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STATE OF HAWAII  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
Business Registration Division  
P.O. Box 40  
Honolulu, Hawaii

**SPECIAL  
HANDLING**

In the Matter of the Incorporation )  
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 of )  
 )  
 KILAUEA POINT NATURAL HISTORY )  
 ASSOCIATION )  
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PETITION FOR CHARTER OF INCORPORATION

DEPARTMENT OF  
COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII  
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RECEIVED  
BUSINESS REGISTRATION  
DIVISION  
NOV 28 9 07 AM '83

JAMES W. LICKE  
Suite 203  
4347 Rice Street  
Lihue, Hawaii 96766  
245-9355, 245-6293

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STATE OF HAWAII  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
Business Registration Division  
P.O. Box 40  
Honolulu, Hawaii

In the Matter of the Incorporation )  
 )  
 of )  
 KILAUEA POINT NATURAL HISTORY )  
 ASSOCIATION )

DEPARTMENT OF COMMERCE  
AND CONSUMER AFFAIRS  
STATE OF HAWAII  
Officially Recorded  
On  
November 28, 1983

PETITION FOR CHARTER OF INCORPORATION

The undersigned, a majority of whom are residents of the State of Hawaii, hereby petition, under the provisions of Section 416-19 and 416-20, Hawaii Revised Statutes, for a charter of incorporation, for themselves and their associates, as a nonprofit corporation under the name of KILAUEA POINT NATURAL HISTORY ASSOCIATION, and in connection herewith do hereby incorporate herein by reference thereto the accompanying proposed charter of incorporation wherein are set forth various matters required under Section 416-20 aforesaid.

Dated at Lihoa, this 23<sup>rd</sup> day of Nov., 1983.

FILING FEE CAPITAL ● 10.540.-  
CERTIFICATION Copies ● 50.-  
TOTAL ● 50.-

Ryan Jimenez  
RYAN JIMENEZ

Jane F. Silva  
JANE F. SILVA

Herman Texeira  
HERMAN TEXEIRA

STATE OF HAWAII )  
 ) ss.  
COUNTY OF KAUAI )

RYAN JIMENEZ, JANE F. SILVA, and HERMAN TEXEIRA,  
being first duly sworn on oath, depose and say that they are  
the petitioners above named, that they have read the foregoing  
petition and attached proposed charter of incorporation and  
know the contents thereof; and that the matters and statements  
therein set forth are true to the best of their knowledge and  
belief.

*Ryan Jimenez*  
-----  
RYAN JIMENEZ

*Jane F. Silva*  
-----  
JANE F. SILVA

*Herman Texeira*  
-----  
HERMAN TEXEIRA

Subscribed and sworn to before me this 23<sup>rd</sup> day of  
November, 1983.

*[Signature]*  
-----  
Notary Public,  
State of Hawaii

My commission expires: 3/30/86

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CHARTER OF INCORPORATION

JAMES W. LICKE  
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In the Matter of the Incorporation    )  
  )  
                              of    )  
  )  
KILAUEA POINT NATURAL HISTORY        )  
ASSOCIATION                                 )  
-----  )

CHARTER OF INCORPORATION

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, the undersigned Director of Commerce and Consumer Affairs of the State of Hawaii, send Greeting:

WHEREAS, RYAN JIMENEZ, JANE F. SILVA and HERMAN TEXEIRA, a majority of whom are residents of the State of Hawaii, have filed with me as Director of Commerce and Consumer Affairs a verified petition to grant to them and their associates a charter of incorporation as a non-profit corporation, in accordance with the provisions of Section 416-19, Hawaii Revised Statutes;

NOW, THEREFORE, KNOW YE that I, the said Director, in the exercise and execution of every power and authority in anywise enabling me in this behalf, do hereby constitute the said petitioners and their associates a corporation under the laws of the State of Hawaii for the purposes and in the form hereinafter set forth.

I.

The name of the corporation shall be KILAUEA POINT NATURAL HISTORY ASSOCIATION.

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II.

The initial location of the principal office of the corporation shall be: Kilauea Lighthouse Quarters #1, Kilauea, Hawaii 96754.

III.

The corporation shall be organized for the following purposes:

(1) To promote scientific, educational, historical and interpretive activities of the United States Fish and Wildlife Service.

(2) To promote programs of research in the areas administered by the United States Fish and Wildlife Service and to further the aims of the interpretive programs in said areas.

(3) To assist in the gathering and preservation of scientific information and of objects and documents important to said areas.

(4) To assist in the development and maintenance of libraries and museums in said areas.

(5) To assist the United States Fish and Wildlife Service in the acquisition of non-Federal lands within said areas.

(6) To publish and distribute information, including but not limited to technical bulletins, guides, and illustrated interpretive books, dealing with or relating to the Hawaiian Islands and its environment, and also popular booklets, folders, brochures, descriptive of natural history features, historical

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structures and/or facilities provided by the Fish and Wildlife Service for the benefit and enjoyment of the general public.

(7) To purchase and resell Government and private publications dealing with Hawaiian Natural History; the production, purchase, if necessary, and sale of materials pertaining to natural features and/or historical features relating to Kilauea Point and the Hawaiian environment.

(8) To assist in National Fish and Wildlife Service in the development of the Kilauea Point Interpretative Center for the education of the general public and relevant to the above-stated purposes.

(9) To assist in National Fish and Wildlife Service in obtaining photographs, slides and other materials for the purpose of explaining and interpreting facts relating to natural science and history pertaining to the Hawaiian Islands, for the education of the general public.

#### IV.

The duration of the corporation shall be perpetual.

#### V.

The affairs of this corporation shall be conducted by a Board of Directors of not less than seven (7) directors, who shall elect from its members a President, a Vice President, an Executive Secretary and a Treasurer. One person may hold more than one such office. Additionally, a representative of the United States Fish and Wildlife Service may be a member the Board of Directors as an Ex Officio-non voting director. Despite anything to the contrary contained herein, DANIEL MORIATY,

of the said Service, hereby is appointed as such Ex Officio-non voting member with a term of one (1) year from the date of incorporation or such earlier time as he may be replaced in accordance with the By-Laws.

VI.

The following persons shall be the initial officers and directors, and shall hold office until their successors are duly elected pursuant to the By-Laws of the corporation:

<u>OFFICE HELD</u>	<u>NAME</u>	<u>RESIDENCE ADDRESS</u>
President/Director	David Kawate	3437 Hailima Road Lawai, Hawaii 96756
Vice President/ Executive Secretary/ Director	Julia Neal	1026 Menehune Place Waimea, Hawaii 96796
Treasurer/Director	Herman Texeira	5093 Hekili Street Kapaa, Hawaii 96746
Director	Barbara Steenhof	5079 Kapiolani Loop Princeville, Hawaii 96714
Director	Nick Beck	5-5211-E Kuhio Highway Hanalei, Hawaii 96714
Director	Nicholas Bahouth	Sheraton Kauai, Hoonani Rd. Poipu, Hawaii 96756
Director	Ryan Jimenez	3314 Eono Street Lihue, Hawaii 96766
Ex Officio Director (non voting member)	Daniel Moriaty	Kilauea Lighthouse Quarters # Kilauea, Hawaii 96754

VII.

The corporation shall have only such powers as provided for by law necessary to accomplish its stated purposes including but not limited to the following:



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(1) To acquire material and equipment suitable for use in the research and interpretive programs of the Kilauea Point Natural History Association and any other areas whose theme is World War II in the Pacific to be administered by the National Park Service; to purchase books for the libraries at said areas, and otherwise to aid the interpretive programs at said areas;

(2) To purchase, handle and sell such government and private publications, illustrative materials, goods and merchandise as have been approved for sale at said areas by the Superintendents thereof;

(3) To sponsor, prepare, publish and sell books, pamphlets, folders, maps or otherwise printed material;

(4) To purchase, take on, lease, exchange or otherwise acquire any lands, buildings and property, real or personal, which may be requisite for the purpose of, or conveniently used in connection with any of the purposes of the corporation, and to sell, demise, mortgage, give in exchange or dispose of the same;

(5) To invest and deal with the moneys of the corporation, not immediately required, in such securities and in such manner as may from time to time be determined;

(6) To borrow, raise and give security for money by the issue of promissory notes or other obligations or by the mortgage of all or any part of the property by the corporation;

(7) To acquire and receive charitable contributions

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consisting of cash, securities, other properties or services;

(8) To expend any of the moneys or properties of the corporation, whether they be capital investments or income from the same, for the purposes of the corporation;

(9) To accept, hold and disburse funds received by donation or other means for the purposes of the Association, as stated above in this Charter, which purposes shall be strictly limited to scientific and educational purposes as defined in Section 501(c)(3) of the Internal Revenue Code.

(10) To enter an agreement with the Secretary of Interior, or the Secretary of Commerce or such other office or agency of the United States as may appropriate, pursuant to the terms of Article 16, United States Code, regarding cooperative research and training programs for fish and wild life resources.

(11) To do and perform all such acts and things and to carry on all such business as shall be proper, necessary or convenient for the furtherance of the object and purposes aforesaid.

#### VIII.

The authorized number and qualifications of the members of the corporation, status of its property, member voting rights, privileges and liabilities shall be set forth in the By-Laws.

#### IX.

The private property of members, officers, and directors of this nonprofit corporation shall be forever

exempt from its corporate debts and obligations as provided by law.

X.

The corporation is organized exclusively for charitable, scientific and educational purposes, as set out in Internal Revenue Code, Section 501(c)(3). Upon dissolution, of any organizations or organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future Federal tax code, or shall be distributed to the Federal government or to a state or local government, for a public purpose. The corporation is not organized for profit and it will not issue any stock; no part of its assets, income, or earnings shall be distributed to its members, directors, or officers, except for services actually rendered to the corporation.

XI.

Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation contributions to which are deductible under Section 107(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

IN WITNESS WHEREOF, I have hereunto set my hand  
and seal of the Department of Commerce and Consumer Affairs,  
at Honolulu, Hawaii, this 28<sup>th</sup> day of November, 1983.

*Mary G. Patterson*

Director of Commerce and Consumer  
Affairs

By *Kund H. Gardner*