



Community Foundation for Southern Arizona

ESTABLISHING YOUR NON-ENDOWED FUND.

**YOUR DONOR ADVISED FUND AT
THE COMMUNITY FOUNDATION FOR SOUTHERN ARIZONA**

Enrollment, Terms and Conditions, and Agreement

For assistance in filling out this form, please contact:
Mark Montoya, Vice President of Operations
mmontoya@cfsaz.org
520-209-2867

ABOUT YOU

PRIMARY DONOR(S)

Who will act as donor?

Please complete all applicable areas.

Individual(s) Trust/Foundation Estate Corporation

Other _____

PRIMARY DONOR #1

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Date of Birth E-mail Primary Phone Business Phone

Business Name (if applicable)

Street Address City State ZIP Code

Mailing Address City State ZIP Code

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

PRIMARY DONOR #2

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Date of Birth E-mail Primary Phone Business Phone

Business Name (if applicable)

Street Address Same address as primary donor City State ZIP Code

Mailing Address City ZIP Code

Relationship

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

Questions? Contact Mark Montoya at mmontoya@cfsaz.org or 520-209-2867.

TRUST, FOUNDATION, ESTATE OR CORPORATION

Name of Trust, Foundation, Estate or Corporation (if applicable)

Taxpayer Identification Number

Primary Telephone Number

Primary Contact First Name

Middle Initial

Last Name

Street Address

City

State

ZIP Code

FUND INFORMATION

NAME YOUR FUND

What will you call your fund?

All donor advised funds at CFSA are identified by a unique fund name. Please indicate the preferred name of your fund below. *Please note: The word 'Fund' must appear in the title (e.g. Smith Family Fund).*

IRREVOCABLE CONTRIBUTION

Initial Contribution Amount*:

\$25,000 MINIMUM INITIAL DONATION

*Contribution/Donation Instructions: After your application is reviewed and executed you will receive donation instructions from the Community Foundation for Southern Arizona on how to initiate the donation.

You can make gifts of cash, stocks, bonds, mutual funds, gifts of real estate, life insurance policies, charitable remainder trusts, charitable lead trusts, and other tangible property, so long as those gifts meet the guidelines of the CFSA's Gift Acceptance Policy.

CHARITABLE INTERESTS

Please indicate the charitable fields that interest you most.

Arts and Culture

Environment

Persons with Disabilities

Animal Welfare

Historic Preservation

Religion

Basic Human Needs

Housing

Social Justice

Equity and Inclusion

Immigration, Border and Refugee Issues

Women & Girls

Economic Development

LGBTQ+

Workforce Development/Job Training

Education

Poverty

Questions? Contact Mark Montoya at mmontoya@cfsaz.org or 520-209-2867.

ADDITIONAL DONOR ADVISED FUND ADVISORS

Additional DAF Advisors have the authority to recommend grants, view fund statements, access information regarding the fund via the Donor Portal or by mail.

To name additional fund advisors, please complete the section below. If you do not wish to name additional fund advisors, please leave this section blank.

ADDITIONAL FUND ADVISOR #1

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary phone Business phone Mail

ADDITIONAL FUND ADVISOR #2

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

Questions? Contact Mark Montoya at mmontoya@cfsaz.org or 520-209-2867.

ADDITIONAL FUND ADVISOR #3

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

ADDITIONAL FUND ADVISOR #4

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

Please provide the same information for additional advisors on additional sheets of paper.

Questions? Contact Mark Montoya at mmontoya@cfsaz.org or 520-209-2867.

SUCCESSOR ADVISORS

Successor advisors advise the fund after the death, incapacity of the primary donors and additional fund advisors. If applicable many donors choose children and grandchildren to serve as successor advisors. If you do not wish to name successor advisors, please leave this section blank. Successor advisors must be designated in this agreement by the DONOR, either by name or relationship at the time of this Agreement and provided to CFSA, and must be living at the time they are named. After initial Advisors are unable, unwilling or incompetent to serve, up to two more generations may serve as a successor advisors if conditions are met. For more information, please see Terms and Conditions. Successor advisors may only be designated for funds with a balance over \$100,000

The donor may change the selection of successor advisors at any time before the donor's death or incapacity.

SUCCESSOR ADVISOR #1

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

SUCCESSOR ADVISOR #2

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

Questions? Contact Mark Montoya at mmontoya@cfsaz.org or 520-209-2867.

SUCCESSOR ADVISOR #3

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

SUCCESSOR ADVISOR #4

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

Mailing Address: Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

I/We prefer to be contacted via E-mail Primary Phone Business phone Mail

If you have named more than one successor advisor, please indicate below how you would like the successor advisors to serve:

- Individually serving in the order listed.
All serving concurrently and recommending grants by majority vote.
All serving concurrently and recommending grants by unanimous vote.

Please provide the same information for additional successor advisors on additional sheets of paper.

Questions? Contact Mark Montoya at mmontoya@cfsaz.org or 520-209-2867.

ANONYMITY

You may choose to make grants anonymously on a case-by-case basis through the grant recommendation process. Or, if you prefer complete anonymity for your fund, please indicate below. For example: grant letters, annual reports, newsletters, philanthropic programs)

Completely anonymous in all correspondence and publications of CFSA.

Fund name used in all correspondence and publications of CFSA.

Donor individual names used in all correspondence and publications of CFSA

ESTATE PLANS

You may name your donor advised fund as a beneficiary of your estate plan. If you have already done so, please indicate the type of commitment in the space below.

If you would like to learn about how to include your donor advised fund in your estate plan, please contact Mary Louise Luna, Senior Director of Gift Planning, at mluna@cfsaz.org or 520-209-2875.

Will or Revocable Trust

IRA or other retirement plan assets

Charitable remainder trust

Life insurance

Charitable gift annuity

Charitable lead trust

Other _____

WHO REFERRED YOU TO CFSA?

Professional Advisor

Name

Company or Firm, if applicable

Current donor advised fund holder

Name

News or other media

CFSA publications or cfsaz.org

CFSA employee

Name

Family/Friend

Name

Other

Name

Questions? Contact Mark Montoya at mmontoya@cfsaz.org or 520-209-2867.

SIGNATURES

I/We acknowledge that I/we have read and agree to the Community Foundation for Southern Arizona's terms and conditions (see pages 10 to 12) and agree to the policies described therein.

I/We understand that the transfer of the property described above is an irrevocable gift to the Community Foundation for Southern Arizona and is not refundable to me/us, and such gift is intended to create a donor advised fund.

Donor(s)

Signature

Date

Signature

Date

For The Community Foundation for Southern Arizona

J. Clinton Mabie, President and CEO

Date

Please sign and send completed agreement to:

Mark Montoya, Vice President of Operations
mmontoya@cfsaz.org
520-209-2867

Community Foundation for Southern Arizona
5049 E. Broadway Blvd. Suite 201
Tucson, Arizona 85711
www.cfsaz.org

DONOR ADVISED FUND TERMS AND CONDITIONS

All Funds are subject to The Community Foundation for Southern Arizona's ("Foundation") terms and conditions as may be amended from time to time at the Foundation's sole discretion.

PRIMARY DONOR

The primary donor is defined as the person who established the donor advised fund ("fund") and is responsible for the initial contribution. If the primary donor is not an active fund advisor, the named fund advisors may advise grant making from the fund. For these terms and conditions, the Foundation will communicate with the primary donor or fund advisor(s) as appropriate.

FUND ADVISORS

Upon establishing a fund, the primary donor may give one or more fund advisors the authority to access information regarding the fund and make grant recommendations. Fund advisors will be able to access monthly statements electronically via the Donor Portal and may request to have statements sent by mail.

A person must be at least 18 years old to serve as a fund advisor.

APPOINTMENT OF ADDITIONAL AND SUCCESSOR ADVISORS

Requests to appoint additional advisors, successor advisors, or to make changes in the fund advisors must be communicated to CFSA in writing. Such requests will be accepted from the primary donor only. A maximum of two generations of successor advisors can be named. Should the fund advisor be deceased, unwilling or unable to serve or cannot be located, and a successor advisor has not been named and there is no written succession plan on file at CFSA, then the Fund shall be converted to an unrestricted fund, or if the balance of the fund is below the minimum required amount to do so, it shall be transferred to the general endowment of CFSA. Successor advisors must recommend at least 50 percent of amount distributed from the Fund to the primary geographic area served by CFSA.

Funds created by organizations rather than by individuals are often advised by

an appointed committee with an identified process for selecting new members. As with funds created and advised by individuals, additional advisors, successor advisors, or changes in the fund advisors must be communicated to the Foundation in writing by the organization and/or the appointed committee.

SUCCESSION PLANS

Primary donors have the opportunity to request a succession plan for their fund after all fund advisors cease to serve. There are many options available, including conversion to a designated, field of interest, or unrestricted fund. If no succession plan is given in writing to the Foundation, the fund shall be converted to an unrestricted fund, or if the balance of the fund is below the minimum required amount to do so, it shall be transferred to the general endowment fund of the Foundation. All succession plans must be submitted in writing by the primary donor only and are subject to the Foundation's approval.

MAKING GRANT RECOMMENDATIONS

Grants of \$250 or more may be recommended to a qualified 501(c)(3) public charity or private operating foundation in the United States. Grant recommendations are processed within two weeks. CFSA will contact the donor if there is a delay in processing the grant request. Grants will be designated for general operating support unless otherwise noted by the fund advisor. Grant recommendations can be submitted online through CFSA's Donor Portal. An unlimited number of grant recommendations can be made, and the Donor Portal provides access to a list of previously approved grants to facilitate grant resubmissions. Alternatively, donors may e-mail, fax or mail a grant recommendation to the Foundation.

GRANT LIMITATIONS

The Foundation verifies that all organizations recommended for grants are classified as public charities under Section 501(c)(3) of the Internal Revenue Code of 1986, as Amended ("Code") and, if needed, will request documentation from the organization.

In the event that a matter of concern should surface, the Foundation will advise the fund advisor prior to releasing the grant.

IRS Rules and Regulations do not permit grants from a fund for memberships, sponsorships, tickets, table, or for the fulfillment of a pledge agreement made by a donor, fund advisor, or related party. Grants may not be made to individuals, including an entity (such as a university) for the benefit of a specified individual and cannot provide a benefit to the primary donor, fund advisor or any family member or related parties. Donors and family members may not receive grants, loans or similar payments from a fund. Any grant that provides personal benefit risks significant penalties to the fund advisor and the Foundation. Fund grants may not go to private nonoperating foundations.

INTERNATIONAL GRANTS

Grants to international organizations with a U.S. 501(c)(3) public charity equivalent are subject to the Foundation's standard due diligence procedure. Contact your relationship manager for more information about international grants.

ANONYMITY

The Foundation's IRS Form 990 is accessible through public online resources, but does not disclose individual giving amounts or activity. The Foundation offers various levels of anonymity as part of the grant recommendation process. Primary donors may indicate a default preference for anonymity when completing the fund agreement.

COMPONENT FUND

The Fund will be the property of CFSA and will not be deemed a separate trust fund held by it in a trustee capacity. Funds held at CFSA are intended to provide a permanent and continuous source of philanthropic capital to the community. CFSA has established guidelines to ensure that donor advised funds maintain a consistent level of activity. For inactive funds, defined as a lack of grants made from the Fund for a period of two consecutive fiscal years, CFSA reserves the right to distribute 5 percent of the annual fund balance.

Prior to making a grant from an inactive fund, CFSA will make every effort to contact the fund advisor to determine a course of action.

INVESTMENTS

The Foundation offers four non-endowed investment options to donors: a cash equivalent, a global constrained income & growth, a global constrained balanced, a global growth and income. Primary donors elect an investment allocation at the time they establish the fund. Primary donors may request to change the investment allocation in writing at any time, subject to the approval of the Foundation. The Foundation will consider an investment allocation change no more than once per year and reserves the right to manage the timing of any transfers.

INVESTMENT RETURNS

Investment returns are allocated pro-rata to funds on a monthly basis. Due to the inflows and outflows within each fund, the returns are allocated using the average of the daily balances.

ADDITIONAL CONTRIBUTIONS

Once a fund is established, anyone may add to the fund at any time. There is no minimum contribution amount. Additional contributions will be deposited to the fund based on the investment allocation indicated in the Fund Agreement unless indicated otherwise.

DONOR FUNDRAISING Fundraising for funds is prohibited unless it is specifically authorized pursuant to a written fundraising plan submitted by the fund advisor to the Foundation. Such plans are subject to the review and approval of the Foundation. Please contact your relationship manager for more information.

LEGAL REQUIREMENTS OF FUNDS

No distribution from the fund shall be used to satisfy any charitable pledge made by, or legal obligation of, the primary donor, advisor, or any person related to a donor or advisor.

No distribution from the fund shall be made if such distribution would result in the imposition of any tax described in Sections 4966 or 4967 of the Code. The Foundation shall not retain in the fund any "excess business holdings" as defined in Section 4943 of the Code. Neither the Foundation, donor, nor any advisor shall engage in any "excess benefit transaction", as defined in Section 4958(c) of the Code, with respect to the fund.

GIFT ACKNOWLEDGMENT

All gifts are acknowledged in accordance with Code requirements. Generally, the IRS requires taxpayers to complete and file a Form 8283 with their federal income tax returns for gifts of property valued at \$5,000 or more. It is the donor's responsibility to obtain a qualified appraisal for all gifts other than cash and marketable securities for tax purposes.

GRANT ACKNOWLEDGMENT

All grants from your fund will be acknowledged as coming from () held at the Community Foundation for Southern Arizona.

FUND FEES

Each fund will be allocated a portion of the Foundation's administrative, investment and other fees as set forth below.

ADMINISTRATION FEES

Administration fees are deducted at the conclusion of each month based on the fund's previous month-end balance. Administrative fees cover grant and fund administration, due diligence procedures, the receipt and acknowledgment of contributions, processing and payment of grants, and compliance with federal and state reporting requirements. Fees also support online fund access through the Donor Portal and most of the Foundation's extensive donor services designed to enhance advisors' giving and philanthropic experiences. Fees are subject to change from time to time.

COMPLEX GIFT FEE

Gift assets that require special review, such as real estate, limited partnership interests, or closely-held stock, may incur additional fees to cover tax, legal, or other expenses incurred by the Foundation in association with the transaction. The Foundation reserves the right to charge the fund with respect to such additional fees as the Foundation in its sole discretion deems is appropriate.

CREDIT CARD FEES Contributions received by credit card result in a processing fee. Such fees may change from time to time. This fee is assessed to cover bank transaction fees and is charged to the fund receiving the contribution. The amount of your credit card donation, less applicable fees, will be credited to your fund.

INVESTMENT FEES

The Foundation assesses each fund an investment management fee to cover investment management expenses plus any underlying investment management costs, such as consulting, legal costs and taxes related to investment activity. This fee is assessed monthly based on the average of the daily balances in the fund. In addition, the Foundation has negotiated competitive fees from investment managers not typically available to individual investors. Funds are responsible for an allocable portion of these fees as investment management expenses. Such expenses are charged directly to the earnings, with net earnings credited to the fund. Investment fees are subject to change in the sole discretion of the Foundation and its investment managers.

TAX IMPLICATIONS

As a public charity under Sections 501(c)(3) and 170(b)(1)(a) of the Code, initial and subsequent contributions made to the Foundation currently receive the maximum charitable deduction permitted under state and federal law. Each gift to the Foundation is acknowledged with a receipt confirming the date of the gift for the donor's tax records.

Note: The Foundation does not provide legal or tax advice. Donors should consult with their own financial, tax or legal advisors to determine the best charitable giving strategies for their needs and the tax implications associated with any contribution to the Foundation.

SPENDING POLICY

The Foundation utilizes a Spending Policy to determine the amount available for annual grant making from its endowment funds. Such Spending Policy is currently 4% of the twenty-quarter rolling average market value of the fund minus administration fees, calculated as of June 30 every year. Funds are not generally required to adhere to the Spending Policy, but donors may elect for their fund to be a permanent fund and subject to the Spending Policy as described in these terms and conditions.

VARIANCE POWER

It is understood and agreed that all assets held in the fund will be subject to the Articles of Incorporation and Bylaws of CFSA, including the powers contained therein for the Board of CFSA (a) to modify, if applicable, any restriction or condition on the distribution of funds relating to a specified charitable purpose or purposes or to a specified charitable organization or organizations if in the sole judgement 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 Arizona law; and (c) to replace any participating trustee, custodian, or agent for failure to produce a reasonable rate of return over a reasonable period of time, as determined by the Board.

CONTROL OF ASSETS/MATERIAL RESTRICTION

IRS Rules and Regulations require that the Foundation retain exclusive legal control over the assets contributed to the fund. As such, all grant recommendations are advisory only

and subject to the review and approval of the Foundation.

Additionally, the IRS requires all such funds be free of material restrictions imposed by donors in a manner consistent with the requirements of Section 1.507-2 of the Treasury Regulations.

ASSIGNMENT

The rights and obligations with respect to a fund may neither be transferred nor assigned without the prior written consent of the primary donor and the Foundation. The advised function of any fund cannot be assigned or varied without the prior written approval of the Foundation.

DISPUTES

The fund agreement (including these terms and conditions) between a primary donor and the Foundation is governed by Arizona law without regard to its conflicts of law principles. Venue for any disputes arising out of or in connection with a fund shall be cited in the federal or state courts located in Tucson, Arizona.

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 component 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 component fund.

PRIVACY POLICY

The Foundation deeply values its relationship of trust with its donors and fund advisors. The Foundation's Confidentiality Policy governs the maintenance of personal data and provides that the Foundation will not sell, trade or exchange information about its donors or fund advisors and will honor the wishes of those who prefer to remain anonymous in all communication materials.