

**Form 202
(Revised 12/21)**

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555

Filing Fee: \$25



This space reserved for office use.

**Certificate of Formation
Nonprofit Corporation**

Article 1 – Entity Name and Type

The filing entity being formed is a nonprofit corporation. The name of the entity is:

Manor Housing Public Facility Corporation

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

First Name *M.I.* *Last Name* *Suffix*

C. The business address of the registered agent and the registered office address is:

105 E. Eggleston St. Manor TX 78653
Street Address *City* *State* *Zip Code*

Article 3 – Management

The management of the affairs of the corporation is vested in the board of directors. The number of directors constituting the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting of members or until their successors are elected and qualified are as follows:

A minimum of three directors is required.

Director 1				
Christopher		Harvey		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
105 E. Eggleston St.	Manor	TX	78653	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director 2				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director 3				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

OR

The management of the affairs of the corporation is to be vested in the nonprofit corporation's members.

Article 4 – Membership

(See instructions. Do not select statement B if the corporation is to be managed by its members.)

A. The nonprofit corporation shall have members.

B. The nonprofit corporation will have no members.

Article 5 – Purpose

(See instructions. This form does not contain language needed to obtain a tax-exempt status on the state or federal level.)

The nonprofit corporation is organized for the following purpose or purposes:

The nonprofit corporation is a public nonprofit corporation organized for the purpose of assisting the City of Manor, Texas ("City") in financing, refinancing, and providing for the costs of public facilities in accordance with Chapter 303 of the Texas Local Government Code ("the Act").

The following text area may be used to include any additional language or provisions that may be needed to obtain tax-exempt status.

Initial Mailing Address

(Provide the mailing address to which state franchise tax correspondence should be sent.)

105 E. Eggleston St. P.O. Box 387	Manor	TX	78653	USA
<i>Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Supplemental Provisions/Information

(See instructions.)

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

The attached addendum includes additional articles (Articles 6 through 15) and is incorporated herein by reference.

Organizer

The name and address of the organizer:

<i>Name</i>				
105 E. Eggleston St.	Manor	TX	78653	
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

[Empty box for event or fact]

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned also affirms that, to the best knowledge of the undersigned, the name provided as the name of the filing entity does not falsely imply an affiliation with a governmental entity. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: _____

Signature of organizer

Printed or typed name of organizer



Addendum

Article 6 Nonstock Nonprofit Corporation

The nonprofit corporation is a nonstock, nonprofit corporation.

Article 7 Duration

The period of the nonprofit corporation's duration is perpetual.

Article 8 Sponsor

The nonprofit corporation's sponsor is:

The City of Manor, Texas
105 E. Eggleston St.
Manor, Texas 78653

Article 9 Bonds

The nonprofit corporation may (1) issue bonds under the Act, including bonds to purchase City obligations; (2) finance public facilities on behalf of the City; (3) loan the proceeds of the obligations to other entities to accomplish the City's purposes; (4) acquire, construct, rehabilitate, renovate, repair, equip, furnish, and place in service public facilities; and (5) issue bonds on the City's behalf to finance the costs of public facilities.

Article 10 Powers

The activities of the nonprofit corporation are limited to the purposes stated herein, but the nonprofit corporation expressly: (i) has and may exercise all of the rights, powers, privileges, authority, and functions given by the Act, the laws of the State of Texas given to nonprofit corporations incorporated under the Act and otherwise given under the laws of the State of Texas; and (ii) has all other powers of a like or different nature not prohibited by law which are available to nonprofit corporations in the State of Texas and which are necessary or useful to enable the nonprofit corporation to perform the purposes for which it is created, including the power to issue bonds, notes or other obligations, and otherwise exercise its borrowing power to accomplish the purposes for which it was created.

The nonprofit corporation may perform any and all lawful activities which may be reasonably necessary, useful or desirable for the furtherance, accomplishment, fostering, or attaining any of its purposes, either directly or indirectly, and either alone or in conjunction or cooperation with others, such as corporations, subsidiaries, firms, associations, trusts, institutions, foundations, and governmental bureaus, departments, and agencies.

The nonprofit corporation may not: (a) engage directly or indirectly, in any business or activity other than the financing, refinancing, or provision of public facilities under the Act or (b) violate or fail to maintain the nonprofit corporation's identity as an entity separate from any other person or entity.

**Article 11
Board of Directors**

All powers of the nonprofit corporation are vested in the initial board of directors consisting of 11 persons. The initial directors of the nonprofit corporation are the 3 persons named in Article 3 and the following Directors:

Director 4

Director 5

Director 6

Director 7

Each director serves for a term of 4 years or until their successor director is duly elected and qualified. Any vacancy is filled in accordance with the City's City Charter.

**Article 12
Officers**

The board of directors will elect or appoint the officers of the nonprofit corporation in the manner and for the terms provided in the bylaws. Officer terms are 2 years

**Article 13
City of Manor Authorization**

On _____, 2023 the City of Manor City Council duly adopted Resolution No. 2023 _____ specifically authorized the nonprofit corporation to act on its behalf to further the public purpose set forth in this Certificate of Formation and approve this Certificate of Formation.

**Article 14
Construction**

All references in this Certificate of Formation to statutes, regulations, or other sources of legal authority refer to the authorities cited, or their successors, as they may be amended from time to time.

**Article 15
Organizer**

The name and street address of the organizer, who resides within the state and is an employee of the City, is:

Name:

Address:

City of Manor
105 E. Eggleston St.
Manor, TX 78653