

Incorporation of the FarmHouse Association

State statutes governing non-profit organizations usually provide for a simple form for the articles of incorporation and leave the method of carrying on corporation activities to be provided in the by-laws of the corporation. Most of the information required for the articles of incorporation on such a form can be found within the by-laws of the organization seeking incorporation. Therefore, a sample set of by-laws for a FarmHouse Association is included in this handbook to be used as a guide or starting point for developing your own Association's by-laws. Due to lack of uniformity among the different states' statutes (and forms), this list generalizes what is expected in the articles of incorporation. However, you can probably expect the Secretary of State to ask for some or all of the following information: (not in any particular order)

1. The purpose or purposes for which the corporation is organized
2. A statement that the corporation is not formed to make a profit or gain (and is "non-stock")
3. No part of the corporation's net income shall inure to any member or individual
4. The duration of the corporation – whether "perpetual" or for a certain period of time (A FarmHouse Association should be perpetual)
5. That the powers of the non-profit corporation are to be exercised by a governing body called either a Board of Directors or a Board of Trustees (Some state statutes require a vote of the membership before the Board can purchase, sell, or lease property or amend its charter)
6. The names and addresses of the original members of the Boards of Directors. The form may also require a provision that subsequent members of the Boards will be elected by the general membership of the corporation.
7. A statement that there will be an annual meeting of the members of the corporation.
8. The title of the corporation must be used to indicate that is a corporation (for example, Texas FarmHouse Association, Inc., not Texas FarmHouse Association).
9. The street address of the initial registered office of the corporation and name of its initial registered agent (this should be one of the incorporators and his home address).
10. The name and address of each incorporator – they do not have to be the same as the initial Directors.
11. A statement of who makes up the membership of the corporation
12. A dissolution statement.
13. The signatures of all the incorporators witnessed and acknowledged by a notary public.