



JEWISH
COMMUNITY
FOUNDATION
of GREATER MERCER

Establishment of a Donor Advised Fund

Date: _____

Donor(s) (hereinafter "Donor"): _____

Donor(s) Address: _____

City, State, Zip: _____

Home Phone: _____ Business Phone: _____

Cell Phone: _____ Email: _____

Name of Fund (hereinafter "Fund"):

Property Donated herewith (hereinafter "Gift"):

Recommendations to be made by (hereinafter "Recommendor"):

Delivery is made herewith by Donor of Gift, which, upon its acceptance by the Jewish Community Foundation of Greater Mercer (hereinafter "Foundation"), constitutes an irrevocable gift to the Foundation in accordance with the following:

1. The Fund shall be established by the Foundation. The Foundation may receive additional irrevocable gifts from time to time from the Donor or from any other source to be added to the Fund, all subject to the provisions hereof.
2. The Fund shall be the property of the Foundation held in its normal corporate capacity; it shall not be deemed a trust fund held by it in a trustee capacity. The Foundation shall have all powers necessary, or in its sole discretion desirable, to carry out the purposes of the Fund and shall not be limited by any investment restriction, statutory or judicial, which would otherwise be applicable to it as a fiduciary. The Foundation shall have the power to commingle the assets of the Fund with those of other funds for investment purposes. No person dealing with the Foundation shall be required to inquire into its authority to act.
3. Distributions from the Fund must meet the following standards:
 - a. The distribution must be to an organization that is qualified as a charitable organization under §501(c)(3) of the Internal Revenue Code, as the same may

be amended from time to time; that is a public charity; or, in the judgment of the Foundation, is an operating foundation.

- b. The purpose of the distribution to the donee organization must be charitable; and
- c. The distribution must be consistent with the purposes of the Foundation.

4.

- a. Distributions from the Fund of principal and/or income shall be made at such time or times and in such amount or amounts as may be determined by the Foundation to such organizations of the type described in Paragraph 3, provided that the Recommendor may from time to time recommend names of qualified charitable organizations to which they prefer distributions to be made, which organizations shall not be other than those described in Paragraph Such recommendations shall be solely advisory, and the Foundation may accept or reject them.
- b. All recommendations for distribution from the Fund must be made in writing, stating the name of the donee organization and the amount suggested for that organization. If there is more than one Recommendor, only the recommendation of one is required unless the Donor(s) initial the following: (_____ - All Recommenders must sign jointly.)
- c. Distributions may not be made to discharge or satisfy a legally enforceable pledge or obligation of any person.

5. The Fund shall be subject to such rules as the Foundation may adopt from time to time. These rules may include, without limitation, assessment of an administrative fee, annually or otherwise; termination of the Fund upon the death of the Recommendor(s) or in other circumstances; minimum size of the Fund; and adding income to principal when no recommendations are made.

6. The Foundation will list the Fund in its publications unless the Donor(s) initial the following:

_____ Do not use the name of the Fund in publicity.

Donor's Signature

Donor's Signature

Receipt of the Gift, for the establishment of the Fund, is acknowledged, this _____ day of _____, 20____.

Jewish Community Foundation of Greater Mercer

By:

By:

Executive Director or Officer

Officer

Foundation/Collateral/Establish Donor Advised Fund