

**State of North Carolina
Department of the Secretary of State**

**ARTICLES OF AMENDMENT
NONPROFIT CORPORATION**

Pursuant to §55A-10-05 of the General Statutes of North Carolina, the undersigned corporation hereby submits the following Articles of Amendment for the purpose of amending its Articles of Incorporation.

1. The name of the corporation is: **Outer Banks Preservation Association, Inc.**
2. The text of each amendment adopted is as follows (*state below or attach*):

See attached Exhibit A

3. The date of adoption of each amendment was as follows:

April 8, 2001

4. (*Check a, b, and/or c, as applicable*)
 - a. The amendment(s) was (were) approved by a sufficient vote of the board of directors or incorporators, and member approval was not required because (*set forth a brief explanation of why member approval was not required*): **Pursuant to Article IV, Sect. 1 & 5 of the By-Laws of the Corporation, the Board of Directors are empowered to take such actions. Membership approval is not required.**
 - b. _____ The amendment(s) was (were) approved by the members as required by Chapter 55A.
 - c. _____ Approval of the amendment(s) by some person or persons other than the members, the board, or the incorporators was required pursuant to N.C.G.S. §55A-10-30, and such approval was obtained.

5. These articles will be effective upon filing, unless a date and/or time is specified: **On receipt**

This the 10th day of April, 2001

Outer Banks Preservation Association, Inc.

Name of Corporation

Signature

John B. Couch, President

Type or Print Name and Title

Notes:

1. Filing fee is \$25. This document and one exact or conformed copy of these articles must be filed with the Secretary of State.

Instructions for Filing

**ARTICLES OF AMENDMENT
NONPROFIT CORPORATION**

- Item 1** Enter the complete corporate name exactly as it appears in the records of the Secretary of State.
- Item 2** See form.
- Item 3** Enter the date(s) the amendment(s) was (were) adopted.
- Item 4** Select the appropriate method(s) of adoption for the amendment(s) from those listed and complete.
- Item 5** The document will be effective on the date and time of filing, unless a delayed date or an effective time (on the day of filing) is specified. If a delayed effective date is specified without a time it will be effective at 11:59:59 p.m. Raleigh, North Carolina time on the day specified. If a delayed effective date is specified with a time, the document will be effective on the day and at the time specified. A delayed effective date may be specified up to and including the 90th day after the day of filing.

Date and Execution

Enter the date the document was executed.

In the blanks provided enter:

- The name of the corporation as it appears in Item 1.
- The signature of the representative of the corporation executing the document (may be the presiding officer of the board of directors or any officer of the corporation).
- The name and title of the above-signed representative.

Exhibit A
Amendment to the Articles of Incorporation
Outer Banks Preservation Association, Inc.

April 8, 2001

In order to comply with requirements of the Internal Revenue Service (IRS), the Board of Directors of this Corporation has approved the following amendments to the Articles of Incorporation of the Corporation.

This action was due to the denial of the Corporation's application to the IRS for 501(c)(3) tax-exempt status. In a letter explaining the reasons for denial, the IRS requires that the following changes be made to the original Articles of Incorporation:

(Referring to Form N-01. Changes in bold):

Item #4.: The mailing address *if different from the street address* of the initial registered office is:
P.O. Box 1355, Buxton, North Carolina 27920.

Item #5.: The name of the registering agent is: **Christopher Seawell, P.O. Box 339, Manteo, NC 27954.**

Item #6.: The name and address of each incorporator is as follows:

John B. Couch, President	Stephen J. Hissey, Vice-Pres.	GaeAnn Z. Gessner, Secretary/Treas.
46201 Diamond Shoals Dr.	50299 Spencer Ln.	46492 Diamond Shoals Dr.
Buxton, NC 27920	Frisco, NC 27936	Buxton, NC 27920

Item #11: The mailing address *if different from the street address* of the principal office is:
P.O. Box 1355, Buxton, North Carolina 27920

These Additional Articles below supercede any and all previous Articles.

Additional Articles:

The Outer Banks Preservation Association, Inc., was formed by concerned citizens and beach user groups as an educational and scientific charitable organization who are interested in preserving the traditional way of life prevalent on the Outer Banks of North Carolina. This lifestyle, based on independence, self-reliance, protection and preservation of natural resources and strong family values, has always regarded free and open access to the sound and ocean beaches as an inalienable right. Further, this right has, in the past, been assured by the National Park Service to the residents and visitors that live within and visit the Cape Hatteras National Seashore.

Said corporation (organization) is organized exclusively for charitable, educational, or scientific purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future Federal tax code.)

No part of the net earnings of the corporation (organization) shall inure to the benefit of, or be distributed to its members, trustees, directors, officers or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501(c)(3) purposes. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Upon the dissolution of the organization (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, state, or local government for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the organization (corporation) is then located, exclusively for such purposes.