



**THE FLORIDA NURSERY, GROWERS AND LANDSCAPE ASSOCIATION (FNGLA) - ACTION CHAPTER
GIFT AGREEMENT**

This Agreement is between the Florida Nursery, Growers and Landscape Association's - Action Chapter (Donor) and the University of Florida Foundation, Inc., located in Gainesville, Florida (Foundation), on behalf and for the benefit of the Mid-Florida Research and Education Center (MF-REC) of the Institute of Food and Agricultural Sciences (UF/IFAS) at the University of Florida (University).

1. PLEDGE

The Donor, in consideration of its abiding interest in the University, pledges to the Foundation the amount of \$30,000. This gift, together with any other properties which may later be brought within the operation of this Agreement (Gift), will be held by the Foundation in accordance with this Agreement.

2. NAME OF THE FUND

In grateful recognition of the Donor's generosity and in reliance upon this Agreement, the Foundation agrees to establish an endowment fund to be known as **"THE FNGLA – ACTION CHAPTER MF-REC EXCELLENCE ENDOWMENT FUND"** (Fund).

3. PURPOSE

The spendable income from the Fund shall be used to support undergraduate scholarships, graduate assistantships, research, education and programs at the UF/IFAS Mid-Florida Research and Education Center in Apopka, Florida, at the discretion of the MF-REC Director, in consultation with the MFREC Advisory Committee.

If, in the best judgment of the Board of Directors of the Foundation, all or part of the Gift cannot be used in the manner described in this Agreement, the Board may use the Gift for other purposes as nearly aligned to the Donor's original intent, after consultation with the Donor if possible, as the Board deems appropriate under the circumstances.



4. SCHEDULE AND FORM OF CONTRIBUTIONS

The Donor pledges to make a gift of \$30,000 on or before December 1, 2009.

5. ADMINISTRATION

The Foundation will establish and manage the Fund in accordance with the prevailing management and investment policies (<http://www.uff.ufl.edu/documents>) of the Foundation and use the spendable income from this endowment to support the purpose(s) outlined in Section 3. The Director of the MF-REC, or his or her designee, will be the initial administrator of this Fund.

6. RECOGNITION

The Donor's contribution may be noted in future University and UF/IFAS publications. Formal press releases or specific articles will be submitted to the Donor for approval. However, the Donor wishes that all other information regarding its gift will be confidential.

7. FOUNDATION QUALIFICATION

By letter dated May 16, 1979, the Internal Revenue Service has declared the University of Florida Foundation, Inc. (federal tax identification number 59-0974739) to be a duly qualified charitable organization under section 501(c)(3) and also an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code and not a private foundation under such provisions in section 509(a). The Foundation is currently listed as such a qualifying organization in IRS publication 78. Additionally, the Foundation is certified by the Florida Board of Education as a Direct Support Organization for the University of Florida under Florida Statutes Section 1004.28 and is a duly chartered active Florida corporation not for profit.

This Agreement will be construed in accordance with, and the administration of the properties held in the Fund will be determined by, the laws of the State of Florida, irrespective of the domicile of the Donor or of the situs of any property held under this Agreement.

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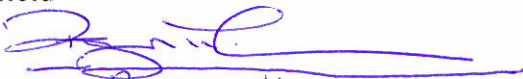


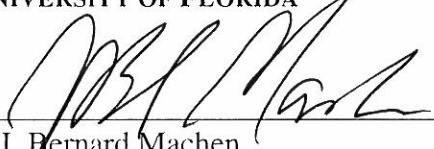
CONFIDENTIAL DOCUMENT

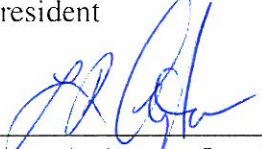
An officer of the Donor, an officer of the University, and an officer of the Foundation have executed this Agreement on the date indicated below:

FLORIDA NURSERY, GROWERS AND LANDSCAPE ASSOCIATION (FNGLA) – ACTION CHAPTER

By:  6/26/09
Bill Butterfield Date
President


 Date: 6/26/09
Regina Thomas
State Board Representative

THE UNIVERSITY OF FLORIDA
By:  6/9/09
J. Bernard Machen Date
President

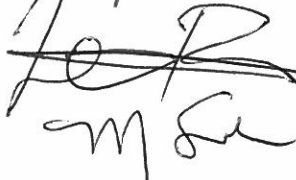
By:  6/4/09
Larry Arrington, Interim Senior Vice President Date
Agriculture and Natural Resources

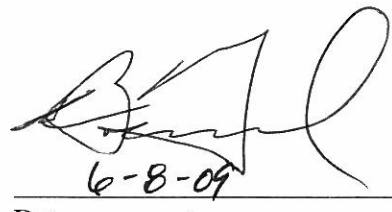
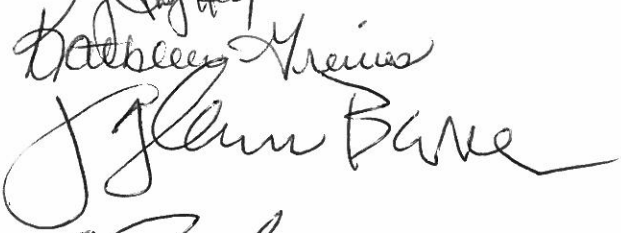
THE UNIVERSITY OF FLORIDA FOUNDATION, INC.

By:  6-8-09
Paul A. Robell Date
Executive Vice President


John Madison

Judith A. Guley

Kay Wheeler

M. S. ...
Copy 2 of 2 copies


Barbara Meines

Glenn Bane
