



## **Donor Fund Agreement**

When you make a gift to the Three Rivers Community Foundation, you have the option of establishing one or more types of funds from which grants will be made for charitable purposes. Through your choice of fund, you may select your desired level of involvement in the grantmaking process. All funds are managed carefully and prudently by professional investment managers and administered by Three Rivers Community Foundation. Our goal is to protect donor intent, while at the same time comply with federal tax requirements. The Foundation retains the right to make final decisions regarding the management, administration and distribution of all funds.

### **Funds of the Three Rivers Community Foundation**

**Three Rivers Community Fund (Unrestricted).** A gift to the Three Rivers Community Fund helps meet the changing needs of our area, now and in the future. The Three Rivers Community Fund broadly supports the well-being and vitality of the region and its residents, and is distributed to qualified organizations seeking support from the Foundation. When you contribute to the Three Rivers Community Fund, you leave decisions about the use of your gift to the Foundation, relying on the Foundation's extensive experience and reach within the community to know which needs are most pressing.

**Donor Advised Fund.** Donors who want a more active role in grantmaking can establish a Donor Advised Fund. This allows you to recommend charitable organizations to receive grants from your fund. The Three Rivers Community Foundation helps you by verifying the charitable status and mission of the organizations and identifying organizations you may want to support. Other family members can also be named as advisors, thereby encouraging children and grandchildren to carry on family philanthropy.

**Area of Interest Fund.** Donors who feel strongly about a particular cause or a particular geographical area but do not wish to take an active role in grantmaking may want to establish or contribute to an Area of Interest Fund. This type of fund allows you to identify and support a charitable purpose (i.e., alleviation of poverty, education, etc.), a category of interest (i.e., arts, education, human services, etc.), and/or a geographic area that you feel passionate about supporting.

**Designated Fund.** Donors with strong ties to a particular organization or institution may want to establish a designated fund. With a Designated Fund, you "designate" a charitable organization that your fund will support (e.g., a theater, a food bank, a school) during and beyond your lifetime. The Foundation actively monitors all its grantees. If the beneficiary organization ceases to exist, loses its tax-exempt status, or changes its mission, your gift is redirected to support an organization with a similar mission.

**Scholarship Fund.** Donors (individuals or corporations) specifically interested in promoting education often establish Scholarship Funds – an advised fund for the purpose of making grants to be used exclusively for tuition and fees at accredited educational institutions (a "scholarship fund"). Scholarships may support any level of education, and can be directed toward students attending a particular school, studying in a particular field, or coming from a particular geographical area. The Three Rivers Community Foundation helps you administer the funds

within the tax laws regarding scholarship grants. If you wish, the Foundation also can help you establish selection criteria, publicize the scholarship, and choose scholarship recipients. The Foundation requires that all scholarship programs developed by a scholarship advisory committee be submitted to it for approval in advance of any solicitation of applications.

**Memorial Fund.** Donors may wish to set up a Memorial Fund to remember and honor a lost loved one. The Foundation will help manage incoming contributions to the Memorial Fund, as well as help guide the gift to reflect the giving wishes of the person in whose memory the fund is established.

**Nonprofit Agency Endowment Funds.** Nonprofit organizations can establish Endowment Funds at Three Rivers Community Foundation. With this type of fund, the nonprofit organization is the designated charitable recipient for distributions from the fund. Establishing an Endowment Fund is a simple and efficient way to build and secure endowment funds for the future. A Nonprofit Agency Endowment Fund offers the advantages of protecting the nonprofit organization's endowment funds to meet its future needs, increasing investment yield by pooling assets with the Three Rivers Community Foundation's other funds, and reducing administrative costs and burdens on the nonprofit organization's staff. Although an Endowment Fund is established by the nonprofit organization itself, donations by individuals and other organizations to these funds are welcome. If the designated organization ceases to exist, loses its tax-exempt status or changes its mission, grants from the fund will be redirected to support a nonprofit organization with a similar mission. Please contact the Three Rivers Community Foundation for more information on how to establish a Nonprofit Agency Endowment Fund.

**Pass Through Fund.** Pass through funds are held by the Foundation for the purpose of spending down the initial contribution rather than adding to the endowment. This provides the option to donors to make annual gifts from which the entire principal is granted for particular purposes. This option is attractive to organizations raising money for specific capital projects.

**SECTION 1: Type of Fund & Fund Name**

Donors may choose from several different fund options. For further information on types of funds offered by the Three Rivers Community Foundation, please see the first page of this Form and "Fund Terms and Conditions," below. Please indicate type of fund below:

<ul style="list-style-type: none"><li><input type="checkbox"/> Three Rivers Community Fund</li><li><input type="checkbox"/> Donor Advised Fund</li><li><input type="checkbox"/> Area of Interest Fund</li><li><input type="checkbox"/> Designated Fund</li><li><input type="checkbox"/> Scholarship Fund</li><li><input type="checkbox"/> Memorial Fund</li><li><input type="checkbox"/> Nonprofit Agency Endowment Fund</li><li><input type="checkbox"/> Pass Through Fund</li></ul>
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Grants made from a fund at the Three Rivers Community Foundation are accompanied by a letter identifying the name of the fund and the name of the donor(s) recommending the grant, unless anonymity is requested. Please indicate your fund name below:

Name of Fund:
Is Donor Name anonymity requested?: <input type="checkbox"/> Yes <input type="checkbox"/> No
Is Fund Name anonymity requested?: <input type="checkbox"/> Yes <input type="checkbox"/> No

**SECTION 2: Donor Information**

Funds may be established by one or more individual donors, by families, by corporate donors, or by nonprofit organization donors. Please list donor information below, and indicate the primary donor contact. For corporate and nonprofit organization donors, please indicate corporate or organizational representatives, as the case may be, for this fund. Please attach additional sheets if necessary:

<b>Donor 1</b>	<b>Donor 2</b>
Name	Name
Mailing Address	Mailing Address
City State Zip	City State Zip
Home Phone ( )	Home Phone ( )
Business Phone ( )	Business Phone ( )
E-mail	E-mail
Date of Birth	Date of Birth
Primary Contact? <input type="checkbox"/> Yes <input type="checkbox"/> No	Primary Contact? <input type="checkbox"/> Yes <input type="checkbox"/> No
I would prefer being contacted via: <input type="checkbox"/> E-mail <input type="checkbox"/> Home phone <input type="checkbox"/> Business phone <input type="checkbox"/> Mail	I would prefer being contacted via: <input type="checkbox"/> E-mail <input type="checkbox"/> Home phone <input type="checkbox"/> Business phone <input type="checkbox"/> Mail
Are you working with a professional advisor? <input type="checkbox"/> Attorney <input type="checkbox"/> CPA <input type="checkbox"/> Financial Planner <input type="checkbox"/> Other	Are you working with a professional advisor? <input type="checkbox"/> Attorney <input type="checkbox"/> CPA <input type="checkbox"/> Financial Planner <input type="checkbox"/> Other
Professional Advisor's Name	Professional Advisor's Name
Company Name	Company Name
Mailing Address	Mailing Address
City State Zip	City State Zip
Phone ( )	Phone ( )
E-mail	E-mail

**SECTION 3: Description of Gift**

The donor(s) hereby assigns, conveys, transfers, and delivers to the Three Rivers Community Foundation the following described property:

<input type="checkbox"/> Cash in the amount of \$_____	<input type="checkbox"/> Securities, Publicly Traded
<input type="checkbox"/> Real Estate	<input type="checkbox"/> Securities, Privately Held
<input type="checkbox"/> Personal Property (Please attach description)	<input type="checkbox"/> Other _____
<input type="checkbox"/> Testamentary Gift	

For a gift of publicly traded securities, please provide the information requested below, attaching additional sheets if necessary. For all gifts other than cash and publicly traded securities, please contact the Three Rivers Community Foundation for transfer procedures:

Name of Stock	Name of Stock
Number of Shares	Number of Shares
Approximate Value	Approximate Value
Investment Firm Name	Investment Firm Name
Broker's Name	Broker's Name
Broker's Phone ( )	Broker's Phone ( )
Broker's Fax ( )	Broker's Fax ( )
Broker's E-mail	Broker's E-mail

#### SECTION 4: Donor Advised Funds

Donors establishing an advised fund may designate individuals who will serve as advisors to the fund and who may make recommendations to the Three Rivers Community Foundation regarding grant distributions from the fund. Donors may designate themselves as advisors, or may designate others in addition to or instead of themselves as advisors. *Once designated, an advisor's status can only be revoked in writing by the donor(s) establishing the fund.* All named advisors have equal rights to recommend grant distributions from the fund. In all cases of two or more advisors, a fund chairperson must be identified. Please note that unless otherwise stated in the comments area, all advisors will receive quarterly fund status reports, grant approval reports and standard mailings from the Three Rivers Community Foundation. Please indicate below the advisors to the fund and identify a chairperson. For corporate and nonprofit organization donors, please indicate the individuals who will serve as advisors to the fund on behalf of the corporation or nonprofit organization, as the case may be, and identify a chairperson. Please attach additional sheets, as necessary:

##### Advisor 1

If Advisor 1 is same as Donor 1, check here and skip to Chairperson Designation box below

Name

Mailing Address

City State Zip

Phone

( )

E-mail

Relationship to Donor(s)

Comments

Chairperson Designation:

This Advisor will serve as chairperson for this fund.

##### Advisor 2

If Advisor 2 is same as Donor 2, check here and skip to Chairperson Designation box below

Name

Mailing Address

City State Zip

Phone

( )

E-mail

Relationship to Donor(s)

Comments

Chairperson Designation:

This Advisor will serve as chairperson for this fund.

Individual donors establishing an advised fund may choose to create a succession plan for their fund. In the event that the initial advisor(s) to this fund dies, resigns, or is otherwise unable to act in this capacity, please:

Transfer the balance of my fund to the Three Rivers Community Fund to support community needs *(if you have a particular area of interest, please indicate below):*

*(if this option is checked, skip Successor Advisor Information Section below)*

Transfer my fund into a designated fund to support the following charities of my choice:

I wish to name a successor advisor(s) for my fund.

**SECTION 4: Donor Advised Funds (continued)**

**Successor Advisor Information for Individual Donors**

A successor advisor is authorized to recommend grants from the fund, in the event the advisor(s) named above dies, resigns, or is otherwise unable to act in this capacity. *Once designated, a successor advisor's status can only be revoked in writing by the donor(s) establishing the fund.* All successor advisors have equal rights to recommend grant distributions from the fund. In all cases of two or more advisors, a single chairperson must be identified. Please indicate successor advisors below and identify a chairperson. Please attach additional sheets, as necessary. All successor advisors shall be entitled to designate in writing no more than two individuals to succeed them as advisors to the fund:

<b>Successor Advisor 1</b>	<b>Successor Advisor 2</b>
Name	Name
Mailing Address	Mailing Address
City State Zip	City State Zip
Phone ( )	Phone ( )
E-mail	E-mail
Relationship to Donor(s)	Relationship to Donor(s)
Chairperson Designation: <input type="checkbox"/> This Successor Advisor will serve as the chairperson .	Chairperson Designation: <input type="checkbox"/> This Successor Advisor will serve as the chairperson.

**SECTION 5: Designated Funds**

Donors establishing a designated fund may recommend that distributions of income from the fund be made to one or more 501(c)(3) public charities (i.e., non-private foundations), or to support one or more endowment funds established by 501(c)(3) public charities at the Three Rivers Community Foundation (collectively, "qualifying charitable recipients"). Please indicate the qualifying charitable recipients that you would like to receive distributions from the fund. In the case of nonprofit organization donors, please designate your organization and any other qualifying charitable recipients that you wish to receive distributions from the fund:

<b>Name of Organization</b>	<b>Percentage Payable</b>
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ % <b>100%</b>
_____	

**SECTION 6: Area of Interest Funds**

Donors establishing area of interest funds may recommend that the Foundation make distributions from the fund for certain charitable purposes. Please indicate the charitable purpose (i.e., alleviation of poverty, education, etc.), category of interest (i.e., arts, education, human services, etc.), and/or a geographic area in support of which you would like distributions from the fund to be made. Describe Areas of Interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 7: Scholarship Funds**

Donors may establish scholarship funds for the purpose of making grants to individuals to be used exclusively for tuition and fees at accredited educational institutions. Scholarship funds are administered by the Three Rivers Community Foundation in accordance with its Scholarship Guidelines and Procedures, a copy of which will be provided to all donors establishing scholarship funds. Donors establishing a scholarship fund may convene a “scholarship advisory committee” for the purpose of developing scholarship criteria and making recommendations to the Three Rivers Community Foundation as to recipients of scholarship grants. If necessary, please list scholarship advisory committee members and their contact information on an additional sheet. Recommended purpose and class of recipients for Scholarship Fund (attach additional sheets as necessary):

I/we will convene a scholarship advisory committee for the purpose of making recommendations as to recipients of scholarship grants from the fund: Yes No

**SECTION 8: Foundation’s Variance Power & Spending Policy**

All funds and all distributions from funds established at the Three Rivers Community Foundation are subject to Three Rivers Community Foundation’s variance power and its spending policy, as further described in the Donor Fund Terms and Conditions below. Donors may, however, recommend that no distributions of principal be made from a fund permanently, for a period of time, or until the fund reaches a certain dollar amount. Please indicate your distribution recommendation below.

Income and principal distributions  
 Income distributions only, *subject to Spending Policy*, for \_\_\_\_\_ years or until fund reaches \$\_\_\_\_\_   
 Permanently endowed (i.e., distributions of income only, *subject to Spending Policy*)

**SECTION 9: Acknowledgement & Signature - Individual Donors**

I acknowledge that I have read the Three Rivers Community Foundation’s Donor Fund Terms and Conditions, below, and agree to such terms and conditions. I understand that any contribution, once accepted by the Three Rivers Community Foundation, represents an irrevocable contribution to the Three Rivers Community Foundation and is not refundable to me. I hereby certify that, to the best of my knowledge, all information presented on this form is accurate and truthful and that I will notify the Three Rivers Community Foundation promptly of any changes to the information contained herein.

Donor 1 Signature:	Date:
Donor 2 Signature:	Date:

**SECTION 9: Acknowledgement & Signature - Corporate & Nonprofit Organization Donors**

I acknowledge that I have read the Three Rivers Community Foundation’s Donor Fund Terms and Conditions, below, and agree to such terms and conditions. I understand that any contribution, once accepted by the Three Rivers Community Foundation, represents an irrevocable contribution to the Three Rivers Community Foundation and is not refundable to the corporation/nonprofit organization. I hereby certify that, to the best of my knowledge, all information presented on this form is accurate and truthful and that I will notify the Three Rivers Community Foundation promptly of any changes to the information contained herein. Please attach proof of authority to sign this document on behalf of the corporation/nonprofit organization.

Name of Corporation/Nonprofit Organization:
Signed By:
Name:
Date:

*Please send completed forms to:*  
**Three Rivers Community Foundation**  
**2000 Logston Boulevard, 133C**  
**Richland, WA 99354**

If you have any questions, please contact Three Rivers Community Foundation at 375-3268 x220 or [giving@s3rcf.org](mailto:giving@s3rcf.org)

## Fund Terms & Conditions

**Tax Status of Funds.** Donor funds established at the Three Rivers Community Foundation (the "Foundation") are component funds of the Three Rivers Community Foundation, a 501(c)(3) public charity. Accordingly, all contributions to the Foundation's donor funds are treated for tax purposes as gifts to a 501(c)(3) public charity and generally are tax deductible, subject to individual and corporate limitations.

**Variance Power.** All donor funds established at the Foundation are subject to the Foundation's "variance power," as set forth in its By-laws. The variance power gives the Foundation the authority to modify any donor recommendation or condition on distributions from a fund for any specified charitable purpose or to any specified charitable organization if, in the sole judgment of the Foundation, such recommendation or condition becomes unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community.

**Spending Policy.** The Foundation anticipates distributions from each fund at least annually of an appropriate percentage of the fund's market value, as determined by the Foundation's Board of Directors (five (5) percent for 2005). In determining the annual distribution amount, the Foundation's Board of Directors may consider the expected total return on the investments of the Foundation's permanent funds, the desirability of maintaining the value of the Foundation's permanent funds, and any other factors that it deems relevant.

**Distributions.** All distributions from donor funds are subject to the Foundation's variance power and its spending policy, as noted above.

**Restrictions on Grants from Funds.** Distributions from donor funds established at the Foundation will be made only if they are consistent with the Foundation's charitable purposes and satisfy community needs identified by the Foundation as deserving of its support. Fund distributions will not be made for memberships, pledges, sponsorships, tickets, or for any purpose that would otherwise provide a benefit to the donor recommending the distribution. It is the Foundation's policy that distributions from donor funds may not be made to any specific individual (other than for scholarships). Distributions from donor funds will not be made for political campaign or legislative activities.

**Investment of Assets.** All assets contributed to funds established at the Three Rivers Community Foundation will be managed in the Three Rivers Community Foundation's General Fund, unless otherwise requested by the donor in writing. Assets may be managed by an independent trustee, custodian, investment advisor or other fiduciary (an "Outside Investment Manager") apart from the Foundation's General Fund, provided that all such assets are managed in accordance with the Three Rivers Community Foundation's Investment Policy. All Outside Investment Managers shall be provided with a copy of and must agree to adhere to the Three Rivers Community Foundation's Investment Policy as a condition of continued service in such capacity, and the Foundation reserves the right to replace any Outside Investment Manager in its sole discretion. Minimum fund values are required for investment of assets outside of the General Fund. For more information about the requirements for using an Outside Investment Manager, contact the Foundation.

**Fees.** Donor funds established at the Foundation are subject to an administrative and investment fee, currently one (1.5) percent annually, with a reduced fee structure above \$500,000. The Foundation reserves the right to change its fee structure at any time.

**Solicitation Policy.** Donors who wish to solicit contributions for a Fund at the Three Rivers Community Foundation are required to use the following language in any solicitation: "Funds raised at this event (or for this cause, or for this project) will be added to The *[insert name]* Fund at the Three Rivers Community Foundation, a 501(c)(3) organization. The Three Rivers

Community Foundation reserves the right to modify any restriction or condition on distributions from The *[insert name]* Fund if such restriction or condition becomes unnecessary, incapable of fulfillment, or inconsistent with community needs. All checks should be made payable to The *[insert name]* Fund/Three Rivers Community Foundation.”

**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, these Terms and Conditions as interpreted by the Foundation shall govern, and the 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 or the Foundation.

## Terms Applicable to Donor Advised Funds

**Characteristics of Donor Advised Funds.** Donors establishing advised funds are encouraged to make recommendations regarding distributions from the fund for specific charitable purposes or to one or more charitable organizations. Donor advice will be considered only if offered in writing (including facsimile transmission or electronic correspondence) by the donor(s), or by an advisor(s) or successor advisor(s) to the fund, as designated in writing by the donor(s).

**Role of Advisors.** The Foundation welcomes the involvement and recommendations of its donors with respect to distributions from advised funds, but such recommendations are advisory only and are in no way binding upon the Foundation. In evaluating recommendations for distributions from advised funds, the Foundation staff investigates all prospective grant recipients to ensure that they are organized and operated for charitable purposes within the meaning of 501(c)(3) of the Internal Revenue Code; reviews the recommended grantee’s financial and program information; and evaluates the advice of donors against the standards and criteria set forth by the Foundation to ensure that such advice is consistent with specific charitable needs identified by the Foundation as deserving of support. In all cases of two or more advisors, the advisors shall appoint a chairperson and all communications to and from the Three Rivers Community Foundation will be through the chairperson. In any case where multiple advisors make conflicting recommendations regarding distributions from the fund that cannot be promptly resolved, the Foundation may independently initiate distributions from the fund. In addition, if the advisor(s) fails to make a standing distribution recommendation, or fails to make any distribution recommendations for two consecutive years, the Foundation will contact the advisor(s) to discuss this situation.

**Appointment of Additional Advisors.** All requests to appoint additional advisors and successor advisors to an advised fund must be communicated to the Foundation in writing by the donor(s) establishing the fund. If upon the death, resignation, or incapacity of an advised fund’s donor(s), the Foundation has not received in writing the names of an additional advisor(s) or successor advisor(s) to the fund, the Foundation will use the fund’s balance to support the Three Rivers Community Fund to address the most pressing needs in the community. *Donor advised funds established by corporations and nonprofit organizations, rather than by individuals, are often advised by an appointed committee with a process for selecting new members. Any changes in advisors to the fund must be made in writing by an officer or authorized representative of the corporation or nonprofit organization that established the fund.*

**Inactive Funds.** In order to carry out its policy of consistently distributing charitable dollars to the community, the Foundation will review periodically the grantmaking activity of every advised fund. If a fund has failed to make distributions commensurate in size with the Foundation’s spending policy over a two-year period, the Foundation will contact the advisor(s) to discuss this situation. At that time, the advisor(s) will be given the following options:

- Recommend that the balance of the fund be granted to one or more 501(c)(3) public charities of their choice.

- Recommend that the balance of the fund be used to support the Three Rivers Community Fund, where funds will be distributed by the Foundation to meet the most pressing needs of the community. The advisor may also indicate an area of interest, which can also be benefited through the Three Rivers Community Fund.
- Provide a plan for funding a specific charitable project that requires an accumulation of resources for more than a two-year period. In the event that the advisor(s) cannot be located or is unresponsive, the balance of the fund will be used to support the Foundation's Three Rivers Community Fund.

## Asset Delivery Instructions

### STOCK HELD BY BROKER:

Most shares of stock held by a broker are eligible for delivery through the Depository Trust Company (DTC). To transfer shares, please direct your broker to deliver to our Broker as follows:

**Smith Barney**

**DTC PARTICIPANT # 0418**

**Credit account of Three Rivers Community Foundation # 8690421816532**

**Donor: \_\_\_\_\_;**

**Fund: \_\_\_\_\_**

**Attention: Kevin Byrne 735-0184**

Please call the Three Rivers Community Foundation prior to transfer and inform as to which stock is being transferred, how many shares and name of fund to which it will be credited.

### CASH WIRES OR TRANSFERS:

If a donor wishes to have his or her broker sell the stock or wishes to make a cash transfer, the broker or banker should follow these instructions:

**Smith Barney**

**Account # 8690421816532**

**Attention: Kevin Byrne 735-0184**

Please call Three Rivers Community Foundation prior to transfer with the name of the fund to be credited.

### OTHER TYPES OF GIFTS:

For instructions on other types of gifts, please contact the Carrie Green at 375-3268 x220 or [giving@3rcf.org](mailto:giving@3rcf.org).