



**THE FLORIDA WILDFLOWER FOUNDATION
GIFT AGREEMENT**

This Agreement is between the Florida Wildflower Foundation (Donor) and the University of Florida Foundation, Inc., located in Gainesville, Florida (Foundation), on behalf and for the benefit 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 \$100,000. 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 GARY HENRY ENDOWMENT FOR THE STUDY OF FLORIDA NATIVE WILDFLOWERS**" (Fund).

3. PURPOSE

The spendable income from the Fund shall be used to support research in UF/IFAS of wildflowers native to the state of Florida.

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 will request that the Donor authorize use of the Gift for other purposes as nearly aligned to the Donor's original intent. If for some reason, the Donor no longer exists, the Board of Directors of the Foundation will consult the Board of Directors of the Florida Native Plant Society for direction.

4. SCHEDULE AND FORM OF CONTRIBUTIONS

The Donor will make a gift of \$100,000 on or before December 31, 2007.

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5. STATE OF FLORIDA MATCH

The Donor is making this Gift in anticipation that the Foundation will apply for State matching funds from the State of Florida Trust Fund for Major Gifts upon receipt of the entire Gift, if such matching funds are then available. It is the Donor's specific wish that the Foundation apply for any other matching funds from whatever source which may be available as a result of this Gift.

6. ADMINISTRATION

The Foundation will establish and manage the Fund in accordance with the prevailing management and investment policies of the Foundation and use the spendable income from this endowment to support the purpose(s) outlined in Section 3. The Senior Vice President of Agriculture and Natural Resources, or his designee, will be the initial administrator of this Fund.

7. 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.

8. 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.

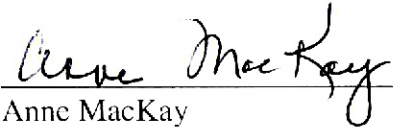
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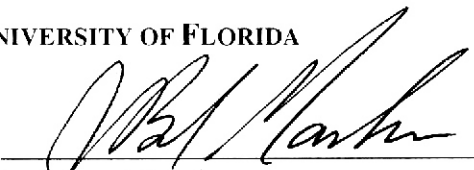
An officer of the Donor, an officer of the University, and an officer of the Foundation have executed this Agreement on the date indicated below:

FLORIDA WILDFLOWER FOUNDATION


By: 
Anne MacKay
Chairperson

12/23/07
Date

THE UNIVERSITY OF FLORIDA

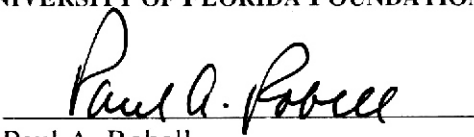
By: 
J. Bernard Machen
President

12/18/07
Date

By: 
Jimmy G. Cheek, Senior Vice President
Agriculture and Natural Resources

12/14/07
Date

THE UNIVERSITY OF FLORIDA FOUNDATION, INC.

By: 
Paul A. Robell
Executive Vice President

12-17-07
Date

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