall rise and face the group, state name and location of residence on the lake before putting the motion to the Association.


Sec. 8 If at any time the Maple Lake-Lake Property Owners Association Inc. shall cease to actively function and disband, all funds in the treasury shall be divided among the members.

By-Laws  
10/11/2003

Sec. 9 These By-Laws may be changed, amended or deleted at an Official Meeting by a 2/3 majority of those present provided a notice of such a meeting stating the changes to be voted upon by Article and Section is sent to all members THIRTY (30) days prior to the meeting date.


Approved by the Governing Board

Prepared and Submitted 10-11-03  
Supersedes 4-24-97

  
Angie Pribyl

President 10-11-03

Submitted to the Association 10-11-03

  
Angie Pribyl  
President



**REVISED AND RESTATED BYLAWS  
(SUPERSEDES BYLAWS DATED 10/11/2003)  
MAPLE LAKE - LAKE PROPERTY OWNERS ASSOCIATION, INC.**

**ARTICLE 1 - OFFICES**

**Registered Offices.** The registered office of the Maple Lake – Lake Property Owners Association, Inc. (“Association”) in Minnesota is the place designated in the Articles of Incorporation as the registered office of this corporation. This Association may change its registered office in accordance with Chapter 317a, Minnesota Statutes, as amended from time to time (hereinafter, “Chapter 317”)

**ARTICLE 2 – PURPOSE/OBJECTIVES**

**Section 2.1 Purpose.** The purpose of the Association is to monitor, maintain and improve the quality of Maple Lake, located in Wright County, Minnesota. As such, the Association is exclusively for charitable, educational and scientific purposes, 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.

The Association is a private, nonprofit, tax exempt corporation pursuant with the provision of the Minnesota Nonprofit Corporation Act, Minnesota Statutes Chapter 317. No part of any earnings of the Association shall inure to the benefit of, or be distributable to its members, trustees, officers, or any other private persons, except that the Association 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 the Purpose/Objective clause hereof.

**Section 2.2 Objectives.** The objectives of the Association shall be to:

- Coordinate and develop local lake management practices for preserving and protecting Maple Lake, including invasive species control, fish stocking, and ongoing water quality monitoring.
- Engage in educational and scientific activities which promote a public awareness of the lake and the watershed as ecological units.
- Promote local self-reliance and implementation through the use of local volunteer and commercial resources.
- Encourage public and member support for proper lake management by providing assistance and timely, accurate information.
- Promote sound shoreland management, soil-water conservation and pollution prevention and abatement efforts.
- Create opportunities where members and interested parties can exchange ideas.
- Provide a strong collective voice in areas that are important to preserving the quality of the lake.

**ARTICLE 3 - MEMBERSHIP**

**Section 3.1 Membership.** The Association shall have one category of voting membership, generally consisting of lake shore owners and others interested in the well-being of Maple Lake and lake management. Membership shall correspond to the Association’s fiscal year, January 1 to December 31.

**Section 3.2 Voting.** There shall be one vote per dues paying membership.

## **ARTICLE 4 - MEETINGS**

**Section 4.1 Membership Meetings.** An annual General Membership meeting shall be held the first Saturday in May, which shall be known as the Annual Meeting. A second membership meeting may be held between mid-August and mid-September, at the discretion of the Governing Board.

**Section 4.2 Special Meetings.** The Governing Board may call a special meeting of the Association if it is found necessary, at any time.

**Section 4.3 Quorum.** In order to conduct business at Membership meetings, there shall be in attendance a quorum of 20 paid members.

## **ARTICLE 5 - DUES**

**Dues.** Annual dues of the Association shall be evaluated on an annual basis and shall be effective from January 1<sup>st</sup> through December 31<sup>st</sup> and payable on or before the Annual Meeting. The dues amount shall be reviewed annually. Revisions to the dues amount must be approved by a majority of the Governing Board.

## **ARTICLE 6 – ASSOCIATION MANAGEMENT**

**Governing Board.** The business and affairs of this Association shall be managed by or under the direction of a Governing Board, comprised of a Board of Directors and an Executive Committee.

## **ARTICLE 7 – GOVERNING BOARD**

**Section 7.1 Number.** The Governing Board shall consist of not less than 12 and not more than 18 directors, including members of the Executive Committee, with representation from each of the three lakes, presented to the Governing Board at the Annual Meeting of any election year. This slate will be presented to the Association at large for voting upon.

**Section 7.2 Qualifications.** Directors shall be natural persons and an Association member with current dues.

**Section 7.3 Terms.** A director shall serve for a fixed 2 year term, specified at the time of election. A director shall hold office until a successor is elected and has qualified, or until the earlier of death, resignation, removal or disqualification of the director.

**Section 7.4 Meetings.** Meetings of the Governing Board may be held from time to time at any place within or without the State of Minnesota that the Governing Board may select. If the Governing Board fails to select a place for a meeting the meeting shall be held at the principal executive office.

**Section 7.5 Electronic Communications.** A conference among directors by any means of communications through which the directors may simultaneously hear each other during the conference constitutes a Governing Board meeting.

**Section 7.6 Quorum.** Seven directors currently holding office shall be considered a quorum for the transaction of business at any meeting of the Governing Board. In the absence of a quorum, a majority of the directors present may adjourn a meeting from time to time until a quorum is present. If a quorum is

present when a duly called or held meeting is convened, the directors present may continue to transact business until adjournment, even though the withdrawal of a number of directors originally present leaves less than the proportion or number otherwise required for a quorum.

**Section 7.7 Act of the Governing Board.** The Governing Board shall take action by the affirmative vote of a majority of directors constituting a quorum present at the duly held meeting, except where Chapter 317 requires the affirmative vote of a larger proportion or number. Directors may not vote by proxy.

**Section 7.8 Action Without Meeting.** An action required or permitted to be taken at a Governing Board meeting may be taken by written action by all of the directors. The written action may be signed in counterparts.

**Section 7.9 Resignation.** A director may resign at any time by giving written notice to any duly elected officer. The resignation is effective without acceptance when the notice is presented, unless a later effective time is specified in the notice.

**Section 7.10 Change of Directors:**

**Section 7.10.1 Removal by Directors.** A director may be removed at any time, with or without cause, if a majority of the remaining directors present affirmatively vote to remove the director.

**Section 7.10.2 Election of Replacements.** New directors may be elected at a meeting at which the directors are removed.

**Section 7.10.3 Death, Resignation, Removal or Disqualification.** Vacancies on the Governing Board resulting from death, resignation, removal, or disqualification of a director shall be filled by the affirmative vote of a majority of the remaining directors.

**Section 7.10.4 Newly Created Directorships.** Vacancies on the Governing Board resulting from newly created directorships shall be filled by the affirmation vote of a majority of the directors serving at the time of the business.

**Section 7.10.5 Duration of Term.** Each director elected under this section to fill a vacancy holds office until a qualified successor is elected at the next annual meeting of the Membership.

**Section 7.11 Absent Directors.** A Director may give advance written consent or opposition to a proposal to be acted on at a meeting of the Governing Board in accordance with Chapter 317A.

**ARTICLE 8 – EXECUTIVE COMMITTEE**

**Section 8.1 Officers.** The officers of the Association consist of a President, Vice President, Treasurer, and Secretary. Any number of offices or functions of those offices may be held or exercised by the same person. The officers shall perform such duties and have such responsibilities for the terms as provided for in these Bylaws or as otherwise determined by the Governing Board.



**Section 8.2 Term and Election.** Elections shall be held every Two (2) years at the Annual Meeting on even years. New officers will take office at the close of the meeting. Books and records shall be turned over to them at that time.

**Section 8.3 Duration.** No Executive Officer shall hold the same office for more than Two (2) consecutive terms which would consist of Four (4) consecutive years.

**Section 8.4 Nominations.** The Vice President is automatically nominated for President of the Executive Committee. Other names may be placed in nomination either by members of the Board or from the meeting floor.

**Section 8.5 Committees.** A resolution approved by the affirmative vote of a majority of the Executive Committee may establish committees having the authority of the Governing Board in the management of the business of this Association only to the extent provided in the resolution. Committees are subject at all times to the direction and control of the Executive Committee, except as provided in Chapter 317A. A committee member need not be a director.

## **ARTICLE 9 – DUTIES**

**Section 9.1 President.** The President shall have responsibility and authority for the general active management of the business of this Association in addition to the duties and powers prescribed by the Governing Board or specified in Chapter 317A.

**Section 9.2 Vice President.** The Vice President shall perform the duties and exercise the powers of the President in his or her absence or upon his or her incapacity and shall perform such other duties as the Governing Board may from time to time prescribe or as may be delegated by the President.

**Section 9.3 Treasurer.** The Treasurer shall collect all dues, pay all bills, keep up-to-date accurate accounts thereof and report in detail all financial transactions of the preceding period at each meeting, including incoming funds and amounts disbursed, and cause to be filed all required state, federal and other required tax returns. A complete Annual Report shall be filed with the Secretary at the Annual Meeting, and shall have and exercise the duties and powers prescribed by the Governing Board or specified in Chapter 317A

**Section 9.4 Secretary.** The Secretary shall attend all meetings of the Governing Board, and committees thereof, record all votes and minutes of all proceedings. The Secretary shall give or cause to be given notice of all meetings of the Governing Board and of committees, if any, and shall perform such other duties as may be prescribed by the Governing Board or delegated to him or her by the President or the Treasurer. If there is no Secretary, the duties and responsibilities provided for herein shall be discharged to the President.

## **ARTICLE 10 - INDEMNIFICATION**

The directors of this Association shall not be personally liable for the debts or obligations of this Association of any nature whatsoever, nor shall any of the property of the directors or officers be subject to the payment of the debts or obligations of this Association to any extent whatsoever.

## ARTICLE 11 - MISCELLANEOUS

**Section 11.1 Disbursements.** All disbursements of funds shall be made by check and signed by the Treasurer and either the President or Vice-President. Only these three shall be authorized to sign checks and have their signatures on file at the bank.

**Section 11.2 Check Signing.** Two (2) signatures shall be required on all checks. One must be the Treasurer. Amounts up to \$150 may be paid by the Treasurer without additional approval. Disbursement of greater amounts must be approved by a 2/3 majority vote of the Governing Board present at the meeting at which the disbursement is requested.

**Section 11.3 Dispute Resolution.** If any problem in the sphere of the Association arises, it shall be immediately reported to the President who, after consulting with other members of the Executive Committee, will determine if it is necessary to call a special meeting of the Governing Board or of the Association at large.

**Section 11.4 Project Authorization.** All projects on behalf of the Association must be done with the approval of its members and any contractor or sub-contractor hired must carry his own insurance adequate for liability or property damage.

**Section 11.5 Corporate Seal.**

This Association shall have no corporate seal.

**Section 11.6 Fiscal Year.**

The fiscal year of this Association shall be from January 1 to December 31.

**Section 11.7 Amendment to Bylaws.**

These Bylaws may be changed, amended or deleted at an official meeting by a 2/3 majority vote of those present provided a notice of such a meeting stating the changes to be voted upon by Article and Section is sent to all members THIRTY (30) days prior to the meeting date.

Approved by the Governing Board:

Betty Thomas  
Betty Thomas, President

Date: 9/10/13

Submitted and Approved by Unanimous Vote of  
the MLLPOA Membership on 08/30/2013:  
Supersedes Bylaws Dated 10/11/2003

Betty Thomas  
Betty Thomas, President

**SUPPLEMENTAL INFORMATION TO FORM 1023:**

**Part IV - Narrative Description of Your Activities**

See cover letter for brief history and overview of the Association.

The Maple Lake – Lake Property Owners Association, Inc.'s (MLLPOA) purpose is to monitor and manage Maple Lake and the surrounding watershed for the benefit of the environment, public, and resident lakeshore homeowners. Private funding of the maintenance and monitoring necessary to keep the lake clean and healthy is needed due to a reduction in public funding from the DNR, and increasing costs.

To fulfill their purpose the MLLPOA, through a group of volunteers in conjunction with the DNR, continually monitors lake water quality, invasive species penetration (weeds and zebra mussels), fish population, lake safety, and lake shore erosion.

To fund these activities, the MLLPOA holds an annual ice fishing contest every February on Maple Lake, which grosses approximately \$35,000 from participation fees, raffle tickets, and sponsors. One hundred percent of the net proceeds from this event are used to cover the costs of weed control, water quality testing, and in the past, fish stocking.

Other minor activities include a membership annual meeting, a fall membership meeting and social/fundraiser, and an annual summer member meeting/dock party.



**SUPPLEMENTAL INFORMATION TO FORM 1023:**

**Part VIII 4a - Fundraising**

The Maple Lake – Lake Property Owners Association, Inc.'s (MLLPOA) largest source of funds is from the net proceeds of an annual ice fishing contest held in February of each year on Maple Lake. Entry fees, food concessions, and the sale of raffle tickets cover most of the expenses incurred during this weekend event. It would lose money, though, if not for donations, supplies and prizes solicited from sponsors. In exchange for their names being advertized as sponsors in event flyers, mailings, directories, website, and signage during the event itself, local merchants actively participate with the MLLPOA in holding the annual event.

These sponsors are contacted via mail, email, phone, and personal solicitation.

The other source of funds comes from the annual \$35/household dues charged to the membership.

Annually, as permitted, applications are submitted to the DNR for grants to help defray the costs of invasive species management (primarily weed control), and in the past, fish stocking.

**Maple Lake - Lake Property Owners Association, Inc.**  
**Form 1023 Part V - List of Officers, Directors, Trustees, Employees and Independent Contractors**  
**As of June 30, 2013**

	<u>Name:</u>		<u>Mailing Address:</u>			<u>Compensation</u>
	<u>Last</u>	<u>First</u>	<u>Address</u>	<u>City</u>	<u>St</u> <u>ZIP</u>	
President	Thomes	Betty	4169 58th St. NW	Maple Lake	MN 55358	None
Vice President	Raiche	Mike	1890 CR 37 NW	Maple Lake	MN 55358	None
Secretary	Benson	Sheila	2060 Donnelly Dr NW	Buffalo	MN 55313	None
Treasurer	Holland	Kim	1994 Dempsey Ave NW	Buffalo	MN 55313	None
Board Member	Mooney	Phil	6438 Craig Ave. NW	Maple Lake	MN 55358	None
Board Member	Pribyl	Rob	1852 Donnelly Dr. NW	Buffalo	MN 55313	None
Board Member	Thomes	Greg	4169 58th St. NW	Maple Lake	MN 55358	None
Board Member	Sifferle	Jay	2218 Donnelly Dr. NW	Buffalo	MN 55313	None
Board Member	Smith	Mary	2844 Donnelly Dr. NW	Buffalo	MN 55313	None
Board Member	Carlson	Gary	2619 62nd St. NW	Maple Lake	MN 55358	None
Board Member	Cruikshank	Bob	2631 62nd St. NW	Maple Lake	MN 55358	None
Board Member	Forte	Curt	2371 62nd St. NW	Maple Lake	MN 55358	None
Board Member	Jenniges	John	2966 Donnelly Dr. NW	Buffalo	MN 55313	None
Board Member	Moore	Gary	535 Farhill Road	Wayzata	MN 55391	None
Board Member	Olsen	Nick	1995 66th St. NW	Maple Lake	MN 55358	None
Board Member	Graham	Tony	1892 Donnelly Dr. NW	Buffalo	MN 55313	None