

**THIS AGREEMENT**, made at Richmond, Virginia, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between THE CATHOLIC COMMUNITY FOUNDATION OF THE DIOCESE OF RICHMOND ("the Foundation"), 7800 Carousel Lane, Richmond, Virginia 23294, and \_\_\_\_\_, an affiliated entity of the Catholic Diocese of Richmond.

**WITNESSETH:**

**I. CREATION OF THE FUND:**

There is hereby created the \_\_\_\_\_ ("the Fund") to receive, hold, manage and administer contributions and funds to support \_\_\_\_\_.

*(fund name)*

*(fund purpose)*

The Foundation shall hold the assets, together with any additions thereto, and shall invest and reinvest the same and shall distribute income as hereinafter set forth. As a permanently restricted fund, the principal of the Fund, and any subsequent gifts thereto, should be maintained and only the investment income may be used for this Fund's donor-imposed purpose.

**II. INVESTMENT OF FUNDS:**

The assets of the Fund may be invested in common with other funds of the Foundation, but separate records shall be kept of the assets, and its investment income, losses, future additions, if any, and disbursements. The principal shall be invested at the discretion of the Board of Directors of the Foundation, in accordance with the Foundation's by-laws and investment policy in order to generate income. From time to time, the fair value of the Fund may fall below the level that comprised the principal of the Fund and create a deficiency. In accordance with the Uniform Prudent Management of Institutional Funds Act of the Code of Virginia, record of such deficiencies shall be recorded in the investor's unrestricted net assets. Investment income generated in a subsequent period may be used to return the principal of the Fund to its original level and will reduce the deficiency recorded in unrestricted net assets until such time as the principal is restored in its entirety.

**III. WITHDRAWAL FROM THE FUND:**

A. Principal: The original contribution to the Fund, and any subsequent additions, shall comprise the principal of the Fund. The principal shall remain intact with the intention of building it over time through additional contributions and investment returns. The Foundation has adopted a spending policy with the intention of providing a predictable stream of funding for the purposes of the Fund while seeking to maintain the purchasing power of the Fund over the life of the Fund.

B. Income: The Foundation is authorized to distribute the investment income derived from the assets of the Fund for the purposes for which the Fund was created in accordance with the Foundation's spending policy.

**IV. FEES FOR MANAGING CHARITABLE FUNDS:**

The Fund will pay an annual fee for the general support of the Foundation to advance its charitable mission. Fees are based upon the Foundation's policy on general support for a permanently restricted fund and the percentages are based upon the fund's trailing three-year average asset value calculated as of December 31, of the prior year. A copy of the policy is attached hereto.

**V. CHANGE IN CIRCUMSTANCES:**

In the event the charitable institution, parish or school supported by the Fund ceases to exist, the remaining principal balance and any undistributed balance of the net earned income of the Fund shall be transferred to another

endowment fund administered by the Foundation that supports the successor charitable institution. If, due to a change in circumstances not anticipated by the donor, it becomes impractical or wasteful to fulfill the intentions of the Donor(s) as described herein, a modification may be made, such modification to the extent practicable, shall be in accordance with the donor's probable intentions. Any modification may not allow the Fund to be used for a purpose other than a charitable purpose of the Foundation.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the day and year first above written.

**WITNESS:**

**The Catholic Community Foundation  
of the Diocese of Richmond**

\_\_\_\_\_  
Principal Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
President, Board of Directors

\_\_\_\_\_  
Date

**WITNESS:**

**ATTEST:**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Board of Directors

\_\_\_\_\_  
Date