#### DONOR ADVISED FUND

#### OF EAST TEXAS COMMUNITIES FOUNDATION

1.	<b>Agreement -</b> This agreement is made on to	this date of between "Donors") and East Texas Communities Foundation, a	
	Texas nonprofit corporation (the "Foundation").		
2.	<del>-</del>	ute the assets listed in Addendum I to the Foundation to own as the Donor Advised Fund	
3.	or both income and principal. Distribution Section 170(b)(1)(A) of the Internal Re	and shall be made from: (select one) income only, butions shall be made only to public charities as defined evenue Code (i.e., churches, schools, hospitals, ed 501(c)(3) organizations). The Foundation defines of the preceding December 31.	
4.	sole and exclusive owner of the Fund. The	ontribution is irrevocable and the Foundation shall be the Fund shall be administered in accordance with the ylaws and Policy for Donor Advised Funds, as amended be provided to the Donors upon request.	
5.	Donors, may make recommendations to the	s, or any person properly designated by either of the ne Foundation regarding the investment and/or ecommendations are advisory only, and the Foundation ons.	
6.	*	ipt of notice of the resignation, incapacity, or death of follow the Succession Plan provided in the most recent	
7.	7. <b>Remainder</b> - In the event there is no properly designated Donor Advisor or Successor Donor Advisor to the Fund, and no other designation has been made in Addendum II, any remaining balance shall be transferred to the Unrestricted Charitable Fund of the East Texas Communities Foundation.		
8.	legal obligation of the Donors or any othe	om the Fund shall be made to satisfy a written pledge or er person, and neither the Donors nor any other person as gifts or tickets to events) in return for a distribution	
<u>Donor</u>	<u>s:</u>	East Texas Communities Foundation:	
Donor	1	Kyle L. Penney, President	
		DAF Form Revised: June 17, 2024	
Donor	2		

#### ADDENDUM I

	DONOR ADVISED FUND
AGREEN	MENT
	, 20

## **Initial Transfer of Assets** and **Initial Investment**

#### **Initial Transfer of Assets**

The Donors transfer the following assets to the East Tex-	kas Communities Foundation to establish the nor Advised Fund:
The Donor or any other person may make contributions	to the Fund at any time and in any amount.
Initial Investment	
The Donors recommend that the funds be initially inves	ted in the (select one):
Cash Fund	Stable Value Fund
Conservative Fund	Conservative Index Fund
Moderate Fund	Moderate Index Fund
Growth Fund	Growth Index Fund
If no recommendation is made, assets will be invested in	n the Moderate Fund.
Donors:	East Texas Communities Foundation:
Donor 1	Kyle L. Penney, President
Donor 2	

# ADDENDUM II \_\_\_\_\_DONOR ADVISED FUND AGREEMENT

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#### **Designation of Succession Plan**

Designation of Succession Flan
Successor Donor Advisors
The Donor hereby designate (and revoke any prior designation)
Succession Plan
The Donors hereby declare (and revoke any prior succession plan) that: (select one) After the resignation, incapacity, or death of both of the Donors, or In the event there is no properly designated Donor Advisor or Successor Donor Advisor to the Fund, any remaining balance shall be held as an endowment at the Foundation. The Fund shall make annual distributions of income, as determined by the spending policy of the Foundation, in the proportions described below to the following charities:  1% to, City, ST; 2% to, City, ST; and, 3% to, City, ST;
If an organization ceases to exist or if it ceases to qualify for distributions from the Foundation, the Foundation shall (select one):(i) substitute an organization with a mission statement and service area similar to the former organization or,(ii) distribute the income to the organizations named above that are in existence and do qualify for distributions from the Foundation. If the Foundation distributes the income according to clause (ii) above, the income shall be distributed in such proportions as the percentages of the organizations receiving distributions bear to each other. If no selection is made, the Foundation shall make distributions according to clause (ii) above.  An organization may direct that the Foundation distribute its share of the annual distribution of the Fund to a supporting or other organization, but only if such supporting organization otherwise qualifies for distributions from the Foundation. For example, Tyler Junior College may direct that its distributions be made to The Tyler Junior College Foundation. The Foundation may direct the trustee, executor or testamentary gift administrator to distribute some or all of its assets to ETCF Support Foundation or another organization to fulfill the purpose of the Fund, but only if distributions to such other organization qualifies for the estate tax charitable deduction.
Donors:
Date:
Donor 1
Date:

Donor 2