



Maine
Community Foundation

ADVISED FUND AGREEMENT

To establish XYZ Fund (hereinafter called the "Fund"), I/we hereby transfer, convey, and pay over to the Maine Community Foundation (the "Community Foundation"), as a charitable contribution, the following: description of assets.

The Community Foundation is authorized to accept additional contributions to the Fund in terms substantially similar to those set forth herein.

I/we desire that the income and principal of the Fund be available for distribution to benefit nonprofit organizations in Maine and elsewhere. The Community Foundation’s Board of Directors, or its duly authorized committees, may make distributions after receiving the advice in writing from the following advisor(s): insert name(s) of advisors

I/we hereby acknowledge receipt of the Administrative Fee Schedule attached hereto as Exhibit A and accept the terms of said schedule. I/we further understand that the fee schedule is subject to modification and may be increased or decreased at the sole discretion of the Community Foundation's Board of Directors and I/we agree to be bound by the most current schedule of fees published by the Community Foundation.

I/we also understand that the Community Foundation, through its duly authorized committees, reserves the right to make the final decision regarding distributions from the Fund and has variance power¹ over the fund.

If the above-designated persons are not available to advise and consult with the Community Foundation, the Foundation shall use the proceeds of the Fund for charitable purposes in Maine and as they reflect any additional instructions on record at the Maine Community Foundation. This Agreement shall be governed by and construed in accordance with Maine law.

Yours very truly,

Accepted this ____ day of _____, 2021
The Maine Community Foundation

By _____
Insert name and title

¹ Maine Community Foundation Articles of Incorporation, Article Second. The Board of Directors shall have the power to modify, consistent with State law, including seeking approval of the appropriate court or Attorney General, where applicable, any restriction or condition on the distribution of funds for any specified organizations if in the sole judgment of the Board when (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.**