

AMENDMENT TO THE ARTICLES OF INCORPORATION

of the

FAIRMOUNT CIVIC ASSOCIATION

The following provisions are added as Article 12 of the Articles of Incorporation of the Fairmount Parents, Business and Neighbors Association, Inc., doing business as the Fairmount Civic Association (the "Association"), adopted the 20th day of October, 1977, which sets forth the Association's purpose or purposes, as if they were originally set forth therein:

1. The Association shall be organized exclusively for charitable, religious, educational, or 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, or the corresponding section of any future federal tax code. At all times and under all circumstances, the nature of the activities to be conducted, and the purposes to be promoted and carried out by the Association shall be exclusively those within the purview of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States, consistent with all of the requirements of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States. The Association does not contemplate pecuniary gain or profit incidental or otherwise.
2. No part of the net earnings of the Association shall inure to the benefit of, or be distributable to, its directors, officers or 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 of the Association set forth in paragraph one hereof. No part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation and the Association 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. Notwithstanding any other provision of the Articles of Incorporation, the Association shall not carry on any activities not permitted to be carried on by (a) an entity exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States, or (b) an entity contributions to which are deductible under Section 170(a) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States. Notwithstanding any other provision of the Articles of Incorporation or any provision of the Pennsylvania Nonprofit Association Law of 1988, as amended, for any year for which the Association is considered for federal tax purposes (a) a separate taxable entity and (b) a private foundation within the meaning of Section 509 of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States, the Association shall distribute for each taxable year such amounts, at such time and in such manner, as not to subject the Association to tax under Section 4942 of

the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States. In addition, the Association:

- a. Shall not engage in any act of self-dealing (as defined in Section 4941(d) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States);
 - b. Shall not retain any excess business holdings (as defined in Section 4943(c) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States);
 - c. Shall not make any investment in such manner as to subject the Association to tax under Section 4944 of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States; and
 - d. Shall not make any taxable expenditure (as defined in Section 4945(d) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States).
3. Upon the dissolution or termination of the Association, after paying or making provision for the payment of all of the liabilities of the Association, all the assets of the Association shall be distributed to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific 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 the corresponding provisions of any subsequent tax law of the United States, as the directors of the Association shall determine, subject to, and in accordance with, all applicable requirements otherwise imposed under the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States, relating to the dissolution or termination of the Association. Any assets not so disposed of shall be disposed of by the applicable court having jurisdiction to another organization or organizations to be used in such manner as in the judgment of the court will best accomplish the general purposes for which the Association was organized, in accordance with, all applicable requirements otherwise imposed under the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent tax law of the United States, relating to the dissolution or termination of the Association.

Adopted: _____, 2022

By: _____
President
Fairmount Civic Association