

MUSCOGEE (CREEK) NATION NOT FOR PROFIT CORPORATION

PROCEDURES FOR COMPLETING THE CERTIFICATE OF INCORPORATION

This information is intended to aid in the completion of forms to organize a not for profit corporation pursuant to the provisions of the Muscogee (Creek) Nation General Corporation Act. (Title 3, Section 1001). **PLEASE CONSULT THE STATUTES CAREFULLY.**

It may be to your benefit to contact the INTERNAL REVENUE SERVICE concerning federal tax requirements, and the MUSCOGEE (CREEK) NATION TAX COMMISSION concerning tribal tax requirements prior to filing with the Secretary of the Nation.

The availability of the proposed name may be checked in advance by telephoning the Secretary of the Nation at **(918)-732-7615**. **PRIOR** to filing the certificate of limited partnership, a name may be reserved for a period of sixty (60) days by filing a name reservation application and paying a fee of \$10.00.

PROCEDURES:

1. **NAME** - The name of the corporation **MUST** contain one of the following words or abbreviations: association, company, corporation, club, foundation, fund, incorporated, institute, society, union, syndicate, limited, co., corp., ltd., or words or abbreviations of like import in other languages provided that such abbreviations are written in Roman characters or letters.
2. **REGISTERED AGENT AND REGISTERED OFFICE** - Every corporation must maintain a registered office and a registered agent. The agent may be either the corporation itself, an individual resident of this Nation, a domestic or qualified foreign corporation, limited liability company, or limited partnership. Each registered agent shall maintain a business office identical with the registered office which is open during regular business hours to accept service of process and otherwise perform the functions of a registered agent. The registered office address must be a physical address and cannot be a post office address. (Title 3, Sections 1021, and 1022).
3. **LOCATION OF CHURCH** - The address of the church must be a street address and cannot be a post office box address. Rural routes and box numbers are acceptable.
4. **DURATION** - The duration of the corporation is the life span of the corporation. Perpetual means continuous. All domestic corporations shall have a perpetual duration unless otherwise stated.
5. **PURPOSE** - The purpose of the corporation is the type of business the corporation intends to conduct. It shall be sufficient to state, either alone or with other purposes, that the purpose of the corporation is "to engage in any lawful act or activity for which corporations may be organized under the general corporation law of the Muscogee (Creek) Nation", and by such statement all lawful acts and activities shall be within the purposes of the corporation, except for express limitations, if any.
6. and 7. This language is required to be stated within the certificate of incorporation. These statements do not require an answer when completing the forms.
8. **NUMBER OF TRUSTEES/DIRECTORS** - The number of trustees or directors to be elected at the first meeting of the corporation.
9. **TRUSTEES/DIRECTORS** - The name and mailing address of each trustee or director is required. A minimum of one trustee or director is required.
10. **INCORPORATORS** - A minimum of **THREE** incorporators is required to form a not for profit corporation.

Any person, partnership, association, or corporation singly or jointly with others, and without regard to his or their residence, domicile or state of incorporations, may incorporate or organize a corporation pursuant to the provisions of the Muscogee (Creek) Nation General Corporation Act. The incorporators are the original signers of the certificate of incorporation. The incorporators are not necessarily officers, directors, or shareholders, although it does not exclude them from being such.