

COMMUNITY FOUNDATION for LOUDOUN AND NORTHERN
FAUQUIER COUNTIES
COMMUNITY FIELD OF INTEREST/COMMUNITY FUND

1. Gift. We wish to establish a component fund with Piedmont Community Foundation doing business as Community Foundation for Loudoun and Northern Fauquier Counties (hereafter “the Foundation”) a Virginia nonprofit corporation with the gift of the following-described property:

\$X000.00 via check #

The initial contribution equaling or exceeding \$10,000.00, will be placed in a separate subaccount maintained by the Foundation. All monies shall immediately upon contribution become the property of the Foundation over which the Foundation shall exercise exclusive legal control, and shall not be refundable under any circumstances.

2. Fund Name: Fundraising/Outreach. The fund shall be known as the “Community Foundation for Loudoun and Northern Fauquier Counties ~~Save the Animals Fund~~” which name shall be used at all times when referring to the fund (hereafter “the Fund”).

Any public display, event, or fundraising program that mentions the Fund shall require prior written consent of the Foundation.

3. Administration.

a. The Fund is intended as to serve as both a permanent endowment and a charitable gift fund allowing pass-through gifts, and shall be dedicated to the payment of grants from time to time as described herein (hereafter “the charitable purpose”).

b. Grants from the endowment portion of this Fund shall be made in the amounts determined under the Foundation’s Distributions Policy in effect from time to time. These Foundation policies track both current market value of the Fund and Historic Dollar Value, defined as “the fair value of the endowment funds at the time it is established, as increased by each donation to the fund and by accumulations as directed by the applicable gift instrument.” (Historic Dollar Value does *not* include interest, dividends, appreciation, or other earnings, to a fund’s balance unless the fund

instrument so specifies. It also does not include grant distributions that are not distributed or taken during any given fiscal year.) Unless otherwise determined by the Board of Directors or its designated committee, Fund balances that are equal to or less than Historic Dollar Value shall suspend grantmaking distributions from the endowment portion of the Fund in order to protect future grantmaking provisions of a Fund.

c. We recommend that the investment advisor that shall hold the Fund shall be determined by the Board of Directors or its designated committee.

d. The Fund shall be open-ended, i.e., additional contributions of cash or property are permitted to be made by any person or entity.

e. We recognize that the Foundation's administrative fee of one percent (1%) will be calculated and deducted from the endowment portion of the Fund under the Foundation's Distribution Policy. In addition, investment fees as assessed by the Foundation's investment advisors will be calculated and deducted from the Fund.

At its discretion and upon notice to the donor advisors, the Foundation may apply a one-time two percent (2%) fee to gifts received and designated as "pass through" and immediately recommended for grant distribution or program and event expenses by the Community Advisory Committee.

4. Charitable Purpose. The intent of the Fund is to provide distributions to charitable programs and organizations providing care and shelter to animals, both domestic and livestock.

5. Grantmaking. The identity of the grant recipients and the number of grants to be given shall be determined by the Board of Directors of the Foundation or its assigned committee.

6. Variance Power; Investment Authority. We recognize and consent that the Fund is subject to the terms and provisions of the Articles of Incorporation and Bylaws of the Foundation, including the ability of the Board of Directors of the Foundation (a) to modify any restriction or condition on the distribution of funds for any specified charitable purpose or purposes or to a specified charitable organization or organizations if in the sole judgment of the Board (without the necessity of the approval of any participating trustee, custodian, or agent), such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community or area served; (b) to replace any participating

trustee, custodian, or agent for breach of fiduciary duty under Virginia law; and (c) to replace any participating trustee, custodian, or agent for failure to produce a reasonable return of net income over a reasonable period of time, as determined by the Board all without the necessity of obtaining my approval or the approval of any other person or interested party.

The Foundation is authorized, at its discretion, to direct the investment advisor to invest any part or all of the Fund in securities or in other property, real or personal, as ordinarily prudent businesspeople are investing their own funds from time to time, without regard to any statute or law now or hereafter in force in the Commonwealth of Virginia restricting investments made by fiduciaries.

7. Limitations: Grants to Individuals; Closely Held Stock; Reimbursement; Pledges; Self-Benefit. We recognize that grants to individuals or for non-charitable purposes are prohibited by law.

We also recognize that no grants or gifts from the Fund shall be recommended or made that fulfill pledges to give made by the Chamber of Commerce or an Community Advisory Committee member, or that create personal gain to a staff or leader of the Chamber of Commerce or an Advisory Committee Member (such as, but not limited to, events tickets or tables).

8. Fund Acceptance. We recognize that the Fund must be approved by the Board of Directors of the Foundation, and will not be approved if implementation of the objectives of the Fund are not within the parameters permitted so that such implementation would negatively impact on the Foundation's status as a tax-exempt organization exempt from income taxes as a community foundation under Internal Revenue Code Section 501(c)(3).

Donor

Date

Donor

Date

APPROVED AS AUTHORIZED:
Community Foundation for Loudoun and Northern Fauquier Counties

President

Date

SAMPLE