

## PCF DONOR-ADVISED FUND

# Terms

The Donor(s) establish this Fund with Pinellas Community Foundation, a public charitable foundation established by Trust Agreement Dated January 1, 1969, as may have been amended from time to time (the "Foundation"). All assets in the Fund shall be a component part of the Foundation as defined in 26 CFR 1.170A-9(f)(11), as amended, and not as a separate trust or nonprofit corporation. The exclusive legal control over the Fund shall be vested with the Foundation.

The current Fund Advisor(s) may make recommendations for grants (from income and principal), investments, and other administrative matters unless otherwise noted herein. If two or more are named, any may act alone. Upon the death, resignation, or incapacity to serve of the Fund Advisor (or the surviving Fund Advisor if two or more individuals have been named), the Successor Advisor(s) will then advise the Fund. If two or more persons are eligible to be successors, then a recommendation by a majority of such persons shall constitute an effective recommendation for consideration by the Foundation unless otherwise noted herein.

If the persons named in this document or after the date of this document are not available to advise and consult with the Foundation due to death, resignation, or incapacity to serve, the Community Foundation shall use the principal and income from the Fund for charitable purposes.

For assets in the Foundation's Investment Pools: The responsibility for oversight of the Foundation's investment program is vested in the Foundation's Board of Governors through its Investment Oversight Committee. The percentages in the mix options may change from time to time upon Investment Oversight Committee review.

As required by Internal Revenue Service (IRS) regulations:

- The investment recommendation is advisory only and the Foundation may, at its sole and absolute discretion, follow or decline to follow the recommendation;
- The Foundation may at any time, at its sole and absolute discretion, change the investment of all or any portion of the assets in the Fund;
- If the investment recommendation of the Donor(s) is accepted, the investments will be administered in accordance with the Foundation's Trust Agreement, as amended from time to time; and
- Investments are subject to normal market and interest rate fluctuation risks, and any gain or loss generated by the above investments will be credited or charged to the Fund.

This Agreement may be executed in two or more counterparts, each of which when so executed shall be deemed to be an original and all of which when taken together shall constitute one and the same instrument. The words "execution," "signed," "signature," and words of like import in this Agreement or in any other certificate, agreement, or document related to this Agreement, shall include images of manually executed signatures transmitted by facsimile or other electronic formats (including, without limitation, "pdf", "tif", or "jpg") and other electronic signatures (including, without limitation, DocuSign and AdobeSign). The use of electronic signatures and electronic records (including, without limitation, any contract or other record created, generated, sent, communicated, received, or stored by electronic means) shall be of the same legal effect, validity, and enforceability as a manually executed signature or use of a paper-based record-keeping system to the fullest extent permitted by applicable law.

Any matters involving the Fund, not covered in this Agreement, if any, shall be governed by the terms of the Trust Agreement, dated January 1, 1969, which created the Pinellas County Community Foundation, and which is recorded in the public records of Pinellas County, O.R. Book 3588, beginning at page 20, as amended.

PINELLAS COMMUNITY FOUNDATION IS A 501(C)(3) NONPROFIT ORGANIZATION REGISTERED WITH THE STATE OF FLORIDA. A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION FOR PINELLAS COMMUNITY FOUNDATION (CH3646) MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE WITHIN THE STATE 1-800-HELP-FLA (435-7352) OR VISITING WWW.FDACS.GOV. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE. YOUR GIFT MAY BE TAX-DEDUCTIBLE; PLEASE CONSULT YOUR TAX PROFESSIONAL TO EXPLORE YOUR BENEFITS.

