

Draft

CERTIFICATE OF INCORPORATION

OF Sweetwater Cultural Center.

Under Section 402 of the Not-for-Profit
Corporation Law

The undersigned, for the purpose of forming a not-for-profit corporation under Section 402 of the Not-for-Profit Corporation Law of the State of New York, hereby certifies that:

FIRST: The name of the corporation is Sweetwater Cultural Center, Inc. (hereinafter referred to as the "Corporation").

SECOND: The Corporation is a corporation as defined in subparagraph (a)(5) of Section 102 of the Not-for-Profit Corporation Law and is not formed, conducted or operated for purposes of pecuniary profit or financial gain.

THIRD: The purpose or purposes for which the Corporation is formed are as follows:

- (1) To protect and preserve the ceremony, culture and practices of native and indigenous peoples locally, regionally and around the world
- (2) To offer educational programs for native and indigenous people and their allies
- (3) To advocate for the rights of Native and Indigenous peoples, especially in and through the United Nations
- (4) To uncover and nurture Native and Indigenous practices of being in right relationship with the land
- (5) To develop awareness among Settler descendents of lived reality of native and indigenous people in the twenty-first century.
- (6) To receive gifts, grants and contributions and expend funds for the above purposes.

FOURTH: The Corporation shall be a Type B corporation pursuant to Section 201 of the Not-for-Profit Corporation Law.

FIFTH: The office of the Corporation is to be located in the County of Rockland, State of New York.

SIXTH: The Corporation shall be governed by the Directors, the number of which shall be no fewer than five.

SEVENTH: The names and addresses of the founding directors of the Corporation are:

Dwaine Perry	13 Boulder Ave.	Hillburn, NY 10931
Rick Ufford-Chase	HRP 17 Cricketown Rd.	Stony Point, NY 10980
Clara Hasbrouck	2 Sandburg Court	Middletown, NY 10941
Robert Borrero		
Karenna Gore	100 W. 80 th St.	New York, NY 10024
Eileen De Freece	377 S. Harrison St Unit 9G	East Orange, NJ 07018
Second Representative of Hudson River Presbytery		

EIGHTH: The Secretary of State is designated as agent of the Corporation upon whom process against it may be served. The address within or without this state to which the Secretary of State shall mail a copy of any process accepted on behalf of the Corporation is:

Sweetwater Cultural Center, Inc
17 Cricketown Rd.
Stony Point, NY 10980

NINTH: (a) Notwithstanding any other provisions of these articles, the Corporation is organized exclusively for one or more of the purposes as specified in §501(c)(3) of the Internal Revenue Code (hereinafter referred to as the "IRC"), and shall not carry on any activities not permitted to be carried on by a Corporation exempt from federal income tax under said §501(c)(3) or corresponding provisions of any subsequent federal tax laws.

(b) No part of the net earnings of the Corporation shall inure to the benefit of any member, trustee, director, officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation), and no member, trustee, officer of the Corporation or any private individual shall be

entitled to share in the distribution of any of the Corporation assets on dissolution of the Corporation.

(c) No substantial part of the activities of the Corporation shall be carrying on propaganda, or otherwise attempting to influence legislation, except as otherwise provided by IRC 8501(h), or participating in, or intervening in (including the publication or distribution of statements), any political campaign on behalf of any candidates for public office.

(d) In the event of dissolution, all of the remaining assets and property of the Corporation shall, after necessary expenses thereof, be distributed to another organization exempt under IRC §501(c)(3), or corresponding provisions of any subsequent federal tax laws, or to the federal government, or state or local government for a public purpose, subject to the approval of a Justice of the Supreme Court of the State of New York.

(e) In any taxable year in which the Corporation is a private foundation as described in IRC §509(a), the Corporation shall distribute its income for said period at such time and manner as not to subject it to tax under IRC §4942, and the Corporation shall not (a) engage in any act of self-dealing as defined in IRC §4941(d), retain any excess business holdings as defined in IRC §4943(c), (b) make any investments in such manner as to subject the Corporation to tax under IRC §4944, or (c) make any taxable expenditures as defined in IRC §4945 corresponding provisions of any subsequent federal tax laws.

IN WITNESS WHEREOF, the undersigned incorporator, being at least eighteen years of age, has signed this certificate this 1st day of February, 2006 and hereby affirms the truths of the statements contained herein under penalty of perjury.