

# Articles of Incorporation of The Texas Foundation for Education in Health, Physical Education, and Recreation

February 7, 1964

Account No. 150253

Charter No. 200096

We the undersigned natural persons of the age of twenty-one years or more, at least two of whom are the citizens of the State of Texas, acting as incorporators under the Texas Non-Profit Corporation Act adopt the following articles of incorporation for such corporation:

## ARTICLE ONE

The name of the corporation is The Texas Foundation for Education in Health, Physical Education, and Recreation.

## ARTICLE TWO

The corporation is a non-profit corporation.

## ARTICLE THREE

The period of duration is perpetual.

## ARTICLE FOUR

This corporation is organized exclusively for the purposes of education and the promotion of education in the fields of health, physical education, and recreation in the State of Texas. No part of the net earnings of this corporation or of its property or investments, shall ever inure to the benefit of any private shareholder or individual; provided, that this corporation shall not carry on propaganda or otherwise attempt to influence legislations and provided, that this corporation shall not participate in or intervene in (including the publishing or distribution of statements), any political campaign on behalf of any candidate for office.

## ARTICLE FIVE

The street address of the initial registered office of the corporation is 7910 Cameron Road, Austin, Texas, and the name of its initial registered agent is Dr. Diana Everett.

## ARTICLE SIX

The corporation shall have no members.

## ARTICLE Seven

The number of directors constitution the initial board of directors of the corporation is five and the names and addresses of the persons who are to serve as the initial directors are:

### Name

1. Dr. Lynn McCraw
2. Dr. Jess E. Cearley
3. Morris Brantley
4. Dr. C. J. Alderson
5. Dr. Lloyd O. Russell

### Address

- 4202 Edgemont, Austin, Texas (ex officio)
- 2030 Houston Place, Denton, Texas (ex officio)
- 3406 Brooklyndell, Dallas, Texas (term ends 1964)
- 1211 Applegate Dr, Austin, Texas (term ends 1965)
- 2609 Starr Dr., Waco, Texas (term ends 1966)

## ARTICLE EIGHT

The name and street address of each incorporator is:

### Name

1. Dr. Lloyd O. Russell
2. Dr. Ted Powers
3. Dr. Eveline Kappes

### Address

- 2609 Starr Dr., Waco, Texas Dr.
- 2030 Hanover, Waco, Texas
- 2212 N. 41 Street, Waco, Texas

**ARTICLE NINE**

The nine (9) directors of this corporation shall be selected and determined as provided in this subparagraph. The Executive Secretary of the Texas Association for Health, Physical Education, and Recreation shall be an ex officio director of this corporation.

The president of the Texas Association for Health, Physical Education, and Recreation shall be an ex officio director of this corporation. Three directors of this corporation shall be appointed for three (3) year terms on the following basis: The terms of the three appointed directors shall be staggered so that one such term shall begin each year at the time of the Annual Convention of the Texas Association for Health, Physical Education, and Recreation. The directors to be appointed shall be appointed for the respective terms to be filled by the Annual Convention of the Texas Association for Health, Physical Education, and Recreation.

All directors shall serve until their successors in office shall be qualified as such.

**ARTICLE TEN**

The assets of the Foundation shall be held, used, and distributed only for the purposes for which it is incorporated and, in no event, shall any part of its assets be distributed to or revert to a donor, contributor, member, officer, or director, or all or any part of them in either a partial or total liquidation. In the event of the dissolution of the corporation, either voluntary or involuntary, its assets after payment of debts shall pass to and rest in the Texas Association for Health, Physical Education, and Recreation, a non-profit education institution incorporated under the laws of the State of Texas. In the event of the dissolution of the Texas Association for Health, Physical Education, and Recreation prior to or after the dissolution of this corporation, its assets after payment of debts shall pass to and rest in the State of Texas for similar purposes.

IN WITNESS WHEREOF, We have here unto set our hands this 6<sup>th</sup> Day of January, 1964.

Lloyd O. Russell  
J. T. Powers  
Eveline E. Kappes

STATE OF TEXAS  
COUNTY OF McLENNAN

Before me, the undersigned authority, on this day personally appeared Lloyd O. Russell and J. T. Powers, to me known to be the persons who subscribed the foregoing instrument, and each being by me duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.

In witness whereof I have hereto set my hand and seal of office this 6<sup>th</sup> day of January, 1964.

A. S. McSwain, Jr.  
Notary Public in and for  
McLennan County, Texas