



**NORTH DAKOTA BUSINESS
OR FARMING CORPORATION
ARTICLES OF INCORPORATION**
SECRETARY OF STATE
SFN 16812 (07-2008)

FOR OFFICE USE ONLY

ID Number:	
WO Number:	
Filed:	By:

FILING FEE: \$100.00

ATTACHMENT: Initial Report for Farming or Ranching is required of corporations engaged in farming or ranching.

TYPE OR PRINT LEGIBLY

SEE REVERSE SIDE FOR FEES, FILING AND MAILING INSTRUCTIONS.

The undersigned natural persons of the age of eighteen years or more, acting as incorporators, adopt the following Articles of Incorporation according to:

- (check one) North Dakota Business Corporation Act (North Dakota Century Code, Chapter 10-19.1)
 North Dakota Corporate or Limited Liability Company Farming Act (North Dakota Century Code, Chapter 10-06.1)

Article 1. Name of Corporation

Article 2.A. Name of commercial registered agent in North Dakota **OR** **2.B.** Name of noncommercial registered agent in North Dakota

2.C. Address of noncommercial registered agent in North Dakota: (Street/RR, PO Box, City, State, Zip+4) **May not be only a post office box.**

Article 3. The corporation shall be effective
 (check one) When filed with the Secretary of State
 Later on _____
 (month, day, year)

Article 4. Purposes for which the Corporation is organized are general business purposes, **OR**

Article 5.A. Aggregate number of shares the corporation has authority to issue	B. Par value per share authorized by corporation
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C. If shares are divided into classes, they are classified as follows

Class	# of Shares	Par Value per share

Article 6. Other provisions elected for inclusion

Article 7. The name and address of each incorporator

NAME	Street/RR	COMPLETE MAILING ADDRESS			
		PO Box	City	State	Zip+4

"The above named incorporators, have read the foregoing Articles of Incorporation, know the contents, and believe the statements made therein to be true. I further authorize the Secretary of State to correct Articles 2A or 2B if not correctly reflected."

Signature	Date
Signature	Date
Name of person to contact about this document	E-Mail Address
Daytime telephone # and extension, if any	

NORTH DAKOTA BUSINESS OR FARMING CORPORATION ARTICLES OF INCORPORATION

North Dakota Century Code, Chapter 10-19.1 allows the formation of a business corporation. North Dakota Century Code, Chapter 10-06.1 allows the formation of a farm corporation. A corporation is established when articles of incorporation are filed with the Secretary of State or at a later date as specified in the Articles of Incorporation.

FILING FEES: \$100.00. If the corporation selects a corporate name that is the same as or deceptively similar to the name of another organization name registered with the Secretary of State, an additional \$10 is required for filing each consent to use of name. (Checks must be payable to "Secretary of State" and must be for U.S. negotiable funds. Payment may also be made by credit card using VISA, Master Card, or Discover.)

ATTACHMENTS: Articles of Incorporation of a farm corporation must be accompanied by the **Initial Report for Farming or Ranching**. For a form, contact the Secretary of State's Office.

The sentence immediately above article 1 is declaring the incorporators as being eighteen years of age. Check the box of the North Dakota Century Code to designate governance. A business corporation must check the box preceding "North Dakota Business Corporation". A farm corporation must check the box preceding "North Dakota Corporate or Limited Liability Company Farming Act". If neither box is checked, and the name or purpose do not indicate otherwise, a business corporation will be effected.

The following article numbers correspond to the numbered sections on the front of this form.

ARTICLE 1. Provide the corporate name. The name must be in the English language or in any other language expressed in English letters or characters. The name must include the word "company", "corporation", "incorporated", "limited", or an abbreviation of one of these.

The name may not be the same as, or deceptively similar to, any other corporate name, limited liability company name, trade name, limited partnership name, limited liability limited partnership name, or a name that is in any manner reserved with the Secretary of State.

The name may not include such words as "bank", "banker", "banking", "trust", or "trust company", or any other word or words of like import unless the articles are supported by a written approval for the use from the North Dakota Department of Financial Institutions. These words are preserved by North Dakota law for use by the Bank of North Dakota, state and national banks, and trust companies. Contact Information:

ND Dept. of Financial Institutions
2000 Schafer St Ste G
Bismarck ND 58501-1204
Phone: (701) 328-9933
Email: dfi@nd.gov

Filing of the articles of incorporation with the Secretary of State provides protection of the corporate name in North Dakota. However; if a mark is registered with the Patent and Trademark Office in Washington, D.C., the federal registration may supersede the protection afforded by state law.

ARTICLE 2. A corporation must continuously maintain a commercial or noncommercial registered agent and address in North Dakota. A corporation cannot serve itself as its registered agent.

A commercial registered agent must be registered as a commercial registered agent with the North Dakota Secretary of State. The appointed agent can verify their status as a commercial registered agent from their acknowledged filing and from the list of commercial registered agents maintained on the Secretary of State's website at www.nd.gov/sos.

A noncommercial registered agent may be one of the following:

- a) An individual residing in North Dakota,
- b) A domestic or foreign corporation, or
- c) A domestic or foreign limited liability company.

A corporation or limited liability company appointed as a noncommercial registered agent must be registered with the Secretary of State, be in good standing, and have a business address in North Dakota. If a corporation or limited liability company is named as a noncommercial registered agent, provide the "correct" name of the organization.

Seek the approval of the party before naming them as the commercial or noncommercial registered agent. Proof of the approval is not required to be filed with the Secretary of State.

ARTICLE 2.A. If a commercial registered agent is being appointed, provide the correct name as registered with the North Dakota Secretary of State. If the name in Article 2. A. is not the same as registered by the commercial registered agent, the name will be corrected by the Secretary of State when the document is received.

OR

ARTICLE 2.B. If a noncommercial registered agent is being appointed, provide the correct name. If another corporation or limited liability company is appointed as registered agent and the name of that organization in Article 2. B. is not the same as registered, the name will be corrected by the Secretary of State when the document is received.

ARTICLE 2.C. If a noncommercial registered agent is being appointed, provide the complete address which may not be only a post office box. **Leave this line blank if a commercial registered agent is appointed.**

ARTICLE 3. Check the box for the desired effective date. Articles of incorporation may be effective at the time the certificate of incorporation is issued by the Secretary of State or within 90 days after the certificate is issued. If a later date is specified, include the month, day, and year. If neither box is checked, the articles of incorporation will be effective when the Secretary of State issues the certificate of incorporation.

ARTICLE 4. Provide the purpose of the corporation. A corporation may incorporate for any lawful purpose. The Secretary of State will accept articles of incorporation with "any lawful purpose" unless the name or any other aspect of the articles indicates a purpose that may be questionable. A business corporation may not engage in banking, farming, ranching, or insurance. A business corporation may be an insurance agency selling or servicing insurance products but may not be the insurer that backs claims.

If a corporation has chosen a very general corporate name and availability cannot be determined on the basis of the name alone, a corporation may be asked to consider addition of specific purposes to facilitate the name availability process.

(continued)

