

**CERTIFICATION OF FORMATION
OF
MONTEVALLO COMMUNITY CHURCH, INC.**

(A Nonprofit Corporation)

The undersigned, Mark W. Macoy, Esq., acting as incorporator, who is a citizen of the United States, being desirous of forming a nonprofit corporation for the purposes hereinafter stated, under Alabama law and in accordance with the provisions of the Alabama Code applicable to nonprofit corporations, and any and all amendments and successor provisions thereto (hereinafter the "Laws"), does hereby adopt this Certificate of Formation.

ARTICLE I

The name of the corporation shall be and is "Montevallo Community Church, Inc."

ARTICLE II

Montevallo Community Church, Inc. (hereinafter referred to as the "Corporation") shall have perpetual succession and shall exist until it is dissolved pursuant to law.

ARTICLE III

The Corporation is organized exclusively for religious, educational and charitable purposes pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and its successors, and regulations issued thereunder. The primary purpose of the Corporation is to organize a church body whose purpose is to glorify God the Father as believers united in life in Jesus Christ who participate in the mission of His Church by the power of the Holy Spirit (Matthew 28:18–20; Acts 1:8).


To that end, the following provisions shall apply:

(a) The Corporation shall receive and administer funds for religious, educational and charitable purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and its successors, and regulations issued thereunder, and in connection therewith, the Corporation shall take and hold by bequest, devise, gift, grant, purchase, lease or otherwise any property, real, personal, tangible or intangible, or any undivided interest therein, without limitation as to the amount or value. It shall have the power to sell, convey and otherwise dispose of any such property and to invest, reinvest, or deal with the principal or income thereof in such manner as, in the judgment of the Elders, will best promote the purposes of the Corporation without limitation, except such limitations, if any, as may be contained in the instrument under

which such property is received, this Certificate of Formation, the By-Laws of the Corporation, or any laws applicable thereto. The Corporation shall have the power to do any other act or thing incidental to or connected with the foregoing purposes or in advancement thereof, but not for the pecuniary profit or financial gain of its Elders or officers.

(b) No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its incorporators, Elders, officers, benefactors, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payment and distributions in furtherance of the purposes set forth herein. No incorporator, Elder, officer, benefactor, or any other private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in, (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any of the provisions of this Certificate of Formation, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or its successor, or by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended, or its successor.

(c) Upon the dissolution of the Corporation, the Board of Elders shall, after paying or making provisions for payment of all liabilities of the Corporation, dispose of all of the assets of the Corporation, exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized or operating exclusively for religious, educational and charitable purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or its successors, as the Board of Elders shall determine. Any assets not so disposed of shall be disposed of by the Probate Court of Shelby County, Alabama, or by the Probate Court of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.


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ARTICLE IV

The Corporation shall have no members as the term is defined in Alabama Code Section 10A-3-2.01, et seq., as amended, or its successors. Nothing contained in this Article IV shall be construed to limit the right of the Corporation to refer to persons associated with the Corporation as “church members” even though such persons are not members of the Corporation as defined by Alabama Code Section 10A-3-2.01, et seq., as amended, or its successors.

ARTICLE V

(a) The Board of Elders shall be the governing body of the Corporation. The terms “Elder” and “Board of Elders” as used in this Certificate of Formation and in the By-Laws of the Corporation shall have the same meaning as the term “Director” and “Board of Directors” under Alabama Code Section 10A-3-2.08, et seq., as amended, or its successors. The Elders shall be selected in the manner set forth in the By-Laws of the Corporation. The number of Elders shall be determined by the Board of Elders as set forth in the By-Laws, but in no case shall there be less than three (3) Elders.

(b) The names and addresses of the initial Elders of the Corporation are set forth below, and they shall serve as Elders of the Corporation until they resign, are removed, or until their successors are selected, in the accordance with the By-Laws:

<u>Name</u>	<u>Address</u>
Marcus Mullet	820 Michelle Mnr. Montevallo, AL 35115
Jonathan Avant	820 Michelle Mnr. Montevallo, AL 35115
Harrison Kahrig	1764A Woodbrook Trail Alabaster, AL 35007

ARTICLE VI

The principal place of business of the Corporation shall be 820 Michelle Mnr., Montevallo, AL 35115, or such other location as the Board of Elders shall from time to time designate.

ARTICLE VII

The initial registered office of the Corporation shall be 820 Michelle Mnr., Montevallo, AL 35115, and its initial registered agent at said address shall be Marcus Mullet.

ARTICLE VIII

This Certificate of Formation may not be altered or amended without the affirmative vote of two-thirds (2/3) of the Elders of the Corporation.

ARTICLE IX

The names and address of the incorporator is as follows:

<u>Name</u>	<u>Address</u>
Mark W. Macoy, Esq.	300 Vestavia Parkway, Suite 2300 Vestavia Hills, AL 35216

ARTICLE X

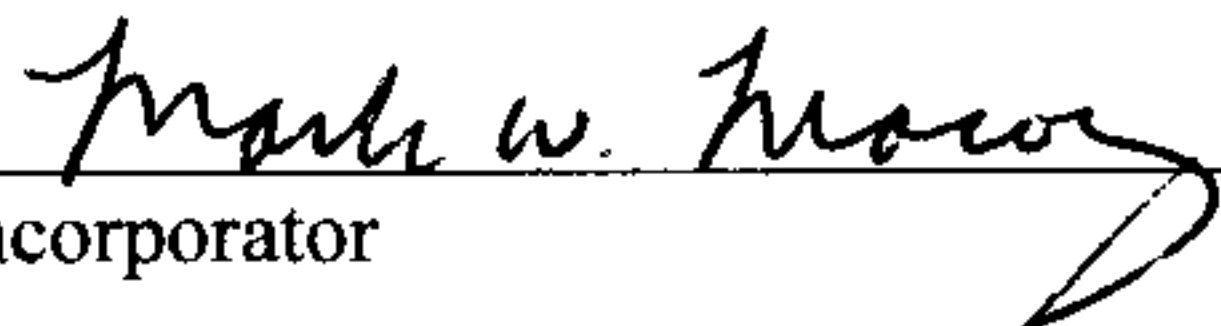
The Corporation shall adopt appropriate By-Laws by action of its active Board of Elders at any regular meeting for such purpose, and such By-Laws may be amended from time to time in the same manner.

ARTICLE XI


(a) The Corporation shall have such powers as are prescribed by the Alabama Laws applicable to nonprofit corporations, and may perform any acts permitted thereby and not prohibited in its By-Laws.

(b) Notwithstanding any other provision of this Certificate of Formation, this organization shall not carry on any other activities not permitted to be carried on by an organization exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Law.

IN WITNESS WHEREOF, the undersigned has hereunto affixed his or her hand and seal on this the 14th day of November, 2018.

 (Sign)
Incorporator

THIS DOCUMENT PREPARED BY:
Mark W. Macoy, Esq.
Mark W. Macoy, LLC
300 Vestavia Parkway, Suite 2300
Vestavia Hills, AL 35216
(205) 795-2080


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John H. Merrill
Secretary of State

P.O. Box 5616
Montgomery, AL 36103-5616

STATE OF ALABAMA

**I, John H. Merrill, Secretary of State of Alabama, having custody of the
Great and Principal Seal of said State, do hereby certify that**

pursuant to the provisions of Title 10A, Chapter 1, Article 5, Code of Alabama
1975, and upon an examination of the entity records on file in this office, the
following entity name is reserved as available:

Montevallo Community Church, Inc.

This name reservation is for the exclusive use of Mark W. Macoy, LLC, 300
Vestavia Parkway, Suite 2300, Vestavia Hills, AL 35216 for a period of one year
beginning November 13, 2018 and expiring November 13, 2019



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**In Testimony Whereof, I have hereunto set my
hand and affixed the Great Seal of the State, at the
Capitol, in the city of Montgomery, on this day.**

November 13, 2018

Date

John H. Merrill

Secretary of State