

APPENDIX A – INVESTMENT MANAGEMENT AGENCY AGREEMENT

On this _____ day of _____, 20__, Hutchinson Community Foundation (“Foundation”) makes this agreement with _____ (“Agent”).

1. Services of Agent. Agent shall hold and safeguard in an agency account the securities, property, or other assets deposited with Agent by Foundation. Agent shall have complete discretion in the investment and reinvestment of the assets in the account, with full power and authority to make such purchases and sales of securities or other property or interests therein as it may deem appropriate and in the best interest of Foundation. Agent shall have all other powers, rights, and privileges necessary for or incident to the performance of its duties including, but not limited to, the powers:
 - a. to invest and reinvest the principal and income of the account in any and all common stocks, preferred stocks, bonds, notes, debentures, mortgages, open-end or closed-end mutual funds, equipment trust certificates, registered investment companies, and in such other property, real or personal, tangible or intangible, as Agent may deem advisable with the exception of the following transactions which require written disclosure to the Foundation prior to the transaction:
 - i. investments that generate Unrelated Business Income Tax payable by the Foundation
 - ii. any transaction that results in leveraging our assets
 - iii. excluding mutual funds, any transaction investing in private placements, lettered stock, futures contracts, swaps, synthetic securities, derivatives, naked options, short sales, margin transactions or other specialized investment activities;
 - b. to retain property, other than cash, contributed to the account in the same form in which contributed;
 - c. to sell, exchange, convey, assign, or transfer any property held by Agent upon such terms and for such prices as it, in its sole discretion, may deem advisable;
 - d. to collect the income due on the securities and property held in the account, as well as the proceeds of maturities, redemptions, or sales of such property; collections of principal shall be held for reinvestment; income may be distributed as directed by Foundation or may be reinvested;
 - e. to vote in person or by proxy on any stocks, bonds, or other securities held in the account, to exercise any rights appurtenant to any such securities for the conversion thereof into other securities, and to make any and all necessary payments with respect to such conversions or exercise;
 - f. to deposit or arrange for deposit of securities in a “clearing corporation,” as defined in K.S.A. §84-8-102(3) and in accordance with K.S.A. §84-8-108;

By: _____

Aubrey Abbott Patterson, CEO
Hutchinson Community Foundation

By: _____

Agent