

Community Land Trust in the Southern Berkshires

Articles of Incorporation

(These articles of organization are written to meet condition for incorporation as a non-profit organization under the laws of the Commonwealth of Massachusetts. Section II A, B, and C are particular to a community land trust. The other provisions are typical of any non-profit corporation.)

- I) The name by which the corporation shall be known is:
COMMUNITY LAND TRUST in the SOUTHERN BERKSHIRES, Inc.

- II) The purposes for which the corporation is formed is as follows:
 - A) To acquire land and interests in land,
 - B) To retain and convey interests in land so as to:
 - 1) conserve the resources of the land and
 - 2) protect the nature of the community, and
 - C) To retain for the community any unearned increment in the market value of the land,
 - D) To acquire by purchase, gift, devise, bequeath, lease, or otherwise to own, hold, use, maintain, improve, operate, sell, lease and otherwise dispose of real and personal property and to do everything necessary and proper to conduct for such purposes, including the power to borrow funds, to mortgage, and to make, accept, endorse, execute, and issue bonds, debentures and promissory notes.
 - E) To accept gifts and money, securities and personal and real property from any firm, person, corporation, trust, association, organization or agency, of any kind and nature, public governmental or private, to invest and reinvest the funds of the corporation, to borrow money and issue evidences of indebtedness, therefore, and to secure the same by mortgage, pledge or otherwise.
 - F) In general, to perform and do, either directly or indirectly and either alone or in conjunction or cooperation with other persons and organizations of every kind and nature all acts and things incidental to or in furtherance of the accomplishment of the purposes of the corporation, and to use and exercise all powers conferred from time to time by the laws of the Commonwealth of Massachusetts upon corporation organized under Chapter 180 of the Massachusetts General Laws.
 - G) No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, 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 the purposes set forth in Article Two hereof. 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 in behalf of any candidate for public office.

- H) Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated with similar purposes to the corporation.
- I) In the carrying out of its activities, the organization will not discriminate in any way on the basis of race, religion or sex.

III) If the corporation has more than one class of members, the designation of such classes, the manner of election or appointment, the duration of the membership and the qualifications and rights, including voting rights, of the members of each class, are as follows:

Membership and its rights are defined in the By-laws of the corporation

IV) Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining or regulating the powers of the corporation, or of its directors or members, or of any class of members, are as follows:

Established in the By-laws of the corporation

V) By-laws of the corporation have been duly adopted and the initial directors, president, treasurer and clerk or other presiding, financial or recording officers whose names are set out below, have been duly elected.

VI) The effective date of organization shall be the date of filing with the Secretary of the Commonwealth or if later date is desired, specify date, (not more than 30 days after date of filing).

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Berkshire Community Land Trust

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