



DONOR ADVISED FUND AGREEMENT

This Donor Advised Fund Agreement (“Agreement”) is entered into by and between _____ (“Donor”) and the St. Louis Community Foundation, Inc., a Missouri nonprofit corporation (“Community Foundation”) to establish a donor advised fund (“Fund”), subject to the terms and conditions of this Agreement

Fund Name

e.g., Jones Family Fund or Acorn Charitable Foundation

Contact Information

Role:

- Donor/Fund Advisor (“Fund Advisor”):** Individual has full advisory privileges over a fund, including grant recommendations, investment recommendations, naming of successor advisors and other fund administration advisory privileges.

Name Mr. Ms. Mrs. Dr.

Preferred Mailing Address Home Business

City State Zip

Preferred Phone

Preferred Email Address

Company Name - if applicable

Title - if applicable

Date of Birth

Role: *(Check which applies.)*

- Donor/Fund Advisor**
- Fund Representative:** Individual has access to fund information but no advisory privileges.

Name Mr. Ms. Mrs. Dr.

Preferred Mailing Address Home Business

City State Zip

Preferred Phone

Preferred Email Address

Company Name - if applicable

Title - if applicable

Date of Birth

Contact person for the Fund: _____

DONOR ADVISED FUND AGREEMENT

Successor Fund Advisors :Fund Advisors may create a succession plan for your fund by appointing successor fund advisors. Please note that you are not required to appoint successor fund advisors. Your fund will terminate at such time as there are no fund advisors (original or successors) who are able and willing to act as fund advisors. At that point, your Charitable Legacy Plan (which you will complete on the following page) will become applicable.

Successor fund advisors assume the right to advise your fund if the fund advisor who appointed the successor shall be unwilling or unable to do so (for example, by reason of death, incapacity or resignation).

(Select one)

- I wish to name the following successor fund advisor(s).
- I do not wish to name any successor fund advisor(s).

Please refer to the Terms & Conditions for additional information.

Successor Advisor Information

Name Mr. Ms. Mrs. Dr.

Preferred Mailing Address Home Business

City State Zip

Preferred Phone

Preferred Email Address

Relationship to Fund Advisor

Date of Birth

Successor Advisor Information

Name Mr. Ms. Mrs. Dr.

Preferred Mailing Address Home Business

City State Zip

Preferred Phone

Preferred Email Address

Relationship to Fund Advisor

Date of Birth

Primary contact person for successor advisors: _____

Successor Advisor Information

Name Mr. Ms. Mrs. Dr.

Preferred Mailing Address Home Business

City State Zip

Preferred Phone

Preferred Email Address

Relationship to Fund Advisor

Date of Birth

Successor Advisor Information

Name Mr. Ms. Mrs. Dr.

Preferred Mailing Address Home Business

City State Zip

Preferred Phone

Preferred Email Address

Relationship to Fund Advisor

Date of Birth

DONOR ADVISED FUND AGREEMENT

RECOMMENDED CHARITABLE LEGACY ALLOCATION- EXTEND YOUR GIVING BEYOND YOUR LIFETIME

Your fund will continue until there are no fund advisors (original and successor fund advisors) able and willing to act with respect to your fund or it becomes Inactive (see Terms & Conditions). At that point, your fund will be administered pursuant to the Charitable Legacy Plan you selected below. If you do not complete this section, your fund will be added to the Community Endowment Fund upon its termination. Please refer to the Charitable Legacy Program information on the following page for a more detailed description of each charitable option.

Distributions Options (Select one)

- Permanent** Distributions for ongoing forever support to the charitable organization(s) you recommend below

- Term of Years: _____ Years** Distribute balance of Fund for a period of years to the following charitable organization(s) you recommend below - (minimum of 5 years)

- Outright** Distribute the balance of Fund outright to the following charitable organization(s) you recommend below

Charitable Organization (Select all that apply)

- Designated Organizations** _____ %
 List your recommended charitable organization(s) & the percentage (%) of your Fund each shall receive
 _____ Organization Name, City & State
 _____ %
 _____ Organization Name, City & State
 _____ %
 _____ Organization Name, City & State
 _____ %
 _____ Organization Name, City & State
 _____ %

- Field of Interest** _____ %
 Describe your field(s) of interest & the percentage (%) of your Fund each shall receive.
 _____ %
 _____ %
 _____ %

- Community Endowment Fund** _____ %
 By recommending the Community Endowment Fund you are supporting the St. Louis region forever.

Allocation for all selected options must total 100% _____ %

DONOR ADVISED FUND AGREEMENT

RECOMMENDED CHARITABLE LEGACY PROGRAM

The Charitable Legacy Program is designed to meet your philanthropic goals and give you flexibility.

Permanent: A permanent fund may be created to support your favorite charitable organizations or the fields of interest you care deeply about. It is a forever charitable vehicle for our region that grows to provide a much needed and ongoing charitable resource. The Community Foundation's annual spending policy for permanent fund applies (typically 3.5% to 5%); the Community Foundation's board of directors sets and monitors a required annual distribution rate that is calculated as a percentage of fund assets. At present, this rate is based on 16 trailing quarter balances and is subject to change, based on community needs, investment performance, and the long-term preservation of permanent funds' principal. A permanent fund must be invested for a minimum of 12 months before the fund's initial annual distribution rate can be calculated.

Term of Years: This option allows you to continue to support your favorite charitable organizations or fields of interest for the number of years you select. The entire fund balance is available for grantmaking, with the Community Foundation distributing a percentage (%) annually, until the balance of the Fund has been distributed. The annual payout will be distributed in or near the first quarter of the calendar year and will be determined by the Community Foundation, based on the projected term of years payout.

Outright: This option is designed for your Fund to be distributed to directly to your favorite charitable organizations or fields of interest. The Fund's remaining balance, net any outstanding fees and obligations, shall be distributed as percentage shares of the Fund as you indicated on the Charitable Legacy Program.

Field of Interest: These types of funds allow you to support a specific area of interest that you care deeply about. You identify the area of charitable interest as broad or narrow as you choose – whether it's fostering the arts, providing support to underprivileged families, preserving the environment, investing in community development, giving to a specified geographical area, or any other worthwhile cause. The Community Foundation evaluates organizations that do the best work in the interest area, and then makes grants to the organizations that best fit your interest. This fund may be ideal for those who wish to rely on the Community Foundation's expertise to make grants in their designated area of interest, as they need only to select their field of interest and the Community Foundation takes care of the rest. This fund is an excellent option for donors who wish to leave a legacy through an estate gift or bequest.

Designated Funds: These type of funds enable you to choose or to continue supporting one or more specific charitable organizations to support. The Community Foundation will make grants only to the organizations you have chosen. Should the organization cease to exist or dramatically change, the Community Foundation will direct your grants to one or more organizations that most closely honor your intent. This fund is also an excellent option for donors who wish to leave a legacy through an estate gift or bequest.

Community Endowment Fund: This is a permanent charitable resource that grows through your support and provides invaluable funding to local nonprofit organizations. When you give to the Endowment Fund you are helping to meet the needs of our community today and for years to come. It provides you with a simple and efficient giving mechanism to focus your gifts on the high-priority needs of the St. Louis region, as identified by the Community Foundation expert professionals.

Please contact Christine Burghoff, Director of Giving Strategies, 314.880.4967 or cburghoff@stlgives.org or Donna Frederick, Giving Strategist, 314.880.4958 or dfrederick@stlgives.org if you have questions or for more information.

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Professional Advisor

This is my professional advisor. I would like him/her to be a: (Select one)

- Fund Representative:** Individual has access to my fund information (including fund statements) but no advisory privileges.
- Professional Advisor:** Individual has access to my fund information and may make grant recommendations.
- Neither of the Above**

Contact Information

Name

Company

Address

City

State

Zip

Phone

Email *(required for fund access)*

Fund Creation

Initial gift to establish a fund: \$ _____

Type of Gift: (Select One)

- Check made payable to St. Louis Community Foundation
- Publicly Traded Securities
- Privately Held Securities*
- Restricted Securities*
- Wire*
- Other* Please describe the gift *(credit card, personal property, real estate, testamentary)*:

**Additional information will be required prior to the acceptance of any gift of this type. Please contact Dwight Canning, CFO, at 314.880.4969 or dcanning@stlgives.org.*

Investment Options - Recommended Investment Allocation

Please refer to the following pages regarding investment pool information and allocation. (Select One)

- I have completed the Recommended Investment Allocation Form.
- I would like to request a customized investment allocation and have completed the form. *(For funds greater than \$150,000 or an approved investment advised pool)*

DONOR ADVISED FUND AGREEMENT

RECOMMENDED INVESTMENT ALLOCATION

Please refer to the following Investment Options information sheet for a more detailed description of each investment pool, then indicate your recommended investment allocation below. If a portfolio option is not indicated, the Community Foundation will allocate 100% of contributions to the Money Market pool.

Based on the charitable goals of my fund, it is my recommendation that my fund shall initially be allocated to one of the following five investment pools.

- | | |
|--|--|
| <input type="checkbox"/> Long-Term Growth | Typically for funds that will be invested seven or more years
Diversified portfolio of global stocks and bonds
Generally 75% equity and 25% fixed income |
| <input type="checkbox"/> Social Responsibility | Typically for funds that will be invested seven or more years
Diversified portfolio of global stocks, bonds, and mutual funds with strong financial and social records
Generally 75% equity and 25% fixed income |
| <input type="checkbox"/> Balanced | Typically for funds that will be invested three to seven years
Balanced portfolio of global stocks and bonds
Generally 50% equity and 50% fixed income |
| <input type="checkbox"/> Wealth Preservation | Typically for funds that will be distributed in one to five years
Diversified portfolio of global stocks and bonds
Generally 25% equity and 75% fixed income |
| <input type="checkbox"/> Money Market | Typically for funds that will be distributed in one year or less, or funds with minimal risk of loss of principal |

Future contributions will be invested at the direction of the Community Foundation using one of the investment pools described above. Recommendations for changes to investment allocations can be submitted to the Community Foundation at any time. Reallocations often (but not always) occur on the first business day of the following month.

Historical returns are net of fees over the referenced time horizon. Actual returns will fluctuate and may be negative from year to year. Estimated expenses are subject to change and include investment management, consulting, administration, and custody.

Please contact the Dwight Canning, CFO, at 314.880.4969 or dcanning@stlgives.org if you have questions or need additional information relating to investments.

DONOR ADVISED FUND AGREEMENT

INVESTMENT POOL OPTIONS

The available investment pools are designed to meet a range of philanthropic goals and time horizons. Each of the available investment pools have been constructed by third-party investment managers. The Community Foundation's substantial assets give it access to many world-class investment managers and alternative investment strategies that often are available only to large institutional investors. Investments are monitored regularly by the Community Foundation.

As a fund advisor, you may recommend that the assets of the fund be allocated to one of the following investment pools, and you may recommend changes to the investment allocation at any time.



A small portion of each pool may be held in cash at all times to provide liquidity for grant distributions. Investment expenses are in addition to an administrative support fee charged by the Community Foundation. The investment return and principal value will fluctuate such that investments, when redeemed for grantmaking, may be worth more or less than their original cost.

Please contact Dwight Canning, CFO, at 314.880.4969 or dcanning@stlgives.org for additional information regarding investment options or historical performance.

DONOR ADVISED FUND AGREEMENT CUSTOMIZED INVESTMENT ALLOCATION RECOMMENDATION

For funds greater than \$150,000 or held in an approved investment advised pool.

Upon request, the Community Foundation may engage an investment advisor.

The Fund Advisor agrees to the criteria the Community Foundation uses to approve the hiring of an investment advisor.

- Fund Size.** The fund or combination of funds consolidated for investment purposes must be of sufficient size to enable diversification in accordance with the Community Foundation investment policy, to ensure efficiency in management, and to minimize management expenses. Generally, a fund or a combination of funds consolidated for investment purposes in excess of \$150,000 is considered for management outside the Community Foundation's primary investment pools.
- Established Firm.** The investment advisor must be a firm or a person affiliated with a firm with sufficient capitalization, insurance, and assets under management, management oversight, and experience to demonstrate its capability to serve as an investment advisor.
- Private Benefit to the Donor.** All relationships (personal and professional) between the donor and the donor's extended family with the investment advisor and/or the advisor's firm must be disclosed for evaluation regarding compliance with federal tax law rules addressing private benefit and/or any other applicable federal or state law.
- Asset Allocation and Portfolio Management.** The investment advisor and/or the advisor's firm must have experience overseeing the investment of assets in various asset classes and investment styles. The donor's advisor shall provide the following information regarding proposed investment approaches:
 - Description of investment philosophy and strategies
 - Description of investment styles
 - Investment performance statistics over one-, three-, five-, and ten-year time horizons, with comparable benchmarks
 - Identification of the individual making investment decisions
 - Primary sources of investment research information
- Reporting.** The investment advisor and/or the advisor's firm must provide to the Community Foundation monthly account statements and provide account information to consultants engaged by the Community Foundation to monitor investment performance.
- Fees.** All investment advisory and/or investment management fees must be disclosed, and the investment advisor and/or the advisor's firm must offer fair market, competitive pricing.

Based on the charitable goals of the fund, it is my recommendation that the Community Foundation engage:

Investment Advisor's Name & Company

Mailing Address

City

State

Zip

Phone

Email

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Referral Information – (if applicable)

Referred to Community Foundation by

Name

Relationship

Planned Gifts

- I have included my Fund in my estate plans.
- I would like more information on how to include my Fund in my estate plans.

Acknowledgement & Signatures

I acknowledge that I have read the Terms & Conditions and the Support Fees and Minimums and agree to all of the terms, fees, and conditions described therein. I understand and agree that any contribution, once accepted by the Community Foundation, represents an irrevocable contribution, and this gift is not refundable to me. I understand and agree that all gifts are subject to all of the provisions of the governing documents of the Community Foundation, as may be amended from time to time without notice to me.

I hereby certify, to the best of my knowledge, all information presented in connection with this form is accurate, and I will notify the Community Foundation promptly of any changes.

Donor/Fund Advisor Signature

Print Name

Date

Donor/Fund Advisor Signature

Print Name

Date

ST. LOUIS COMMUNITY FOUNDATION

Amelia A. J. Bond, President and CEO

Date

Please sign and return this form by mail to

St. Louis Community Foundation
Attention: Giving Strategies
#2 Oak Knoll Park
St. Louis MO 63105

Or by email to

givingstrategies@stlgives.org
cburghoff@stlgives.org
dfrederick@stlgives.org

Questions? Contact Christine Burghoff ~ 314.880-4967 or Donna Frederick ~314 880-4958

TERMS & CONDITIONS

Tax Treatment of Donor Contributions

Funds established at the St. Louis Community Foundation Inc., a Missouri nonprofit corporation (“Community Foundation”) are component funds of the Community Foundation. Contributions other than cash or marketable securities must first be approved by the Community Foundation. Contributions to the Community Foundation generally are tax-deductible, subject to applicable tax rules and limitations. The Community Foundation does not provide tax or legal advice. We recommend that you consult a qualified tax professional (such as an experienced accountant or tax attorney) if you have questions about the tax or other treatment of a gift to the Community Foundation.

Community Foundation’s Retained Powers

As required by law, all gifts to the Community Foundation are irrevocable, and the Community Foundation will have full legal control and responsibility for the gifted assets. No gift to the Community Foundation is conditioned upon the donor thereof receiving any particular tax treatment with respect to such gift. Any restrictions or conditions to which the Community Foundation and the donor have agreed regarding the gifted assets are subject to modification by the Community Foundation under its governing documents or the terms of the particular fund agreement. For example, the restriction on a gift may be modified if the Community Foundation determines, in its sole discretion, that the restriction or condition is unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community served, or needs to be modified for other appropriate reasons. For another example, if a specific charitable organization named as part of your Charitable Legacy Plan, or a successor to such organization, ceased to be an organization which is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), or if such successor organizations substantially cease to carry on the present activities of the named organizations, the Community Foundation is authorized thereafter to make distributions to such publicly supported charitable organizations as will, in the opinion of the Community Foundation, substantially carry on the purposes of the named organizations or their successors. If there is no publicly supported charitable organization that will substantially carry on the purposes of the named organizations or their successors, the Community Foundation is authorized to make distributions from the Fund to meet the charitable needs of the St. Louis region.

Investment of Assets

In making a gift to the Community Foundation, donors give up all right, title, and interest to the assets contributed. Donors cannot choose investments, investment managers, or brokers after their gifts have been made. The Community Foundation will make all investment decisions regarding

gifted assets, with the exception of a recommended, customized investment approach as stated below. The Community Foundation has the right to make any or all investment decisions regarding gifts received. Fund advisors have advisory privileges with respect to fund investments. All assets contributed to funds will be managed in the Community Foundation’s investment pools, subject to certain approved exceptions. Changes to investment allocations among the Community Foundation’s investment pools can be recommended at any time, and any approved changes often (but not always) are implemented on the first business day of the following month. From time to time, the Community Foundation may invest a portion of fund assets in non-interest bearing cash, for liquidity or other purposes. All income and capital gains or losses will be allocated to the fund on a monthly basis.

A donor may recommend a customized investment approach through an outside investment advisor for funds carrying a significant balance. The Community Foundation must approve the recommended outside investment advisor and such advisor’s proposed investment strategy and underlying investments. Please contact the Community Foundation for further details on the customized investment option.

Fees and Minimums

Although there currently is no fee to open a fund at the Community Foundation, specific initial gift minimums must be met. Initial gift minimums vary by fund type. Once established, funds are expected to maintain a \$1,000 minimum balance. Please see the following page, Support Fees, for a list of costs. The Community Foundation reserves the right to change its support fees and/or minimum policies at any time and without prior notice to you.

Minimum Age for Fund Advisors

No individual shall be eligible to serve as a fund advisor unless such individual shall be at least the age of 18 years. If the fund advisor is a minor, the Community Foundation will hold the Fund until the minor attains the age of 18.

Successor Fund Advisors

If any individual entitled to serve as a fund advisor hereunder shall be unable or unwilling to do so, then such individual able and willing to serve and appointed in an unrevoked appointment in accordance with the following provisions to serve as successors or a successor to such individual shall become fund advisors or fund advisor in such individual’s place and stead. If there shall be no individual able and willing to serve so appointed as a successor fund advisor, the remaining fund advisors or fund advisor shall continue to act as such, or, if there shall be no such remaining fund advisors or fund advisor, the fund shall be distributed according to the Charitable Legacy Plan selected.

Any individual originally named as a fund advisor shall, while serving as such, possess all of the Fund Advisor Succession Powers. Any individual or individuals who shall at any time possess the Fund Advisor Succession Powers shall, by written notice delivered to the Community Foundation, have the right to:

- (i) appoint any individual as such persons or person shall select to serve immediately as an additional fund advisor or as successor fund advisor or successor fund advisors to such appointing person;
- (ii) designate that the individual or some or all of the individuals thereby appointed shall not have the power, while acting as a fund advisor, to exercise the Fund Advisor Succession Powers and, in the absence of such designation, such individuals or individual appointed shall possess such powers;
- (iii) revoke the appointment of a fund advisor appointed by such person who shall not yet have become a fund advisor; and
- (iv) remove any acting fund advisor appointed by such person.

If there shall be more than one individual who shall at any time be entitled to exercise any one of the Fund Advisor Succession Powers, such power shall be exercisable jointly by such individuals or by a majority of them, if there shall be more than two (2). A fund advisor may resign at any time by giving written notice of such resignation to the Community Foundation. Any individual or individuals who shall be serving as a fund advisor at a given time are herein sometimes referred to collectively as the “fund advisors” or individually as a “fund advisor.” If a fund is advised by more than one fund advisor, then, if a fund advisor shall be unable or unwilling to serve as such, the remaining fund advisors or fund advisor shall continue to act as such.

All requests to modify or appoint additional fund advisors and successor fund advisors to a fund must be communicated to the Community Foundation in writing. The Community Foundation reserves the right to require sufficient documentation to establish that a fund advisor is unable or unwilling to act as such. For example, it may request a death certificate, resignation letter, etc.

Multiple Fund Advisors

If more than two fund advisors are serving at the same time, then any recommendation shall be made by a majority of the fund advisors. If two fund advisors are serving at the same time, any recommendation may be made by either fund advisor. In the case of multiple fund advisors, the Community Foundation requests that one person be appointed the primary contact for purposes of relaying and obtaining information. The Community Foundation shall be entitled to rely on the primary contact without further inquiry. Notwithstanding, a donor may make a written request such that, in the case of multiple fund advisors, a majority of the fund advisors are not required, and any recommendations may be made by any fund advisor.

Fund Spending Policy

The Community Foundation recommends a minimum 5% annual distribution rate for all funds. For permanent funds, the Community Foundation’s board of directors sets and monitors a required annual distribution rate that is calculated as a percentage of fund assets. At present, this rate is based on 16 trailing quarter balances and is subject to change based on community needs, investment performance, and the long-term preservation of endowment funds’ principal. A permanent fund must be invested for a minimum of 12 months before the fund’s initial annual distribution rate can be calculated.

Grant Disbursement

Grants must be for charitable purposes, and grants may be recommended to any organization described in Code 501(c)(3) (except as otherwise provided herein) or verified charitable entity (e.g., schools, religious institutions, municipalities) located in the United States or any nongovernmental organization outside of the United States having a verifiable charitable purpose. All grants recommended outside of the United States must comply with federal government regulations which generally require that the grantee either must be verified as the equivalent of a public charity within the United States or the grant for a charitable purpose must be subject to a special process often referred to as expenditure responsibility. Additional rules and procedures will apply, and these may change at any time and without notice to you. Expenditure responsibility is required for any organization not described in Code Section 170(b)(1)(A), including for-profit companies, private operating foundations, and new public charities that do not have a determination letter from the Internal Revenue Service classifying it as an organization described in Code Section 501(c)(3) and disqualifying supporting organizations.

Grants given to all public charities within the United States should be for a minimum of \$250. Grants given outside the United States or requiring expenditure responsibility within the United States must be for a minimum of \$1,000 and will incur a separate administrative fee for each grant. Grant checks sent to organizations are accompanied by a Community Foundation letter specifying the name of the fund and the fund advisor’s name(s) unless requested otherwise by the fund advisor and as approved by the Community Foundation. The fund advisor’s address may also be included on all letters if requested by the fund advisor. Mail that the Community Foundation receives for the fund will not be forwarded. Approved grants are usually (but not always) sent within 10 working days of the recommendation being received, or the fund advisor will be notified as to the reason for delay. However, any fund submitting 20 or more grant recommendations at one time should allow up to two weeks for processing. Grants made from funds at the Community Foundation are issued on checks with the name and logo of the Community Foundation.

Payments from a Donor Advised Fund

Expense reimbursements, loans, compensation, or other

similar payments are not permitted from a donor advised fund to any donor, fund advisor, or related party.

Restrictions on Grants

No distribution shall be made from a donor advised fund if such distribution constitutes a taxable distribution within the meaning of Code Section 4966(c) and the regulations issued thereunder, which would subject a person to taxes under Code Section 4967 (or the regulations issued thereunder) by reason of providing a donor, fund advisor, and related parties, directly or indirectly, a more than incidental benefit as a result of such distribution, or which is inconsistent with the Community Foundation's status as a charitable organization described in Code Section 501(c)(3). For example, grants are not permitted to individuals, for non-charitable purposes, for political contributions, or to support political campaign activities, or for any purpose that would provide benefits, goods, or services to a donor of the fund, the fund advisors, or other related parties. A fund advisor is subject to IRS penalties if the fund's donors, fund advisors, or other related parties receive benefits, goods, or services in connection with a grant recommendation. This includes grants to satisfy pledges made by any person (including the donor, a fund advisor, and related parties), except in circumstances permitted by the IRS (see IRS Notice 2017-73) and non-deductible (or partially tax-deductible) memberships, event tickets, sponsorships, registration fees for tournaments, and cause-related marketing activities. Grants are not allowed to private non-operating foundations. Please contact the Community Foundation if you have questions about the exclusion of benefits from grant recommendations and/or multiple-year payments.

Fundraising Policy

On rare occasions, the Community Foundation may consider permitting a fund to raise money. All fundraising activities must be pre-approved by the Community Foundation. Fund advisors should allow 30 or more days for approval. Use of the Community Foundation's name on any fundraising material is expressly prohibited without prior written approval by the Community Foundation. The Community Foundation cannot reimburse the donor, fund advisor, or related parties for expenses related to fundraising activities. All contributions raised in support of the fund must be made payable to the St. Louis Community Foundation Inc. with the name of the fund in the memo line. The Community Foundation is not responsible for the success of fundraising (or for the expenses or liabilities incurred in connection with such fundraising) to benefit a fund at the Community Foundation.

Termination of a Fund

A fund shall terminate upon the first to occur of it becoming inactive (as described below) or if all fund advisors, whether originally named or appointed as successor fund advisors, shall be unable or unwilling to act as such.

A fund shall be deemed to be inactive if:

(a) no gifts have been received, nor grant recommendations

made, for a period of three years, and
(b) during such period, no individual named as a fund advisor, or successor fund advisor, shall reply to the Community Foundation's attempt to contact such individuals.

Conflict of Terms

In the event of an inconsistency between these terms and conditions and any terms and conditions appearing elsewhere in connection with any fund, unless specifically agreed to by the Community Foundation in writing, these terms and conditions shall govern, provided, however, that no agreement may conflict with the Community Foundation's governing documents, which shall govern and control in all instances and shall prevail over any other conflicting items. The Community Foundation reserves the right to take any actions at any time which, in its discretion, it deems reasonably necessary or desirable for the proper administration of any fund at the Community Foundation or to comply with applicable law.

DEFINITIONS

Donor/Fund Advisor: The original person(s) serving as a fund advisor with respect to a fund has full advisory privileges over the fund, including grant recommendations, recommendations regarding investments, naming or renaming the fund, and appointment of other fund advisors and successor fund advisors. This is the highest level of authority.

Professional Advisor: An individual named as a Professional Advisor with respect to a fund may have access to fund information and may make grant recommendations on behalf of the fund advisor, but no other advisory privileges. This is an intermediate level of authority.

Fund Representative: An individual named as a Fund Representative with respect to a fund will have access to fund information but no fund advisory privileges. This is the lowest level of authority.

Governing Documents: References herein to governing documents means the Articles of Incorporation and Bylaws of the St. Louis Community Foundation Inc., and such governing documents remain subject to change at any time without notice to you.

FREQUENTLY ASKED QUESTIONS

What is a donor advised fund?

A donor advised fund is not a separate legal entity like a trust or a corporation. It is a fund defined by the IRS that a sponsoring organization, like the Community Foundation, creates through a written agreement with a donor. The donor contributes assets to the Community Foundation, which agrees to treat those assets as a separate fund on its books, while the donor retains the privilege of recommending charitable grants from the fund and how the Community Foundation should invest the fund's assets.

Who owns the assets once the gift is made and the fund is opened?

The law requires the Community Foundation to make clear in the agreement, and to obtain the donor's written acknowledgement, that the assets in a donor advised fund are the property of the Community Foundation and that the Community Foundation has discretion and control over the use and investment of the donor advised fund's assets.

Why is discretion and control an issue?

In order for a donor to take advantage of the tax benefits that flow from a charitable gift, the gift has to be complete – that is, the donor has to part with control over the donated assets. The appearance of donor control could put the donor's tax-deduction in jeopardy. Therefore, fund advisors can only make non-binding recommendations about grants; they cannot control when and how the Community Foundation will make grants, they may not control decisions about which grantees will receive funding, and they may not control the investment of the assets of the fund.

What are the limits on donor benefits in connection with donor advised fund grants? Donors, fund advisors, and related parties (such as family members or business interests) may receive only "incidental" benefits from a grant or investment of a donor advised fund. If a donor, fund advisor, or related party receives more than an incidental benefit in connection with a donor advised grant, the IRS will assess a penalty of 125% of the amount of the improper benefit. The penalty may be assessed against either the person who recommended the grant or the person who received the benefit. (There is a separate penalty if a donor, fund advisor, or related party receives a direct benefit from the donor advised fund, such as compensation or an expense reimbursement.)

CHARITABLE SUPPORT FEES

The Community Foundation provides administrative, grantmaking, networking, nonprofit research, charitable advisory services, and strategic giving consulting to help donors pursue their charitable goals with the support fees assessed to the fund.

Support fees are quoted as a percentage of the fund's quarterly average invested net asset value. Support and investment management fees are deducted quarterly directly from the fund.

Investment management fees vary depending on the investment manager(s). There are no transaction fees and there are no markups on investment management fees. A pass-through fee of .025% is charged for monthly statement reconciliation services.

DONOR ADVISED FUNDS*:

Minimum Fee	\$500
First \$500,000	1.00%
Next \$500,000 (<i>up to \$1million</i>)	0.75%
Next \$1.5 million (<i>up to \$2.5 million</i>)	0.50%
Next \$12.5 million (<i>up to \$15 million</i>)	0.25%
Thereafter (<i>more than \$15million total</i>)	0.20%

**Fees for pass through donor advised fund grantmaking services will be charged upfront.*

DESIGNATED FUNDS:

Minimum Fee	\$500
First \$1 million	1.25%
Next \$2 million (<i>up to \$3 million total</i>)	1.00%
Next \$2 million (<i>up to \$5 million total</i>)	0.75%
Thereafter (<i>more than \$5million total</i>)	0.50%

FIELD OF INTEREST FUNDS:

Minimum Fee	\$1,000
Flat Rate	1.25%