



Foundation for  
Appalachian  
Kentucky

Fund Name: _____	<input type="checkbox"/> Endowed  <input type="checkbox"/> Non-Endowed
Fund Category:	
Fund Type:	
<input type="checkbox"/> Agency <input type="checkbox"/> Named <input type="checkbox"/> Scholarship <input type="checkbox"/> Donor Advised <input type="checkbox"/> Update Existing	

<b>Donor/Contact #1</b>	<input type="checkbox"/>	<i>Donor Advisor</i>	<b>Donor/Contact #2</b>	<input type="checkbox"/>	<i>Donor Advisor</i>
-------------------------	--------------------------	----------------------	-------------------------	--------------------------	----------------------

Name	Name
Address	Address
City                      State      Zip	City                      State      Zip
Home Phone              Cell Phone	Home Phone              Cell Phone
Business Phone              Fax	Business Phone              Fax
Email	Email
Date of Birth (optional)	Date of Birth (optional)

Website	Website
<input type="checkbox"/> Send the reports to the address above	<input type="checkbox"/> Send the reports to the address above
Initial Amount: _____	
<input type="checkbox"/> Cash <input type="checkbox"/> Life Insurance <input type="checkbox"/> Securities <input type="checkbox"/> Real Estate <input type="checkbox"/> Other: _____	
<i>*Please complete and attach Exhibit A</i>	

**Additional Fund Information – Please complete only one section.**

<b>Agency Fund</b>
Annual payouts from the fund will be used to support the following 501(c) 3 nonprofit: _____
<input type="checkbox"/> I have read and agree to the Terms and Conditions set forth in the Foundation for Appalachian Kentucky's Agency Fund Guidelines.

<b>Named Fund</b>
Annual payouts from the fund will be used for the following purpose:  
<i>And/or</i> annual payouts will be used to support the following 501 (c)3 nonprofits: _____

And/or annual payouts will be used for grants in the following area(s) of interest:

- Environment       Arts & Culture       Health/Wellness  
 Education       Housing       Other: \_\_\_\_\_

## Scholarship

Annual payouts from the fund will be used for:

- Scholarships to support students at a specific school or program that has a public charity 501 (c)3 status  
 Recipients will be selected by that school or program

Name of Institution: \_\_\_\_\_

*\*Complete and attach Exhibit B for Scholarship Guidelines*

- I have read and agree to the Terms and Conditions set forth in the Foundation for Appalachian Kentucky's Scholarship Fund Guidelines

## Donor Advised Fund

- I will name one or more Successor Advisors     I do not wish to name a Successor Advisor

*\*Complete and attach Exhibit C for Donor Advised Fund*

- I have read and agree to the Terms and Conditions set forth in the Foundation for Appalachian Kentucky's Donor Advised Fund Guidelines.

## Affiliate Status

If this fund will be advised by an affiliate of the Foundation for Appalachian Kentucky, indicate which affiliate here:

\_\_\_\_\_

## Communication/ Grant & Community Acknowledgment

May we list your Fund's name in publication?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Would you like grant recipients to know that your Fund is the source of the grant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Would you like to be notified about giving opportunities from our nonprofit partners?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Regional Endowment

The Regional Endowment Fund is a permanent charitable resource that grows through your support and provides invaluable funding to communities and organizations across Appalachian Kentucky. When you give to the endowment, you are helping to meet the needs of our community today and for years to come

I would like to make an additional gift to the Regional Endowment Fund of \$ \_\_\_\_\_

## Fund Terms and Conditions

### 1. Tax Status of Funds

Funds established at the Foundation for Appalachian Kentucky are component funds of the Foundation for Appalachian Kentucky, Inc., a section 501(c)(3) public charity and are tax deductible to the extent allowed by law, subject to individual and corporate limitations.

### 2. Property of the Fund

The donor irrevocably transfers the property described on Exhibit A to the Foundation for Appalachian Kentucky, Inc. Subject to the right of the Foundation to reject any particular gift, any person whether an individual, corporation, trust, estate or organization may make additional gifts to the Foundation for the purposes of the fund by a transfer to the Foundation of property acceptable to the Foundation in whole or in part for the fund. All gifts, bequests and devises to this Fund shall be irrevocable once accepted by the Foundation. The fund is subject to the terms and conditions of the Articles of Incorporation and Bylaws of the Foundation as from time to time amended.

### **3. Administrative and Investment Fees**

It is understood and agreed that the fund shall share a fair portion of the total investment and administrative costs of the Foundation. Those costs annually charged against the fund shall be determined in accordance with the then current fee schedule and investment policy identified by the Foundation as applicable to funds of this type. Any costs to the Foundation in accepting, transferring or managing property donated to the foundation for the fund shall also be paid from the fund.

### **4. Distribution**

Distributions from the fund are governed by the Foundation's spending policy. The Foundation reserves the right to change the spending policy from time to time at its discretion within the parameters established by law. The minimum annual amount available for distribution net of fees and expenses shall be committed, granted or expended for purposes described in Code Section 170(c)(2)(B) to organizations described in Sections 509(a)(1), (2), or (3).

If any gifts to the Foundation for the purposes of the fund are received and accepted subject to a donor's conditions or restrictions as to the use of the gift or income there from, said conditions or restrictions will be honored by the authority of the Foundation's Board of Directors. No distribution shall be made from the fund if such distribution will endanger the Foundation's Code Section 501(c) (3) status.

### **5. Administrative Provisions**

Notwithstanding anything herein to the contrary, the Foundation shall hold the provisions of the applicable Kentucky laws and the Foundation's Articles of Incorporation and Bylaws. The Board shall monitor the distribution of the Fund, and shall have all powers of modification and removal specified in United States Treasury Regulations Section 1.170A-9(e) (11) (v) (B). The Board agrees to provide the Founding Contributor, and any Donor that has contributed to the Foundation at least \$10,000, a copy of the annual examination of the finances of the Foundation as reported upon by independent certified public accountants.

### **6. Continuity**

The Fund shall continue so long as assets are available in the Fund and the purposes of the Fund can be served by its continuation. If the Fund is terminated, the Foundation shall devote any remaining assets in the Fund exclusively for charitable purposes that:

Are within the scope of the charitable purposes of the Foundation's Articles of Incorporation; and,  
Most nearly approximate, in the good faith opinion of the Board, the original purpose of the Fund

## 7. Variance Power

As set forth in US tax regulations **1.170A-9(e)(11)(V)(B), (C), and (D)** the Foundation's Board of Directors has the power to modify any restriction or condition on the distribution of funds for any specified charitable purpose or to any specified organization if, in the sole judgment of the governing body, such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community or area served. The Foundation's Board of Directors has the power to modify the restriction without obtaining the approval of any participating trustee, custodian, or agent of the community foundation. The Foundation will make every attempt to notify the donor, trustee, custodian, or agent should such modifications occur.

## 8. Accounting and Financial Reports

The receipts and disbursements of the Fund shall be accounted for separately and apart from those of other gifts to the Foundation. The Foundation shall provide a financial status reports at least annually.

## 9. Investment of the Fund

Assets contributed to funds established at the Foundation for Appalachian Kentucky will be managed in accordance with the Foundation's Investment Policy.

The Foundation shall have all powers necessary, or in its sole discretion desirable, to carry out the purposes of the Fund, including, but not limited to, the power to retain, invest and reinvest the Fund and the power to commingle the assets of the Fund with those of other funds for investment purposes.

Donor requests a segregated fund that is managed directly by:

---

Donor understands that the elected financial advisor will be responsible for the management of the assets of this fund, and he/she will do so in accordance with the most current investment policies of the Foundation for Appalachian Kentucky.

## Acknowledgment and Signatures

I acknowledge that I have read Foundation for Appalachian Kentucky Fund Terms and Conditions and agree to the terms, fees, and conditions described therein. I understand any contribution, once accepted by the Foundation for Appalachian Kentucky, represents an irrevocable contribution. The Foundation for Appalachian Kentucky Board of Directors has variance power under IRS regulations, and this gift is not refundable to me. In matters of charitable donations, donors are encouraged to review tax or estate related issues with their professional advisors.

I hereby certify, to the best of my knowledge, all information presented in connection with this form is accurate, and I will notify the Foundation for Appalachian Kentucky promptly of any material corrections.

Signature	Signature
Print Name	Print Name
Date	Date

**Foundation for Appalachian Kentucky, Inc.**

Signature
Print Name
Date