

GIFT AGREEMENT

This Gift Agreement, entered into between Potomac Valley Alumni Chapter (ID # 14699365), referred to hereinafter as “Donor,” and the WVU Foundation, Inc., referred to hereinafter as “Foundation,” a qualified charitable organization, Federal ID 55-6017181, establishes a gift to be used by the Foundation for the benefit of West Virginia University, referred to hereinafter as “University”.

Potomac Valley Chapter - WVU Alumni Association Scholarship

This Agreement supersedes the document signed on **October 28, 2016**. Fund #**3S865** is fully operational.

This fund will be awarded based on the following criteria:

- May be either a West Virginia Resident or Non-Resident student enrolled at West Virginia University.
- Undergraduate scholarship.
- Student majoring in any program at WVU Morgantown Campus or Potomac State College of WVU
- Recipients shall be for residents of the following counties/states:
 - Mineral, West Virginia
 - Hampshire, West Virginia
 - Allegany, Maryland
 - Garrett, Maryland
- Student shall maintain a GPA of 3.0.
- Student shall be making satisfactory academic progress and demonstrate financial need as determined by the WVU Office of Financial Aid.

Recipients shall be selected by the WVU Office of Financial Aid.

This Endowment will be identified in Foundation records as a discrete and permanent fund. All gifts are irrevocable. The Foundation Board of Directors will manage this Endowment in accordance with state law, investment and disbursement policies established by the Foundation, and general accounting principles. The amount of funds from the Endowment that may be expended shall be determined in accordance with the Endowment Spend Policy, as updated annually, and will be made available when the Endowment is fully operational.

This Endowed fund is executed in and shall be governed by the laws of the State of West Virginia. This Agreement is construed to be in accordance with Foundation policies applicable to its Endowed funds, as amended from time to time. The effective date of this Agreement shall be the date of the last signature.

If this Endowed fund’s purpose ever becomes impractical or any provision of this Agreement is found to conflict with or violate any federal or state law or regulation, the Foundation’s Board of Directors shall have authority to make changes to provide a modified or otherwise appropriate alternative use which comes closest to

the Donor's original intent.

The WVU Foundation assesses fees to support operations related to soliciting, processing, managing and stewarding private contributions. Fees also provide for reinvestment in development operations to grow overall philanthropic support for WVU and its affiliates. Fees have only a minor effect on individual funds. However, their collective impact encourages sustained growth in private support across the University.

Advancement Fee - Effective July 1, 2020, an advancement fee of 5% will apply to gifts where applicable. The maximum amount of the advancement fee assessed on a single gift shall not exceed \$250,000. WVUF recognizes the full contribution amount for donor tax credit purposes and for donor recognition programs. Testamentary and matured planned gift distributions and real estate and mineral sales proceeds are subject to the advancement fee. Refer to the Frequently Asked Questions document at www.wvuf.org for more information on the advancement fee.

Endowment Management Fee - Endowments are invested by pooling the funds together in a manner like a mutual fund. The pooled investment fund is managed by professional investment managers and is broadly diversified across asset classes/investment managers. The Foundation charges a 1.35% annual endowment management fee to help support Foundation operations. Other costs associated with the WVUF Endowment include investment management assessments, custodial costs and consulting expenses. All investments are overseen by the Investment Committee of the WVUF Board of Directors.

Endowment Spend Policy - Endowment funds are invested so that a gift today will fund a donor's objective in perpetuity. The objective is to provide an annual payout that keeps pace with inflation while maintaining the purchasing power of the original gift over time. Annual payout is determined as follows: New endowments received during the fiscal year will be included in the fiscal year spend calculation and made available for use by the University the following July 1. This will give new endowments an opportunity for earnings growth while invested in the endowment pool during the first year. Donors may also provide cash spend gifts which would be made available for immediate use by the University. Established endowments receive the same payout as the prior year plus inflation (but not less than 3% or more than the 4% of the current market value).

In order to preserve and grow principal, funds with a market value (MV) slightly above/below original gift value (OGV) will receive a prorated amount of full spend.

- Funds with a MV above OGV by >10% will receive full spend payout or 4%
- Funds with a MV above OGV by 5-10% will receive 93.75% of full spend or 3.75%
- Funds with a MV above OGV by 0-5% will receive 87.5% of full spend or 3.50%
- Funds with a MV below OGV by 0-5% will receive 75% of full spend or 3%
- Funds with a MV below OGV by 5-10% will receive 62.5% of full spend or 2.50%
- Funds with a MV below OGV by >10% are not eligible for a spend payout

Endowments funded with pledge payments will be invested and upon reaching the minimum endowment amount become fully operational and eligible for Spend payout the following year. This Endowment Spend Policy is reviewed annually and therefore subject to change.

GIFT PUBLICITY CONSENT

The West Virginia University Foundation (WVUF) partners with West Virginia University (WVU) to recognize those who provide private support for the University. When a gift or commitment is selected for a Gift Publicity Announcement, the Donor's wishes are respected per the selections on this consent form.

Permit Gift Publicity Announcement:

- ☒ I Permit a Gift Publicity Announcement for this Gift/Commitment - Complete Remainder of Options below
- ☐ I Request No Gift Publicity Announcement for this Gift/Commitment - Sign and Date at bottom

Donor Name:

- ☒ Name(s) for Gift Publicity Announcement: Potomac Valley Chapter of WVU Alumni and Friends
- ☐ Publicize as an Anonymous Gift

Gift Amount:

- ☒ Reveal Gift Amount in Gift Publicity Announcement
- ☐ Do Not Reveal Gift Amount in Gift Publicity Announcement
- Note: Most media outlets will not publicize a gift that does not reveal the gift amount

Editorial Review:

- ☐ I Wish to review the Gift Publicity Announcement prior to release
- ☒ I Do Not Wish to review the Gift Publicity Announcement prior to release

Additional Instructions:

Signature: Steven J. Kesner, President
Steven J. Kesner, President (May 4, 2022 17:27 EDT)

Email: dskesner@breezeline.net

Signature: B.J. Davisson
B.J. Davisson (May 4, 2022 17:32 EDT)

Email: BDavisson@wvuf.org