

**RESOLUTION NO. R-04-62**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING CERTAIN TANGIBLE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DONATION THEREOF PURSUANT TO SECTION 274.05, FLORIDA STATUTES.**

WHEREAS, §274.05, Florida Statutes, provides that the County may classify as surplus any of its property that is obsolete or the continued use of which is uneconomical or inefficient or which serves no useful function; and

WHEREAS, §274.05, Florida Statutes, provides that the Board of County Commissioners, within the reasonable exercise of its discretion and having consideration of the best interest of the County, the condition of the property to be classified as surplus, and the probability of such property being desired by a donee to whom offered, may offer the property for donation to other governmental units as defined in §274.01(1), Florida Statutes, or to a private non-profit agency as defined in §273.01(3), Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:**

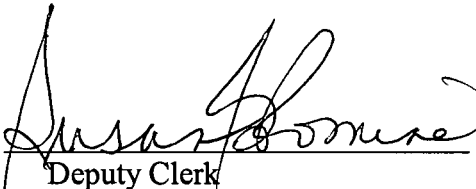
1. The tangible personal property described in Exhibit A (hereinafter the "Property") is hereby classified as surplus property pursuant to §274.05, Florida Statutes.
2. It is in the best interest of the County, considering the condition of the Property and the request of Manatee Citizens for Off Leash Areas, Inc., (hereinafter the "Donee") as provided in Exhibit B, to offer the Property to the Donee.
3. The Property is without commercial value except as shown on Exhibit A, and the Donee has had the opportunity to inspect the Property and is familiar with the condition of the Property.
4. The donation of the Property to the Donee is hereby authorized.
5. The Clerk of the Board of County Commissioners is hereby authorized to execute any and all documents necessary to complete the transfer of the Property.

ADOPTED with a quorum present and voting this 9<sup>th</sup> day of March, 2004.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

By:   
Deputy Clerk



**EXHIBIT "A"**

Report #: SS3007A

ASSET #	DESCRIPTION	AGENCY TRANSFERRED TO
A2754	ALUMINUM BUS WHEELS	MANATEE CITIZENS FOR OFF LEASH AREAS, INC.

Manatee Citizens For Off Leash Areas, Inc.  
5102 30 Street West  
Bradenton, Florida 34207

January 3, 2004

Mr. R. C. "Rob" Cuthbert, C.P.M.  
Manatee County Central Stores  
2908 12th Street Court East  
Bradenton, Florida 34208

Dear Mr. Cuthbert:

Please consider our request again for the donation of surplus bus wheels. The funds raised benefit Manatee County's homeless shelter pets.

We are recognized as a non-profit organization by IRS and have again supplied a copy of our 501 ( c ) 3 letter.

Thank you for your consideration regarding this donation. We appreciate the time and effort involved in this donation and will promptly remove the items when notified of the approval.

Sincerely,



Laurie Crawford  
Director

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **FEB 19 2002**

MCOLA MANATEE CITIZENS FOR OFF  
LEASH AREAS INC  
5102 30TH ST W  
BRADENTON, FL 34207

Employer Identification Number:  
59-3591574  
DLN:  
17053234028021  
Contact Person:  
GIL STOREY ID# 52603  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Form 990 Required:  
Yes  
Addendum Applies:  
No

*May 15th*

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c) (3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a) (2).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a) (2) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the

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## MCOLA MANATEE CITIZENS FOR OPP

part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(2) organization.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is not filed by the due date. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so be sure your return is complete before you file it.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by posting the documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

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MCOLA MANATEE CITIZENS FOR OFF

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

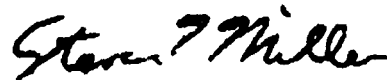
You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Steven T. Miller  
Director, Exempt Organizations