

PRESBYTERIAN FOUNDATION OF BOULDER GIFT ACCEPTANCE POLICY

PURPOSE

The purpose of this Gift Acceptance Policy is to explain the Presbyterian Foundation of Boulder (‘Foundation’) guidelines for the acceptance of gifts to the Foundation. All gifts to the Foundation will be administered by the Foundation in line with the donor’s wishes. No gifts will be accepted if the conditions of the gift require funds to be distributed to non-Christian charities.

This policy will facilitate giving by aiding understanding of the policies of the Foundation. A major goal of the policy is to ensure that all donors will be given the same consideration. Exceptions to the policy will be made only by action of the Board of Directors of the Foundation.

As used herein, the term “gift” shall extend to real and personal property. The intent of the following is not to include every possible circumstance, but to provide some general guidelines.

GUIDELINES

Members of the Board of Directors of the Foundation (Directors) will exercise due diligence in establishing relationships with potential donors to determine and evaluate the donor’s motives for making a gift and, in that regard, such directors will carefully review all gifts before receipt and presentation to the Foundation for acceptance.

Directors shall not benefit personally from fees related to gifts received, nor will they pay finder’s fees to any other person for gifts or for the solicitation of gifts.

Neither the Foundation, nor representatives of the Foundation, shall provide legal or tax services to donors. If necessary, Directors or other representatives of the Foundation will assist donors in securing appropriate counsel. Directors or other representatives of the Foundation may also meet with donor’s counsel and provide whatever assistance counsel might request. Directors and other representatives of the Foundation may communicate with donors and their counsel in writing about issues affecting specific situations.

DONOR’S INTENT

In all cases, the donor may provide reasonable written directions for the use of his, her or their gifts. Every attempt will be made to comply with the donors’ wishes, subject to the

Foundation's existing policies. Gifts made for the purpose of establishing donor advised funds will be subject to IRS regulations as to distributions.

UNACCEPTABLE GIFTS

If a gift is offered to the Foundation that its Board of Directors deems is not within the existing policies of the Foundation, and the Board is unable to come to an agreement with the donor to bring the purpose of the gift within said policies and commitment of the Foundation, the Board may decline the gift or return same, without interest or accruals. If, in the opinion of the Board, the purpose for which a gift was made has over the years become inconsistent with the policies of the Foundation, the Board may recommend that the gift be turned over to another charitable organization that would seek to comply with the donor's request.

CLASSIFICATION OF GIFTS

Gifts will be classified as restricted and unrestricted.

- A. Restricted Gifts: A donor may designate a specific fund into which his or her gift will be placed. The donor may indicate a preference as to the specific use to which the gift will be applied and, in all cases, every attempt will be made to honor the wishes of the donor.

- B. Unrestricted Gifts: Gifts not designated to a specific fund will be deposited to the General Endowment Fund. The Board may subsequently allocate balances in the General Endowment Fund to specific funds or uses as it deems in the best long-term interest of the Foundation.

TYPES OF GIFTS

Gifts of Cash and Publicly Traded Securities

Gifts such as cash and publicly traded securities are encouraged because of their ease of transfer. Outright gifts of publicly traded securities will be sold as soon as is reasonably practicable so as to preclude the Directors from being put in a position of timing various sales. The gift value of securities is determined by the mean of the high and the low selling price of the securities on the date the stock is received by the Foundation or the date the securities are "booked" to its investment account.

Gifts of Life Insurance

The Foundation will accept gifts of life insurance as outright gifts, or deferred gifts. Gifts can be made by giving existing policies, by change of beneficiary, or by purchasing new insurance. The Foundation never recommends agents or agencies and never endorses

insurance programs. Those considering gifts of new insurance are urged to survey the market by reviewing the products of several companies.

Gifts of Real Property

There are tremendous benefits to using real property as an expression of stewardship. Possibilities for income and estate tax planning are positive aspects. However, real property is also difficult to liquidate and certain steps and precautions are necessary to make such transactions complete. The following steps are intended to make such a transaction as beneficial to all parties as possible.

All gifts of real property will require a title policy, a survey, and evidence that the property is free from environmental hazards which would subject an owner to liability under the Comprehensive Environmental Response, Compensation and Liability Act, the Superfund Amendments and Reauthorization Act of 1986, and any other local state or federal environmental law or regulation.

The donor is responsible for establishing the value of property donated to charity. The Directors will notify the donor and his/her counsel in writing about the requirements of the Internal Revenue Code for a qualified appraisal. The Foundation will provide Form 8283 to the donor and will file Form 8282 with the IRS in the event the property is sold within two years of the gift date.

Gifts of real property will be sold as soon as practical unless the property (a) is currently, or is reasonably capable of, producing income sufficient to pay taxes, insurance, and any other costs related to the property and (b) is determined to have a use consistent with the principles of the Foundation and/or is determined to have a significant potential increase in value.

1. Gift of real property must have a clear title policy, including current leaseholds, and evidence of marketability or adequate income to meet any expenses involved with receipt and/or disposition of the same.
2. According to IRS guidelines, for the purpose of valuing the gift, an appraisal by a certified appraiser must be obtained no earlier than 60 days prior to the date of the gift, and no later than the due date of the return on which the contribution is first claimed as a deduction. Form 8283 will be provided to the donor upon request. Form 8282 will be filed with the IRS on a timely basis if the gift is sold within two years.
3. An Environmental (EPA) Level 1 Inspection is required at the time of receipt of the property and an Environmental Waiver is required at the time of both receipt and sale of the property.

4. Donor must guarantee taxes, insurance, legal and other expenses until liquidation unless the property has adequate income to support these expenses.
5. Donor will be informed that the value of the gift will likely be reduced by sales commissions, taxes, and legal expenses at the time of sale of the property.
6. Receipt of property must be approved by the Foundation Board of Directors.

Gifts of Residence or Farm, with Life Estate Reserved

The Foundation encourages gifts of a residence or farm, with a life estate reserved. Representatives of the Foundation will notify the donor and his or her counsel in writing that property taxes, maintenance, and insurance continue to be the responsibility of the donor as long as he or she lives, unless otherwise negotiated. Gifts will be subject to the same guidelines as Gifts of Real Property, as enumerated above.

Gifts of Tangible Personal Property

Gifts of tangible personal property will be considered and received by the Foundation on an individual basis. The donor is responsible for establishing the value of tangible personal property donated to charity.

Life Income Gifts

Life income gifts such as Charitable Remainder Trusts will be administered by the Directors of the Foundation, if accepted.

Charitable Lead Trusts

Gifts such as Charitable Lead Trusts will be administered by the Directors of the Foundation, should they be accepted by the Directors.

Donor Advised Funds

Donor Advised Funds will be administered by the Directors of the Foundation, subject to IRS Regulations, should they be accepted by the Directors.

Amendments to these policies will be subject to review and change from time to time and may be amended by Directors of the Foundation.