

**CERTIFICATE OF FORMATION  
OF  
TRINITY FELLOWSHIP CHURCH OF \_\_\_\_\_**

**ARTICLE 1**

The name of the Corporation is Trinity Fellowship Church of \_\_\_\_\_.

**ARTICLE 2**

The Corporation is a non-profit corporation.

**ARTICLE 3**

The period of the Corporation's duration is perpetual.

**ARTICLE 4**

4.1 The Corporation shall be organized exclusively for literary, religious, charitable, scientific, and educational purposes, and the purposes and powers granted are limited in their application as authorized by Section 501(c)(3) under the Internal Revenue Code now existing or as it may be amended:

- 4.1.1 To support and promote literary, religious, charitable, scientific, and educational programs.
- 4.1.2 To receive and administer funds, to take and hold by bequest, devise, gift, purchase, or lease, either absolutely or in trust, any property, real, personal or mixed, to sell, convey, and dispose of any property and to invest and reinvest the proceeds, and to deal with and expend the income from its assets, without limitations as to amounts or values, except whatever limitations as may be imposed by law, all for literary, religious, charitable, scientific, and educational purposes, all for the public welfare.
- 4.1.3 To exercise any, all and every power for which a nonprofit corporation organized under the provisions of the corporation laws of Texas for literary, religious, charitable, scientific, and educational purposes, all for the public welfare, can be authorized to exercise, but not any other power.

4.2 The Corporation shall not carry on any activities which are not permitted by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, now existing or as it may be amended, or by a corporation to which contributions are

deductible under Section 170(c)(2) of the Internal Revenue Code, now existing or as it may be amended.

4.3 The purposes of this Corporation specifically exclude, and no part of the activities of this Corporation include, the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in, including the publishing or distribution of statements, any political campaign on behalf of or in opposition to any candidate for public office.

## **ARTICLE 5**

5.1 This Corporation is not organized for profit or personal gain, and there shall never be any dividend declared or paid from the profits; and no part of the income of the Corporation shall be disbursed to its directors, officers, or members.

5.2 All funds, income, and contributions paid into this Corporation shall be used only for the purposes stated in Article 4. No director or officer of the Corporation or any member of a family of a director or officer of the Corporation shall be eligible for any benefit, nor shall they ever receive any funds from the Corporation, nor any monetary return from the operation of the Corporation, except for services actually rendered.

## **ARTICLE 6**

The Corporation will have no members.

## **ARTICLE 7**

The address of the Corporation's initial registered agent and its registered office is 5000 Hollywood Road, Amarillo, Texas 79118. The name of the initial registered agent at that address is Trinity Fellowship Church. The consent of the registered agent is maintained by the entity.

## **ARTICLE 8**

The Corporation will be governed by the Board of Directors (each referred to herein as a "Director"). The Board of Directors will manage the affairs of the Corporation. The qualifications, manner of selection, duties, terms, and other matters relating to the directors shall be provided in the bylaws. The number of directors constituting the initial Board of Directors is three (3), and the names and addresses of the persons who are to serve as the initial Directors are:

**NAME**

**ADDRESS**

James Witcher	5000 Hollywood Road, Amarillo, Texas 79118
John Williams	5000 Hollywood Road, Amarillo, Texas 79118
Scott Rosenbach	5000 Hollywood Road, Amarillo, Texas 79118

**ARTICLE 9**

Upon the dissolution of the Corporation, the assets of the Corporation shall be distributed to another church or religious entity with similar beliefs and values Trinity Fellowship Church as stated in the statement of faith of the Bylaws of Trinity Fellowship Church and pursuant to Section 22.304 of the Texas Business Organizations Code (or successor statute).

**ARTICLE 10**

10.1 A Director is not liable to the Corporation or members for monetary damages for an act or omission in his capacity as Director except to the extent otherwise provided by a statute of the State of Texas.

10.2 The Corporation may indemnify each officer, director, and incorporator including former officers, directors, and incorporators to the full extent permitted by the laws of the State of Texas. The Board of Directors shall have the power to define the requirements and limitations for the Corporation to indemnify directors, officers, or others related to the Corporation.

**ARTICLE 11**

The Corporation may amend its articles as desired, if the provisions remain lawful under Chapter 22 of the Texas Business Organizations Code and if those amendments have no effect on the Corporation's tax exempt status.

**ARTICLE 12**

The name and address of the incorporator who is a natural person of the age of 18 years or more is:

**NAME**

**ADDRESS**

Scott Rosenbach	5000 Hollywood Road, Amarillo, Texas 79118
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Executed this \_\_\_ day of \_\_\_\_\_, 2014.

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Scott Rosenbach, Organizer