

**ARTICLES OF INCORPORATION
OF
PALM DESERT CITY FOUNDATION**

**ARTICLE I
NAME**

The name of this corporation is Palm Desert City Foundation ("Corporation").

**ARTICLE II
PURPOSES**

A. This Corporation is a nonprofit public benefit organization and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law exclusively for charitable purposes.

B. The specific charitable purpose of the Corporation are to: (1) to aid, sponsor, promote, advance and assist in the provision, development and maintenance of facilities, public parks, recreation, and community programs and services in the City of Palm Desert ("City") for the benefit of its residents; (2) to engage in any other activities in furtherance of the purposes for which the Corporation is formed; and (3) to receive, invest and utilize funds, property and in-kind materials or services acquired through the solicitation of contributions, donations, grants, gifts, bequests and the like for the purposes for which the Corporation is formed.

**ARTICLE III
INITIAL AGENT FOR SERVICE OF PROCESS**

The name and address in the State of California of this Corporation's initial agent for service of process is:

Isabel C. Safie
Best Best & Krieger LLP
2855 E. Guasti Road, Ste 400
Ontario, California 91761

**ARTICLE IV
INITIAL STREET AND MAILING ADDRESS**

The initial street and mailing address of the corporation is:

73510 Fred Waring Drive
Palm Desert, CA 92260

ARTICLE V
LIMITATION OF CORPORATE ACTIVITIES

A. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code").

B. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that do not further the purposes of the corporation, and the corporation shall not carry on any other activities not permitted to be carried on by (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Code or (b) a corporation, contributions to which are deductible under Section 170(c)(2) of the Code.

C. No substantial part of the activities of this Corporation shall consist of lobbying or carrying on propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate or intervene in (including the publication or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office.

ARTICLE VI
DEDICATION AND DISSOLUTION

A. The property of this Corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this Corporation shall ever inure to the benefit of any director, officer or member thereof, or to the benefit of any private persons.

B. Upon the dissolution or winding up of the corporation, and after paying or adequately providing for its debts and obligations, the remaining assets of the corporation shall be distributed to the City, and be used exclusively for the purposes for which the Corporation was established. If the City waives receipt of such assets, then remaining assets of the Corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable purposes and which has established and maintained its tax-exempt status under Section 501(c)(3) of the Code, provided such assets are used for the purposes for which the Corporation was established.

C. If the Corporation holds any assets in trust then such assets shall be disposed of on dissolution in conformity with these Articles of Incorporation or the bylaws for the Corporation subject to complying with the provisions of any trust under which such assets are held. The disposition shall be in such manner as may be directed by decree of the Superior Court of the county in which the Corporation has its principal offices, on petition therefor by the Attorney General or by any person concerned in the liquidation, in a proceeding to which the Attorney General is as party. Such decree of the Superior Court may be waived if the Attorney General makes a written waiver of objections to the disposition.

ARTICLE VII
AMENDMENT

Any amendment, modification, or repeal of these articles may become effective only upon ratification by the City Council of the City of Palm Desert.

Date: June ____, 2024.

ISABEL C. SAFIE
Incorporator

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