

Promotional and Community Event Grant Application

Step 1

Important Information

- **Form Function Note:**

In order to go back from a page in the form to a previous page, all required fields on the page must be populated.

- Please read the McKinney Community Development Corporation [Grant Guidelines](#) before completing this application.
- The Grant Guidelines are available on this website. They can also be obtained by calling 214-544-0296 or [emailing Cindy Schneible](#).
- **Please call to discuss your plans for submitting an application in advance of completing this form.**
- A completed application and all supporting documents are required to be submitted via email or on a thumb drive for consideration by the MCDC board. Please submit the application to:

McKinney Community Development Corporation
5900 South Lake Forest Blvd, Suite 110
McKinney, TX 75070

- If you are interested in a preliminary Board of Directors review of your project proposal or idea, please complete and submit the [Letter of Inquiry](#) form which is available on this website, by calling 214-544-0296 or by [emailing Cindy Schneible](#).
- **Applications must be completed in full, using this form electronically (or physically with the requested thumb drive by mail), and received by MCDC by 5 p.m. on the application deadline indicated on the [Grants page](#) of this website.**

Organization Information

Name	Legacy Keepers of Old East McKinney
Federal Tax ID Number	Awaiting final #
Incorporation Date	10/12/2021
Mailing Address	P O Box 2931
City	McKinney

State	Texas
Zip Code	75070
Phone Number	2144983540
Fax Number	N/A
Email Address	legacykeepers21@gmail.com
Website	mckinneydiadelosmuertos.com
Organization Type	Nonprofit - 501(c) (Attach a copy of IRS Determination Letter)
IRS Determination Letter	LEGACY KEEPERS Certificate of Formation - SOS 202 - completed.pdf
Professional Affiliations and Organizations to Which Your Organization Belongs	<i>Field not completed.</i>

Representative & Contact Information

Representative Completing Application:

Name	Beth Bentley
Title	Co-Director
Mailing Address	P O Box 2931
City	McKinney
State	TX
Zip Code	75070
Phone Number	2144983540
Fax Number	<i>Field not completed.</i>
Email Address	legacykeepers21@gmail.com

(Section Break)

Contact for Communications Between MCDC and Organization:

Name	Jason Hernandez
Title	Co-Director
Mailing Address	P O Box 2931
City	McKinney
State	Texas
Zip Code	75070
Phone Number	9724807516
Fax Number	<i>Field not completed.</i>
Email Address	jhernandez121913@gmail.com

Project Information

Funding - Total Amount Requested	14,640
Are matching funds available?	No
Will funding be requested from any other City of McKinney entity (e.g. McKinney Convention and Visitors Bureau, Arts Commission, City of McKinney Community Support Grant)?	Yes
Describe funding requested from other City of McKinney entities.	McKinney Arts Commission - support for artists and entertainers Visit McKinney - support promotion
Promotional / Community Event Start and Completion Dates	8/15/2022 - 10/15/2022
Board of Directors	Beth Bentley Jason Hernandez Larry Jagours Jennifer Davis

Betty Petkovsek
DeLana Cofield
Joshua Berry

Leadership Staff
Beth Bentley
Jason Hernandez
Jennifer Davis

Board of Directors
Attachment
Field not completed.

Leadership Staff
Attachment
Field not completed.

Narrative

Using the outline below, provide a written narrative no longer than seven pages in length:

1: Applying Organization

- Describe the mission, strategic goals and objectives, scope of services, day-to-day operations and number of paid staff and volunteers.
- Disclose and summarize any significant, planned organizational changes and describe their potential impact on the Promotion / Community Event for which funds are requested.

2: Promotion / Community Event

- Outline details of the Promotion / Community Event for which funds are requested. Include information regarding scope, goals, objectives and target audience.
 - Describe how this initiative will **showcase McKinney and promote the city for the purpose of business development and/or tourism.**
 - Describe how the proposed Promotional / Community Event fulfills the strategic goals and objectives for your organization.
 - Provide information regarding planned activities in support of the event, time frame / schedule, estimated attendance and admission / registration fees, if planned. **Please note: if admission / registration fees are charged, they must be limited to \$35 or less; event must be open to the public.**
 - Include the venue / location for the proposed event.
 - Provide a timeline for the production of the event.
 - Detail goals for growth / explanation in future years.
 - Attract resident and visitor participation and contribute to business development, tourism and growth of McKinney sales tax revenue.
 - Highlight and promote McKinney as a unique destination for residents and visitors alike.
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- *Demonstrate informed budgeting / financial planning – addressing revenue generation, costs and use of net revenue.*

Has a request for funding for this Promotional / Community Event been submitted to MCDC in the past?	Yes
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Date	5/31/2021
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Date	7/22/2021
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3: Financial

- *Provide an overview of the organization’s financial status including the impact of this grant request on organization mission and goals*
- *Please attach your budget for the current year and audited financial statements for the preceding two years. If audited financials are not available, please indicate why.*

Budget	DDL M 2022 BUDGET - MCDC GRANT.pdf
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Financial Statements	<i>Field not completed.</i>
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Overview of Promotional / Community Event Financial Goal

Gross Revenue	45,410
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Projected Expenses	44,500
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Net Revenue	910
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Budget	DDL M 2022 MCDC BUDGET ONLY - MCDC GRANT.pdf
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What percentage of Project / Promotional / Community Event funding will be provided by the applicant?	68
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Are matching funds available?	No
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Other Funding Sources	Sponsorships/Grants - Prior year and new sources will be solicited from May - July: MCDC, McKinney Arts Commission, Encore Wire, Bill & Pris Darling, Mill at East McKinney, McKinney Chamber of Commerce, Visit McKinney, Baptist Immigration Center, The Cotton Mill, Guitar Sanctuary, Each & Every Detail, Allen Americans Hockey, Elizabeth Justice, Saldana Collins, Amy Chizk, Independent Financial and CUTX Food trucks; Vendor booths; T-shirt sales
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4: Marketing and Outreach

- *Describe advertising, marketing plans and outreach strategies for this event – and how they are designed to help you achieve current and future goals.*
- *Provide a detailed outline of planned marketing, advertising and outreach activities and the amount budgeted for each.*

5: Metrics to Evaluate Success

- *Outline the metrics that will be used to evaluate success of the proposed Promotional / Community Event. If funding is awarded, a final report will be required summarizing success in achieving objectives outlined for the event.*

Attach Narrative [MCDC McKinney Dia de los Muertos 2022 NARRATIVE.pdf](#)

Acknowledgements

If funding is approved by the MCDC board of directors, applicant will assure:

- *The Promotional / Community Event for which financial assistance is sought will be administered by or under the supervision of the applying organization;*
 - *All funds awarded will be used exclusively for advertising, marketing and promotion of the Promotional / Community event described in this application.*
 - *MCDC will be recognized in all marketing, advertising, outreach and public relations as a funder of the Promotional / Community Event. A logo will be provided by MCDC for inclusion on all advertising, marketing and promotional materials. Specifics for audio messaging will be agreed upon by applicant and MCDC and included in an executed performance agreement.*
 - *The organization's officials who have signed the application are authorized by the organization to submit the application.*
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- Applicant will comply with the MCDC Grant Guidelines in executing the Promotional / Community Event for which funds were received.
- A final report detailing the success of the Promotional / Community Event, as measured against identified metrics, will be provided to MCDC no later than 30 days following the completion of the Promotional / Community Event.
- Grant funding is provided on a reimbursement basis subsequent to submission of a reimbursement request, with copies of invoices and paid receipts for qualified expenses. Up to 20% of the grant awarded may be withheld until the **final report on the Promotional/Community Event is provided to MCDC.**

(Section Break)

Applicant Electronic Signature	Selecting this option indicates your agreement with the above statement.
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Chief Executive Officer	Beth Bentley
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Date	5/31/2022
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Representative Completing Application	Beth Bentley
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Date	5/31/2022
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Notes

- *Incomplete applications or those received after the deadline will not be considered.*
- *A final report must be provided to MCDC within 30 days of the event / completion of the Promotional / Community Event.*
- *Final payment of funding awarded will be made upon receipt of final report.*
- *Please use the [Final Report](#) to report your results. A [PDF version](#) is also available.*

Email not displaying correctly? [View it in your browser.](#)

McKINNEY COMMUNITY DEVELOPMENT CORPORATION

Narrative – 2022

Organization: Legacy Keepers of Old East McKinney

Funding Amount: \$14,640

Project/**Promotional**/Community Event: McKinney Día de los Muertos

Event Date: Saturday, October 15, 2022

Location of Project/**Promotional**/Community Event: Dr. Glenn Mitchell Memorial Park – 300 W. Louisiana Street

1. Applying Organization:

- Describe the mission, strategic goals and objectives, scope of services, day-to-day operations and number of paid staff and volunteers.

The mission/purpose: We will use the strength of our unique identities in a collective framework to document, honor and promote the historic legacies of McKinney's Black and Mexican communities, ensuring that all cultures are natural parts of the community's experiences.

We will work to fulfill this mission through the following **strategic goals/objectives**:

- Expanding McKinney's tourism footprint
- Black History Month & Juneteenth Celebrations
- Summer internship program in partnership with Southern Methodist University (SMU) in Dallas, TX; the Center for Southwestern and Mexican Studies at Austin College in Sherman, TX, the McKinney Public Library and the McKinney community
- Día de los Muertos - a Latin American custom celebrating the lives of the deceased with food, drink, parties, and activities that the dead enjoyed in life
- Pop-up Museum/Community Exhibits (e.g., former E S Doty High School (current Holy Family School site)) along with tours of historically Black sites
- Legacy Walks
- Historic preservation through documentaries, historic markers, business development, art, etc.
- Scholarships to honor the memories of legacies

We currently have no paid staff and fulfill the work through volunteers.

- Disclose and summarize any significant, planned organizational changes and describe their potential impact on the Promotion / Community Event for which funds are requested.

Legacy Keepers has filed for 501(c)(3) Certificate Formation and is able to operate with nonprofit status. This should help to solidify additional operational funding.

2: Promotion / Community Event

- Outline details of the Promotion / Community Event for which funds are requested. Include information regarding scope, goals, objectives and target audience.
- **Community Event for Which Funds Are Requested:** McKinney's Dia De Los Muertos Celebration – A key emphasis of Legacy Keepers is to highlight Mexican history and culture in McKinney, Texas. However, we understand McKinney and Collin County's Latino population has become significantly diverse over time to include other populations such as Puerto Ricans, Hondurans, Columbians and several others. Therefore, an event was selected to also highlight these different cultures/ethnic groups along with Mexican Culture. Dia De Los Muertos, also known as *Day of the Dead*, is celebrated by nearly every Latin/Hispanic/Central American country. It is a holiday that involves family and friends gathering to pray and to remember friends and family members who have died. It is not typically viewed as a time for mourning but a joyous occasion of remembering loved ones who have died. It is meant to be a happy time to share memories.
- **Scope:** One day event; Free - attracting residents and out-of-town visitors
- **Goals & Objectives:** 1. To educate the community about Legacy Keepers of Old East McKinney and its mission, 2. To present Mexican History of McKinney, Texas. 3. Learn about Latino history and culture, while networking with different Latino cultures in the community
- **Target Audience:** The target audience includes the Mexican, Latino and Hispanic populations of McKinney, along with anyone who is willing to experience this cultural experience. We want all ages of the general population to learn and experience Latino/Hispanic culture and history.
- Describe how this initiative will **showcase McKinney and promote the city for the purpose of business development and/or tourism.**

With close to 3,000 attendees in the 2021 inaugural Día de los Muertos (DDLMM), this event has expanded the tourism footprint for the community. This event will continue to highlight local artists and give them an opportunity to present and sell their work. Food vendors from McKinney will be present, offering various types of Hispanic/Latino foods. Performances will be put on by local performers and schools, thus, giving them the opportunity to highlight the work they are doing in the community. Multiple sponsors will be present to offer their products and to also advertise/promote McKinney. The actual DDLMM holiday is celebrated on November 1-2. With McKinney's occurring on October 15th, this will give us an advantage to draw in crowds from across the county that might otherwise go to events closer to them or in their own city. Based on last year's events, we anticipate at least 3,500 individuals to flow through the event, shopping or dining in downtown and other local establishments. We are expecting at least 30 booths that artists, businesses and organizations will occupy.

- Describe how the proposed Promotional / Community Event fulfills the strategic goals and objectives for your organization.
 - Educate the community on Legacy Keepers of Old East McKinney's work; learn of the African-American and Mexican history; share current and future projects
 - Collaborate with and support local community members, businesses, artists and city entities
 - Engage students in the learning, development and presentation of McKinney's Mexican Culture
- Provide information regarding planned activities in support of the event, time frame / schedule, estimated attendance and admission / registration fees, if planned. **Please note: if admission / registration fees are charged, they must be limited to \$35 or less; event must be open to the public.**

Planned activities in support of the event include: **entertainers may include:**

Newly featured quilt and car shows and on-site t-shirt sales; Mariachi Band; Folklorico Dancers; Vi Beba – Puerto Rican Dancing Musicians; Aztec Dancers; Kumbala Dance Studio and Bombazo, all dressed in authentic regalia; Local DJs; Costume contests; 3 food trucks with *delicious* Latin cuisine;

30+ vendors with educational and interactive experiences through a variety of vendors, cultural expressions and sacred moments. **Vendors may include:**

Monarch Messages art and craft; Skull Mask arts and craft; Memory Tree; MISD High School face painting; Holy Family sponsor booth; Andre Holmes; Evelio Aztecs; Ofrenda Kits; Sugar Skulls By Maggie; Artesanias on Hamilton; Yhoaki; ARAI; Crafty Mari; Rodriguez Moda Artesanal; Tiendita de Frida; Lela Fashion; Peace Smudge Love; Mexican Candy; Diggin It; Frida headbands painting; Vita Verde Botanicals; Legacy Keepers of Old East McKinney; MHS ESL BOOTH; Live Painting, Mextilo Artisanal Fashion and more.

This **FREE** event will last from 12pm-9pm. We expect that there will be at least 3,500 participants.

- Include the venue / location for the proposed event.
Downtown McKinney - Dr. Glenn Mitchell Memorial Park - 300 W. Louisiana St. McKinney, Texas 75069
- Provide a timeline for the production of the event.
 - January – February – Set event strategy
 - February – May - Establish DDLM committee, confirm participants and date
 - May – July - Sponsorship proposals; Finalize funding, entertainment, vendors and marketing strategy
 - August – October – Marketing campaign and final logistics
 - October 15th – Event

- Detail goals for growth / explanation in future years.
Close to 3,000 participants were logged for the inaugural 2021 event. We anticipate having 3,500-5,000 attendees in 2022. Future growth will include expansion across downtown, as well as in the Old Settlers Recreation community. As historic East McKinney is revitalized, we will look into various venues in the area.
- Attract resident and visitor participation and contribute to business development, tourism and growth of McKinney sales tax revenue.

Our focus is to collaborate with local artists, local businesses and local educators to promote this event, their businesses and educational opportunities. These participants will be hands-on to build projects showcased at the event, highlighting these resources to local residents and visitors. Our desire is to bring new and renewed attention to these Hispanic resources in our own community and promote their growth.

- Highlight and promote McKinney as a unique destination for residents and visitors alike.

As in the 2021 promotional campaign, the educational journey of Legacy Keepers will be shared throughout the preparation for Día de los Muertos. It includes the ongoing development of the McKinney Día de los Muertos website (www.mckinneydiadelosmuertos.com), Facebook (<https://www.facebook.com/mckinneydiadelosmuertos/>) and Instagram (https://instagram.com/mckinneydiadelosmuertos?utm_medium=copy_link) pages; Legacy Keepers Facebook page (<https://www.facebook.com/legacykeepersmckinney/>) paid and donated newspaper articles through *Community Impact* and *McKinney Courier Gazette*. This also includes presentations to and through the following entities as available:

- Mexican/Latino Civic entities and community events
 - Downtown ofrenda displays
 - McKinney Creative Community
 - City Council
 - Local Chambers
 - Kiwanis Club
 - McKinney Morning Pride Lions Club
 - McKinney Noon Lions Club
 - Rotary Club
 - Millhouse Lunch and Learn
 - Downtown merchants
 - Roy & Helen Hall McKinney Public Library (Genealogy Week)
 - Local radio stations
- Demonstrate informed budgeting / financial planning – addressing revenue generation, costs and use of net revenue.

Income	Budget
Sponsorships	\$25,000.00
MCDC	\$14,640.00
Food Trucks	\$1,750.00
Vendor Booths	\$3,520.00
T-Shirt Income	\$500.00
Total Income	\$45,410.00
Expenses	Budget
Pre-Event Marketing Materials (promotional videos, flyers, cards, yard signs)	\$5,500.00
Event Day Marketing (stage banners, large posters, a-frame signs, informational brochures)	\$500.00
Local Newspapers	\$1,615.00
Local Radio	\$1,875.00
Social Media Ads	\$1,000.00
Local Billboard - Hwy 5	\$3,150.00
Branding (marketing material design)	\$1,000.00
Artistic Decor	\$7,500.00
DJ & Entertainment	\$5,000.00
Security	\$810.00
Permit Fee	\$100.00
Mobile Stage Rental Fee	\$1,500.00
Sound & Lighting	\$5,000.00
Event Insurance	\$750.00
Restroom Trailer	\$3,000.00
PayPal Fees	\$500.00
General Supplies	\$200.00
T-shirts	\$2,500.00
Butterfly Cutouts	\$500.00
Parking Area for Vendors	\$2,500.00
MCDC Expenses	\$14,640.00
Total Minus MCDC Expenses	\$29,860.00
Total Expense	\$44,500.00
Total Net Income	\$910.00

3: Financial

- Provide an overview of the organization’s financial status including the impact of this grant request on organization mission and goals

Legacy Keepers has filed for 501(c)(3) Certificate Formation and is able to operate with nonprofit status. This should help to solidify additional operational funding. Currently, we fundraise to fund activities and events as they are planned, generally in collaboration with other entities.

- Please attach your budget for the current year and audited financial statements for the preceding two years. If audited financials are not available, please indicate why.

The formal budget will be adopted during the summer 2022 initial Legacy Keepers of Old East McKinney, Inc. fiscal year meeting.

4: Marketing and Outreach

Describe advertising, marketing plans and outreach strategies for this event – and how they are designed to help you achieve current and future goals. Provide a detailed outline of planned marketing, advertising and outreach activities and the amount budgeted for each.

Through City and County entities, faith communities, neighborhood associations, civic events/entities and other venues, marketing plans include:

- Pre-Event Marketing Materials (promotional videos, flyers, cards, yard signs) - \$5,500.00
- Event Day Marketing (stage banners, large posters, a-frame signs, informational brochures) - \$500.00
- Local Newspapers - \$1,615.00
- Local Radio - \$1,875.00
- Social Media Ads - \$1,000.00
- Local Billboard - Hwy 5 - \$3,150.00
- Branding (marketing material design) - \$1,000.00
 - TOTAL - \$14,640

These marketing, outreach and budgeting plans are forecasted based on the 2021 event.

5: Metrics to Evaluate Success

Outline the metrics that will be used to evaluate success of the proposed Promotional / Community Event. If funding is awarded, a final report will be required summarizing success in achieving objectives outlined for the event:

- **Attendance:** We expect to bring 3,500-5,000 people to the McKinney Square and positively impact the businesses who participate in our event and/or are located nearby.
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- **Non-McKinney Attendance:** We expect our non-McKinney participation to be high, possibly 40%. We believe that many from surrounding communities that do not have a Day of the Dead event, and possibly those who do have one, will attend ours, such as those from Allen, Frisco, Anna, Celina, Plano, Princeton, Richardson, Prosper, etc.
- **Monetary Impact:** Our financial focus is to build on the first year baseline by adding 3-5 new attractions and covering the costs of this event. All excess funds will go to support Legacy Keepers and its initiatives that raise awareness of Hispanic/Black culture and others in McKinney.
- **Educational Impact:** This event is meant to engage residents and visitors in awareness of Hispanic and Black culture and heritage in McKinney. This will include email signups for Legacy Keepers to gain a larger audience, volunteers and ambassadors.

2022 MCKINNEY DÍA DE LOS MUERTOS MCDC BUDGET ONLY

Income	Budget
MCDC Income	\$14,640.00
Expenses	Budget
Pre-Event Marketing Materials (promotional videos, flyers, cards, yard signs)	\$5,500.00
Event Day Marketing (stage banners, large posters, a-frame signs, informational brochures)	\$500.00
Local Newspapers	\$1,615.00
Local Radio	\$1,875.00
Social Media Ads	\$1,000.00
Local Billboard - Hwy 5	\$3,150.00
Branding (marketing material design)	\$1,000.00
MCDC Expenses	\$14,640.00
Total Net Income	\$0.00

2022 MCKINNEY DÍA DE LOS MUERTOS BUDGET

Income	Budget
Sponsorships	\$25,000.00
MCDC	\$14,640.00
Food Trucks	\$1,750.00
Vendor Booths	\$3,520.00
T-Shirt Income	\$500.00
Total Income	\$45,410.00
Expenses	Budget
Pre-Event Marketing Materials (promotional videos, flyers, cards, yard signs)	\$5,500.00
Event Day Marketing (stage banners, large posters, a-frame signs, informational brochures)	\$500.00
Local Newspapers	\$1,615.00
Local Radio	\$1,875.00
Social Media Ads	\$1,000.00
Local Billboard - Hwy 5	\$3,150.00
Branding (marketing material design)	\$1,000.00
Artistic Decor	\$7,500.00
DJ & Entertainment	\$5,000.00
Security	\$810.00
Permit Fee	\$100.00
Mobile Stage Rental Fee	\$1,500.00
Sound & Lighting	\$5,000.00
Event Insurance	\$750.00
Restroom Trailer	\$3,000.00
PayPal Fees	\$500.00
General Supplies	\$200.00
T-shirts	\$2,500.00
Butterfly Cutouts	\$500.00
Parking Area for Vendors	\$2,500.00
MCDC Expenses	\$14,640.00
Total Minus MCDC Expenses	\$29,860.00
Total Expense	\$44,500.00
Total Net Income	\$910.00

Profit and Loss

Legacy Keepers of Old East McKinney, Inc.

Date Range: Aug 01, 2021 to May 31, 2022

ACCOUNTS	Aug 01, 2021 to May 31, 2022
Income	\$30,525.86
Cost of Goods Sold	\$0.00
Gross Profit As a percentage of Total Income	\$30,525.86 100.00%
Operating Expenses	\$29,866.89
Net Profit As a percentage of Total Income	\$658.97 2.16%

Form 202—General Information
(Certificate of Formation – Nonprofit Corporation)

The attached form is drafted to meet minimal statutory filing requirements pursuant to the relevant code provisions. This form and the information provided are not substitutes for the advice and services of an attorney and tax specialist.

Commentary

A nonprofit corporation is governed by titles 1 and 2 of the Texas Business Organizations Code (BOC). Title 1, chapter 3, subchapter A, of the BOC governs the formation of a nonprofit corporation and sets forth the provisions required or permitted to be contained in the certificate of formation. Nonprofit corporations may be incorporated for any lawful purpose. Corporations formed for the purpose of operating a nonprofit institution, including an institution devoted to a charitable, benevolent, religious, patriotic, civic, cultural, missionary, education, scientific, social, fraternal, athletic, or aesthetic purpose, may be formed and governed only as a nonprofit corporation under the BOC and not as a for-profit corporation. In a nonprofit corporation, no part of the income of the corporation may be distributed to a member, director or officer of the corporation.

Please note that this form cannot be used to form a corporation authorized by or under a special state statute, such as a water supply corporation, a cemetery corporation or an industrial development corporation.

Taxes: Nonprofit corporations are subject to a state franchise tax and federal income taxes unless an exemption from those taxes is granted. For franchise tax information visit the web site of the Comptroller of Public Accounts at www.window.state.tx.us/taxinfo/franchise/index.html. For information on state tax exemption, including applications and publications, visit the Comptroller's Exempt Organizations web site at www.window.state.tx.us/taxinfo/exempt/index.html or call (800) 252-5555. For information relating to federal income tax filing requirements, exemptions, federal employer identification numbers, tax publications and forms call (800) 829-3676 or visit the Internal Revenue Service (IRS) web site at www.irs.gov.

This form does not include any additional statements or provisions that the Texas Comptroller of Public Accounts or the IRS may require as a condition to granting a tax-exempt status. Please refer to IRS publication 557, "Tax-Exempt Status for Your Organization," and Comptroller publication 96-1045, "Guidelines to Texas Tax Exemptions," for further information before completing this form.

Instructions for Form

- **Article 1—Entity Name and Type:** Provide a corporate name. An organizational designation may be used, but is not required. Under section 5.053 of the BOC, if the name chosen is the same as, deceptively similar to, or similar to the name of any existing domestic or foreign filing entity, or any name reservation or registration filed with the secretary of state, the document cannot be filed. The administrative rules adopted for determining entity name availability (Texas Administrative Code, title 1, part 4, chapter 79, subchapter C) may be viewed at www.sos.state.tx.us/tac/index.shtml. If you wish the secretary of state to provide a preliminary determination on name availability, you may call (512) 463-5555, dial 7-1-1 for relay services, or e-mail your name inquiry to corpinfo@sos.state.tx.us. A final determination cannot be made until the document is received and

processed by the secretary of state. Do not make financial expenditures or execute documents based on a preliminary clearance. Also note that the preclearance of a name or the issuance of a certificate of formation under a name does not authorize the use of a name in violation of another person's rights to the name.

- **Article 2—Registered Agent and Registered Office:** The registered agent can be either (option A) a domestic entity or a foreign entity that is registered to do business in Texas or (option B) an individual resident of the state. The corporation cannot act as its own registered agent; do not enter the corporate name as the name of the registered agent.

Consent: Effective January 1, 2010, a person designated as the registered agent of an entity must have consented, either in a written or electronic form, to serve as the registered agent of the entity. Although consent is required, a copy of the person's written or electronic consent need not be submitted with the certificate of formation. *The liabilities and penalties imposed by sections 4.007 and 4.008 of the BOC apply with respect to a false statement in a filing instrument that names a person as the registered agent of an entity without that person's consent.* (BOC § 5.207)

Office Address Requirements: The registered office address must be located at a street address where service of process may be personally served on the entity's registered agent during normal business hours. Although the registered office is not required to be the entity's principal place of business, the registered office may not be solely a mailbox service or telephone answering service (BOC § 5.201).

- **Article 3—Management:** Except as provided by section 22.202 of the BOC, the affairs of a nonprofit corporation are governed by a board of directors.

Board of Directors: The board of directors may be designated by any name appropriate to the customs, usages, or tenets of the corporation. If managed by a board of directors, three directors are required. A director must be a natural person; there are no residency requirements for directors. Set forth the name of the individual in the format specified. Do not use prefixes (e.g., Mr., Mrs., Ms.). Use the suffix box only for titles of lineage (e.g., Jr., Sr., III) and not for other suffixes or titles (e.g., M.D., Ph.D.).

Please note that a document on file with the secretary of state is a public record that is subject to public access and disclosure. When providing address information for directors, use a business or post office box address rather than a residence address if privacy concerns are an issue.

Managed by Members: A nonprofit corporation is considered to have vested the management of the corporation in the board of directors unless otherwise provided in the certificate of formation. This certificate of formation also may be used to create a nonprofit corporation that is managed solely by its members. If management of the corporation is to be vested in the nonprofit corporation's members, a statement to that effect must be included in the certificate. If the nonprofit corporation is to be governed *solely* by its members, check the appropriate statement and proceed to Article 4 of this form. *The fact that the individuals named on the board of directors are also members of the nonprofit entity does not mean that the corporation is governed by its members.*

Article 4—Members: If the corporation will not have members, the certificate of formation must include a statement to that effect. If management of the affairs of the corporation is vested in its members, you also must check statement A in Article 4 of this form. Checking statement B in

Article 4 is inconsistent with a corporation that is managed by its members and will result in a rejection of the instrument.

- **Article 5—Purpose:** State the purpose of the corporation in the space provided. A nonprofit corporation may be formed for any lawful purpose or purposes not expressly prohibited under title 1, chapter 2, or title 2, chapter 22, of the BOC, which may be stated as “any or all lawful purposes” in the space provided. While the BOC allows formation with a general purpose, please note that other laws, including the Texas Tax Code and the Internal Revenue Code, may require that the certificate of formation include a more specific purpose statement as a basis for granting a license or a tax-exempt or tax-deductible status. An additional text area is provided to include any additional language or additional provisions that may be needed. In addition, the “Supplemental Provisions/Information” section may be used if the additional text area provided in this section is not sufficient.
- **Supplemental Provisions/Information:** Additional space has been provided for additional text to an article within this form or to provide for additional articles to contain optional provisions. This space also may be used to provide for additional statements or provisions needed by the Texas Tax Code or Internal Revenue Code as a basis for granting a tax-exempt or tax-deductible status.

Manner of Distribution: Section 22.304 of the BOC provides that after all liabilities and obligations of the corporation in the process of winding up are paid, satisfied, and discharged in accordance with chapter 11 of the BOC, the property of the corporation shall be applied and distributed as follows:

- Property held by the corporation on a condition requiring return, transfer, or conveyance because of the winding up or termination shall be returned, transferred, or conveyed in accordance with that requirement; and
- The remaining property shall be distributed only for tax-exempt purposes to one or more organizations that are exempt under Section 501(c)(3), or described by Section 170(c)(1) or (2) of the Internal Revenue Code as provided in a plan of distribution adopted by the corporation under the BOC unless the certificate of formation provides otherwise.

If the corporation is not applying and distributing its property in accordance with section 22.304, the certificate of formation must include a statement describing the manner of distribution in the Supplemental Provisions/Information section of this form. If the space provided is not sufficient, an addendum may be included and attached to this form.

Duration: Pursuant to section 3.003 of the BOC, a Texas nonprofit corporation exists perpetually unless provided otherwise in the certificate of formation. If formation of a corporation with a stated period of duration is desired, use the “Supplemental Provisions/Information” section of this form to provide for a limited duration.

- **Organizer:** Only one organizer is required for the formation of a nonprofit corporation. An organizer may be any person having the capacity to contract for the person or for another; that is, a natural person 18 years of age or older, or a corporation or other legal entity. There are no residency requirements for an organizer.
- **Effectiveness of Filing:** A certificate of formation becomes effective when filed by the secretary of state (option A). However, pursuant to sections 4.052 and 4.053 of the BOC the effectiveness of the instrument may be delayed to a date not more than ninety (90) days from the date the instrument is

signed (option B). The effectiveness of the instrument also may be delayed on the occurrence of a future event or fact, other than the passage of time (option C). If option C is selected, you must state the manner in which the event or fact will cause the instrument to take effect and the date of the 90th day after the date the instrument is signed. In order for the certificate to take effect under option C, the entity must, within ninety (90) days of the filing of the certificate, file with the secretary of state a statement regarding the event or fact pursuant to section 4.055 of the BOC.

On the filing of a document with a delayed effective date or condition, the computer records of the secretary of state will be changed to show the filing of the document, the date of the filing, and the future date on which the document will be effective or evidence that the effectiveness was conditioned on the occurrence of a future event or fact. In addition, at the time of such filing, the status of the entity will be shown as “in existence” on the records of the secretary of state.

- **Execution:** The organizer must sign the certificate of formation, but it does not need to be notarized. However, before signing, please read the statements on this form carefully. The designation or appointment of a person as registered agent by an organizer is an affirmation that the person named in the certificate of formation has consented to serve in that capacity. (BOC § 5.2011, effective January 1, 2010)

A person commits an offense under section 4.008 of the BOC if the person signs or directs the filing of a filing instrument the person knows is materially false with the intent that the instrument be delivered to the secretary of state for filing. The offense is a Class A misdemeanor unless the person's intent is to harm or defraud another, in which case the offense is a state jail felony.

- **Payment and Delivery Instructions:** The filing fee for a certificate of formation for a nonprofit corporation is **\$25**. Fees may be paid by personal checks, LegalEase debit cards, or American Express, Discover, MasterCard, and Visa credit cards. Checks or money orders must be payable through a U.S. bank or financial institution and made payable to the secretary of state. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.

Submit the completed form in duplicate along with the filing fee. The form may be mailed to P.O. Box 13697, Austin, Texas, 78711-3697; faxed to (512) 463-5709; or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. If a document is transmitted by fax, credit card information must accompany the transmission (Form 807). On filing the document, the secretary of state will return the appropriate evidence of filing to the submitter together with a file-stamped copy of the document, if a duplicate copy was provided as instructed.

- **Registered Agent/Office:** A corporation is required to maintain a registered agent and a registered office address in Texas. If the registered agent or registered office address changes, it is important to file a statement with the secretary of state to effect a change to the certificate of formation. Failure to maintain a registered agent and registered office may result in the involuntary termination of the corporation.
- **Periodic Reports:** Under section 22.357 of the BOC, the secretary of state may require a nonprofit corporation to file a report not more often than once every four years. The secretary of state will send notice to the corporation at its registered office as to the time the report is due. Failure to file the report when requested to do so by the secretary will result in the involuntary termination of the corporation.

- **Information for Public Inspection:** Records, books and annual reports of the corporation's financial activity are required to be maintained at the registered office or principal office for three years after the close of a fiscal year. The corporation shall make those documents available to the public for inspection and copying during regular business hours and may charge a reasonable fee for preparing a copy of those records. Failure to maintain those records, prepare an annual report or make the record or report available to the public is a Class B misdemeanor. These provisions do not apply to those corporations exempted under section 22.355 of the BOC. Also note that a nonprofit corporation supported in whole or in part by public funds or that spends public funds is considered a governmental body under chapter 552 of the Government Code (Public Information Act) and thus subject to the provisions of that Act regarding access to public information. In addition, a property owner's association may also be subject to the Public Information Act pursuant to section 552.0035 of the Government Code.

Revised 05/11

**Form 202
(Revised 05/11)**

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
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:

Legacy Keepers of Old East McKinney, Inc.

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:

Beth	A	Bentley	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>

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

511 Nandina Drive	Allen	TX	75002
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

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				
Beth	A	Bentley		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
511 Nandina Drive	Allen	TX	75002	US
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director 2				
Jason		Hernandez		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
2309 North Ridge Road	McKinney	TX	75072	US
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director 3				
Jennifer	W	Davis		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
1501 Hill Street	McKinney	TX	75069	US
<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:

5.A. PURPOSE. Legacy Keepers of Old East McKinney, Inc. is a non-profit corporation and shall operate exclusively for educational and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code. Initially, the corporation will use the strength of its unique identities in a collective framework to document, honor, and promote the historic legacies of McKinney's Black and Mexican communities, ensuring that all cultures are natural parts of the community's experiences.

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

5.B. NON-PROFIT NATURE. Legacy Keepers of Old East McKinney, Inc. is designated as a non-profit corporation.

Legacy Keepers of Old East McKinney, Inc. is organized exclusively for charitable and educational purposes including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code. 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 the purpose clause hereof.

Notwithstanding any other provision of this document, Legacy Keepers of Old East McKinney, Inc. shall not carry on any other activities not permitted to be carried on (a) by any organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Legacy Keepers of Old East McKinney, Inc. is not organized and shall not be operated for the private gain of any person. The property of the corporation is irrevocably dedicated to its educational and charitable purposes. No part of the assets, receipts, or net earnings of the corporation shall inure to the benefit of, or be distributed to any individual. The corporation may, however, pay reasonable compensation for services rendered, and make other payments and distributions consistent with these Articles.

Supplemental Provisions/Information

(See instructions.)

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

5.C. NO PERSONAL LIABILITY. No officer or director of Legacy Keepers of Old East McKinney, Inc. shall be personally liable for the debts or obligations of the corporation of any nature whatsoever, nor shall any of the property or assets of the officers or directors be subject to the payment of the debts or obligations of the corporation.

5.D. DISSOLUTION. Upon termination or dissolution of Legacy Keepers of Old East McKinney, Inc., any assets lawfully available for distribution shall be distributed to one or more qualifying organizations described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or described in any corresponding provision of any successor statute), which organization or organizations have a charitable purpose which, at least generally, includes a purpose similar to the terminating or dissolving corporation.

5.E. PROHIBITED DISTRIBUTIONS. The organization to receive the assets of the Legacy Keepers of Old East McKinney, Inc. hereunder shall be selected by the discretion of a majority of the managing body of the corporation, and if its members cannot so agree, then the recipient organization shall be selected pursuant to a verified petition in equity filed in a court of proper jurisdiction against the corporation by one or more of its managing body, which verified petition shall contain such statements as reasonably indicate the applicability of this section. The court, upon a finding that this section is applicable, shall select the qualifying organization or organizations to receive the assets to be distributed, giving preference if practicable to organizations located within the State of Texas.

In the event that the court shall find that this section is applicable but that there is no qualifying organization known to it which has a charitable purpose, which, at least generally, includes a purpose similar to Legacy Keepers of Old East McKinney, Inc., then the court shall direct the distribution of its assets lawfully available for distribution to the Treasurer of the State of Texas to be added to the general fund.

No part of the net earnings or properties of Legacy Keepers of Old East McKinney, Inc., on dissolution or otherwise, shall inure to the benefit of, or be distributable to, its members, directors, officers or other private person or individual, 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 V.

5.F. RESTRICTED ACTIVITIES. No substantial part of Legacy Keepers of Old East McKinney, Inc.'s activities shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene (including the publishing or distribution of statements) in any political campaign on behalf of or in opposition to any candidate for public office.

5.G. PROHIBITED ACTIVITIES. Notwithstanding any other provision of these Articles, Legacy Keepers of Old East McKinney, Inc. shall not carry on any activities not permitted to be carried on (i) by a corporation exempt from federal income tax as an organization described by Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (ii) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

5.H. DURATION. The period of duration of Legacy Keepers of Old East McKinney, Inc. is perpetual.

Organizer

The name and address of the organizer:

Jennifer W. Davis

Name

1501 Hill Street

McKinney

TX

75069

Street or Mailing Address

City

State

Zip Code

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:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. 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: October 12, 2021

Signature of organizer

Jennifer W. Davis

Printed or typed name of organizer