

**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

August 21, 2013

*mailed  
8/21/13*

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation  
Dennis H. and Christine N. Hill Charitable Remainder Unitrust

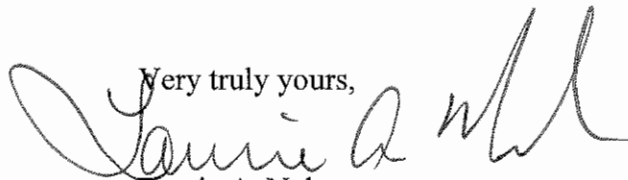
Dear Susan:

I am enclosing for your review a proposed Nonjudicial Settlement Agreement Modifying Charitable Remainder Unitrust in the Dennis H. and Christine N. Hill Charitable Remainder Unitrust. This CRUT was established in 1997 with only a general charitable purpose (see page 3, Section 6.1 of the original agreement). The Hills have made additional cash contributions to the CRUT since that time. Now the Hills wish to tailor the charitable purpose of the CRUT to provide for the establishment of the Dr. Bernard Daly Endowed Faculty Fellowship Fund in the Department of Biology, for general faculty support, at the University of Oregon.

Both original donors are available to sign the Nonjudicial Settlement Agreement. Additionally, the proposed change is merely a narrowing from a general charitable purpose to a more specific one, which we believe is consistent with the material purpose of the trust, so that court approval is not necessary for this modification.

If the Nonjudicial Settlement Agreement meets with your approval, please sign where indicated and return the originals to us in the enclosed envelope. We will circulate the originals for the remaining signatures and send you a fully executed copy for your files. If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:ghm  
Enclosures

**RECEIVED**

AUG 26 2013

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147

Ms. Susan Bower  
August 21, 2013  
Page - 2

cc: Paul Weinhold (w/o encls.)  
Erika Funk (w/o encls.)  
Thomas P.E. Herrmann (w/o encls.)  
Ian T. Richardson (w/o encls.)



**NON-JUDICIAL SETTLEMENT AGREEMENT  
MODIFYING CHARITABLE REMAINDER UNITRUST**

**Recitals:**

- A. On July 23, 1997, Dennis H. Hill and Christine N. Hill as Donors/Settlers ("Donors") and the University of Oregon Foundation ("Foundation"), an Oregon nonprofit corporation, as Trustee, executed the Dennis H. and Christine N. Hill Charitable Remainder Unitrust (the "CRUT") a copy of which is attached hereto and incorporated herein as Exhibit A.
- B. The original CRUT contemplated that after the death of the Donors, the remaining principal and income in the CRUT (less any amounts owing to the Donors or the survivor) would be distributed to the University of Oregon Foundation to be used for its general corporate purposes without restriction. The Donors now wish to designate a specific charitable purpose for the remainder interest by establishing the Dr. Bernard Daly Endowed Faculty Fellowship Fund in the Department of Biology, for general faculty support, at the University of Oregon.
- C. Pursuant to ORS §130.045(3)-(5), "interested persons" may enter into a binding nonjudicial settlement agreement with respect to any matter involving a trust, including the modification of the terms of the trust.
- D. The interested persons with respect to the Fund are: Dennis H. Hill and Christine N. Hill, Donors/Settlers, Paul Weinhold, President/CEO of the University of Oregon Foundation, Trustee, Bruce A. Bowerman, Department Head, Biology Department, University of Oregon ("University"), Michael C. Andreasen, Vice President University Development, University of Oregon, and Susan A. Bower, Office of the Attorney General, State of Oregon (collectively "Interested Persons" and individually "Interested Person").

**Agreement**

- 1. The Recitals appearing above and the CRUT are incorporated herein by reference.
- 2. The parties agree that Section 6.1 of the CRUT shall be modified to read as follows:

"6.1 Upon the death of the survivor of the Donors, the Trustee shall distribute all of the then income and principal of the Unitrust, other than any amount due to the Donors or the survivor of them, to the UNIVERSITY OF OREGON FOUNDATION to be used to establish the Dr. Bernard Daly Endowed Faculty Fellowship Fund in the Department of Biology, for general faculty support, at the University of Oregon. The Donors, or the surviving Donor, by written agreement signed by the Donors, or the surviving Donor, and by the Foundation, may from time to time designate uses and purposes for the funds distributed to the Foundation pursuant hereto in addition to or different from those uses and purposes described herein, provided that any such designation is for the sole benefit of the University, and that any such uses and purposes must be subject to and permitted by the Foundation's Articles of Incorporation and Bylaws as in effect at the time of the designation.

If prior to the time for distribution pursuant to Section 6.1 a change of circumstances should render the designated purpose of the gift to the Foundation as described in Section 6.1 unlawful, impracticable, wasteful, no longer reasonably achievable, or no longer of reasonable benefit to the University of Oregon, as determined by the Foundation and the President of the University of Oregon, then, and only then, the Board of Trustees of the Foundation in consultation with the President of the University of Oregon, without seeking approval of the Oregon attorney general or any court, may otherwise use the gift to further the objectives and purposes of the University of Oregon, giving due consideration to the Donor's purpose and intent as described in Section 6.1."


3. Except as specifically provided herein, the original CRUT shall remain in full force and effect.

**Waiver**

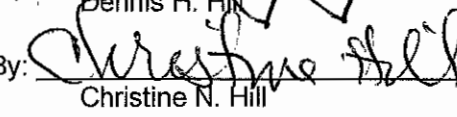
Each of the undersigned parties hereby waives further notice and consents and agrees that this non-judicial settlement is effective and binding upon execution of this Agreement pursuant to ORS 130.045(3)(b).

IN WITNESS WHEREOF, each of the undersigned has executed this Nonjudicial Settlement Agreement on the date set opposite their respective signatures below.

Donors

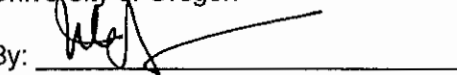
By:   
Dennis H. Hill

8/8/2013  
Date

By:   
Christine N. Hill

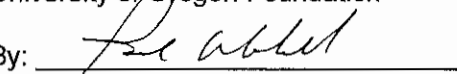
8/8/2013  
Date

University of Oregon

By:   
Michael C. Andreasen  
Vice President  
University Development

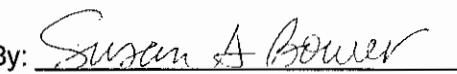
8/16/13  
Date

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

8/16/2013  
Date

Attorney General

By:   
Susan A. Bower, OSB #960960  
Office of the Attorney General  
State of Oregon

8/26/13  
Date



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

September 22, 2014

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED  
SEP 25 2014

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation  
Tee A. Corinne Institutional Fund

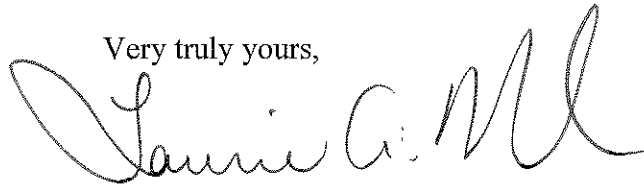
Dear Susan:

I am enclosing for your review a proposed Agreement Modifying Institutional Fund in the Tee A. Corinne Institutional Fund.

As you will recall, we earlier submitted this as a Nonjudicial Settlement Agreement, and are re-submitting it as an agreement that will be filed with the Lane County Circuit Court for final approval.

If the Agreement meets with your approval, please sign where indicated and return two of the three originals to us in the enclosed envelope, keeping a fully executed copy for your files. If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Hilary Hefferlin (via email w/ encls.)  
Ian Richardson (via email w/ encls.)

## AGREEMENT MODIFYING INSTITUTIONAL FUND

### PARTIES:

University of Oregon Foundation (A.K.A. University of Oregon Development Fund) (the "Foundation")

Adriene Lim, Philip H. Knight Dean of Libraries, University of Oregon

Michael C. Andreasen, Vice President, University Advancement, University of Oregon

### RECITALS:

- A. The Parties desire to modify the **Tee A. Corinne** Institutional Fund Agreement, established in 2007 by gifts from the estate of Tee A. Corinne based on the Codicil to the Last Will and Testament of Tee Athelston Corrine, the Codicil being dated August 25, 2006 (the "Institutional Fund"), a copy of which is attached hereto as Exhibit "A."
- B. The Parties and the Oregon Attorney General constitute all persons and entities whose signatures are required for this Agreement to be effective pursuant to ORS Chapter 128.
- C. ORS 128.328(3) authorizes a court to modify a wasteful charitable purpose provided the modification is consistent with the donor's expressed charitable purposes. The modification in this matter promotes the donor's intent by using excess donated funds to promote donor's specific charitable intent beyond what was originally thought possible at the time of the gift (see Exhibit B).

### AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing recitals that are by this reference expressly made a part hereof, and in consideration of the terms hereinafter contained, the Parties agree as follows:

1. Modification of Institutional Fund

On the Effective Date, the Institutional Fund shall be modified as set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

2. Effective Date

This Agreement shall be effective on the date that all Parties and the Oregon Attorney General have each signed this Agreement and, if required by law, this Agreement has been approved by the Circuit Court of the State of Oregon for Lane County.

3. Number, Gender and Captions

As used herein, the singular shall include the plural and the plural the singular, as the context requires. The masculine and neuter shall each include the masculine, feminine and neuter, as

the context requires. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Agreement.

4. Counterparts

This Agreement has been prepared and may be executed in multiple counterparts, each of which shall constitute an original. Each party may execute a separate counterpart, all of which when assembled shall constitute this Agreement, fully executed.

5. Original Agreement

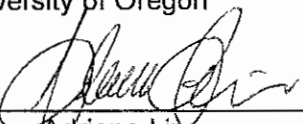
The Institutional Fund, as amended, and each term and provision thereof shall remain in full force and effect, except as herein modified, amended or restated.

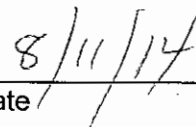
6. Entire Agreement


This Agreement and the exhibit hereto constitute the final written expression of all terms of the Institutional Fund and when read together they constitute the complete and exclusive statement of those terms.

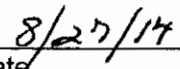
IN WITNESS WHEREOF, each of the undersigned has executed this Agreement on the date set opposite their respective signatures below.

University of Oregon

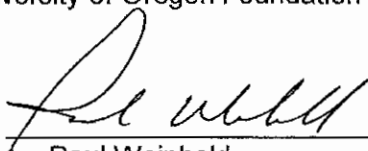
By:   
\_\_\_\_\_  
Adriene Lim  
Philip H. Knight Dean of Libraries

  
\_\_\_\_\_  
Date

By:   
\_\_\_\_\_  
Michael C. Andreasen  
Vice President, University Advancement

  
\_\_\_\_\_  
Date

University of Oregon Foundation

By:   
\_\_\_\_\_  
Paul Weinhold  
President/CEO

  
\_\_\_\_\_  
Date

ORS Ch. 128 (and, to the extent applicable, ORS Ch. 130) provides that, in certain instances, in order for an agreement modifying charitable funds held in trust subject to the enforcement or supervisory powers of the state or the Attorney General under ORS 128.610 to 128.750 to be



### Modification of Institutional Fund

Tee A. Corinne Fund (fund 34/24-6678)

#### Modification of Purpose

Whereas the donor left generous funds through her estate, the remaining parties established a fund in October 2007; and

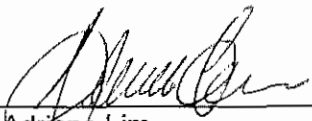
Whereas the initial work of processing the original collection is complete, and a balance of over \$175,000 remains, generating approximately \$7,000 per year additional income; and

Whereas, by expanding the purpose of the fund, we avoid being wasteful of the donor's generosity, and expand the ability to highlight her areas of interest for future generations;

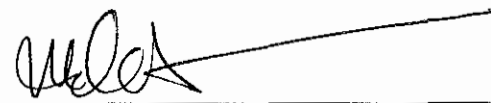
Therefore it is the parties' intent and agreement that the Foundation shall modify the purpose to become as follows (modifications are highlighted and bold):

To benefit the Special Collections and University Archives at the University of Oregon Libraries, for the purpose of **acquiring**, processing, preserving and making available the papers and records of **feminists and/or lesbians, including** the Lesbian Community of Southern Oregon.

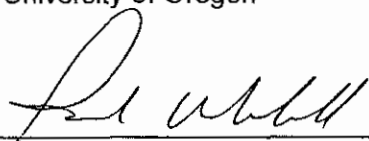
All other terms and conditions of the fund remain in effect.

Signature:   
Adriene Lim  
Philip H. Knight Dean of Libraries  
University of Oregon

8/16/14  
Date

Signature:   
Michael Andreasen  
Vice President, University Advancement  
University of Oregon

8/27/14  
Date

Signature:   
Paul Weinhold  
President/CEO  
University of Oregon Foundation

9/2/2014  
Date

**Exhibit B**

Codicil to the Last Will and Testament of Tee Athelston Corinne

The purpose of this codicil is to clarify Articles VIII and IX of the Will of Tee Athelston Corinne, Executed July 21, 2006.

Article VIII is hereby amended to read:

I give all my artwork (including but not limited to drawings, paintings, photographs, prints, negatives) notes, and literary works to the Special Collections and University Archives in the University of Oregon Libraries. I give and transfer my copyright and any royalties generated from all of my creative works to Special Collections and University Archives in the University of Oregon Libraries.

Article IX is hereby amended to read:

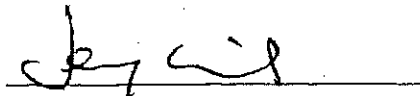
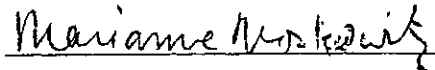
I give the residuary estate, i.e., the rest of my personal and real property not otherwise specifically and validly disposed of by this will or in any other manner, to The University of Oregon Foundation to benefit the Special Collections and University Archives at the University of Oregon Libraries, for the purpose of processing, preserving and making available the papers and records of the Lesbian Community of Southern Oregon.

This codicil is executed and made a part of my Last Will and Testament, negating the previous codicil of August 20, 2006, this 25th Day of August, 2006.



Tee Athelston Corinne

Witnesses:



cc: Jeanne S. Simington, Attorney in Fact for Tee A. Corinne  
P. O. Box 806  
Merlin, OR 97532  
541-474-7645

Exhibit A

effective, the Attorney General for the State of Oregon must consent to the agreement. The Institutional Fund is an agreement that may be subject to that requirement. The Attorney General hereby consents to the foregoing Agreement Modifying Institutional Fund.

ATTORNEY GENERAL

By: Susan A. Bower  
Susan A. Bower, OSB #960960  
Office of the Attorney General  
State of Oregon

10/21/14  
Date



**SIGN  
& DATE**



1  
2  
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
4 FOR LANE COUNTY  
5

6 In the Matter of the Tee A. Corinne Institutional  
7 Fund

Case No. 52-14-23129

8 University of Oregon Foundation,  
9 Petitioner.

ACCEPTANCE OF SERVICE  
(Attorney General)

10 I, Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
11 Enforcement Division, Charitable Activities, do hereby accept personal and legal service of a  
12 true copy of the Petition for Modification of Institutional Fund and Notice of Filing of Petition  
13 for Modification of Institutional Fund filed in the above-entitled matter, certified to be such by  
14 Laurie A. Nelson, lawyer for Petitioner.  
15

16 DATED this 26<sup>th</sup> day of November, 2014.

17 Susan A Bower  
18 SUSAN A. BOWER OSB # 960960  
19 Assistant Attorney General for the State of Oregon

20 STATE OF OREGON )  
21 ) ss:  
22 County of Multnomah )

23 On this 26<sup>th</sup> day of November, 2014, the foregoing instrument was personally  
24 acknowledged before me by Susan A. Bower, Assistant Attorney General, State of Oregon.



Laurie A Conforth  
Notary Public for Oregon  
My commission expires: 2/24/17

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5 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
6 FOR LANE COUNTY  
7

8 In the Matter of the Tee A. Corinne Institutional  
9 Fund

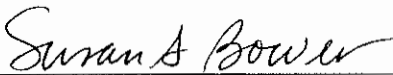
Case No. 52-14-23129

10 University of Oregon Foundation,  
11 Petitioner.

12 CONSENT AND WAIVER  
13 OF ATTORNEY GENERAL

14 I, Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
15 Enforcement Division, Charitable Activities, have read the Petition for Modification of  
16 Institutional Fund herein. I approve the contents thereof, waive receipt of any required statutory  
17 notice and the right to object to the modification, and consent to the immediate entry of a  
18 judgment as requested in the Petition.

19 DATED this 26<sup>th</sup> day of November, 2014.

20   
21 \_\_\_\_\_  
22 Susan A. Bower OSB# 960960  
23 Assistant Attorney General for the State of Oregon  
24  
25  
26

**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

November 19, 2014

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

Re: University of Oregon Foundation  
Tee A. Corinne Institutional Fund

RECEIVED

NOV 21 2014

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

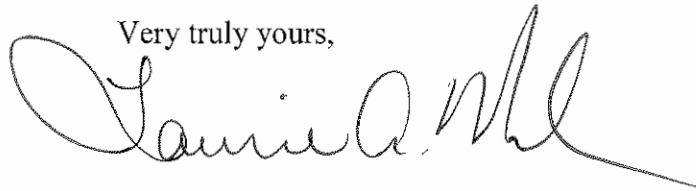
Dear Susan:

I am enclosing for your review certified true copies of the Petition for Modification of Institutional Fund, the Notice of Filing of Petition for Modification of Institutional Fund, and proposed General Judgment for Modification of Institutional Fund in the Tee A. Corinne Institutional Fund institutional fund modification proceeding which we have filed on behalf of the University of Oregon Foundation.

If the documents meet with your approval, we would appreciate your signing and returning to us in the enclosed return envelope the Acceptance of Service and Consent and Waiver. We will then file the Acceptances and Consents received from you and from Doug Park with the court and submit the General Judgment for the judge's signature.

Thank you for your assistance in this matter.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/o encls.)  
Hilary Hefferlin (w/o encls.)  
Ian Richardson (w/o encls.)



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

November 19, 2014

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

RECEIVED

NOV 21 2014

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation  
Tee A. Corinne Institutional Fund

Dear Doug:

I am enclosing for your review certified true copies of the Petition for Modification of Institutional Fund, the Notice of Filing of Petition for Modification of Institutional Fund, and proposed General Judgment for Modification of Institutional Fund in the Tee A. Corinne Institutional Fund institutional fund modification proceeding which we have filed on behalf of the University of Oregon Foundation.

If the documents meet with your approval, we would appreciate your signing and returning to us in the enclosed return envelope the Acceptance of Service and Consent and Waiver.

Once we receive the Acceptances and Consents from you and from Susan Bower of the AG's office, we will file those with the court and submit the General Judgment for the judge's signature.

Thank you for your assistance in this matter.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosures

cc: Susan Bower (w/o encls.) ✓  
Hilary Hefferlin (w/o encls.)  
Ian Richardson (w/o encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the Tee A. Corinne Institutional  
Fund  
University of Oregon Foundation,  
Petitioner.

Case No. 52-14-23129

ACCEPTANCE OF SERVICE  
(General Counsel)

I, Douglas Y.S. Park, General Counsel, University of Oregon, do hereby accept personal and legal service of a true copy of the Petition for Modification of Institutional Fund and Notice of Filing of Petition for Modification of Institutional Fund filed in the above-entitled matter, certified to be such by Laurie A. Nelson, lawyer for Petitioner.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Douglas Y.S. Park, OSB #980904  
General Counsel  
University of Oregon

STATE OF OREGON            )  
  ) ss:  
County of Lane                )

On this \_\_\_\_ day of \_\_\_\_\_, 2014, the foregoing instrument was personally acknowledged before me by Douglas Y.S. Park, General Counsel, University of Oregon.

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

1  
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4  
5 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
6 FOR LANE COUNTY  
7

8 In the Matter of Tee A. Corinne Institutional  
Fund,  
9 University of Oregon Foundation,  
10 Petitioner.

Case No. 52-14-23129

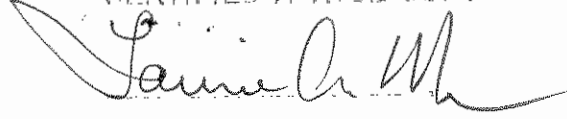
CONSENT AND WAIVER  
OF GENERAL COUNSEL

11 I, Douglas Y.S. Park, General Counsel, University of Oregon, have read the Petition for  
12 Modification of Institutional Fund herein. I approve the contents thereof, waive receipt of any  
13 required statutory notice and the right to object to the modification, and consent to the immediate  
14 entry of a judgment as requested in the Petition.  
15

16 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

17  
18 \_\_\_\_\_  
19 Douglas Y.S. Park, OSB # 980904  
20 General Counsel  
21 University of Oregon  
22  
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26

CERTIFIED A TRUE COPY



1  
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7 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
8 FOR THE COUNTY OF LANE

9  
10 In the Matter of the Tee A. Corinne Institutional  
Fund,  
11 University of Oregon Foundation,  
12 Petitioner.

Case No. 52-14-23129

NOTICE OF FILING OF PETITION  
FOR MODIFICATION OF  
INSTITUTIONAL FUND

13 To: Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
14 Enforcement Division, Charitable Activities, and Douglas Y.S. Park, General Counsel for the  
15 University of Oregon.

16 You are hereby notified that the attached document was filed by the undersigned in the  
17 above entitled court on the 18th day of November, 2014. Unless you file objections to the  
18 petition within 60 days after that date, the petition will be granted and the resulting judgment will  
19 be binding on all persons interested in the institutional fund.  
20

21 If you file objections within the 60 day period, the court will fix a time and place for a  
22 hearing. At least 10 days before the date of that hearing, you must serve a copy of your  
23 objections and give notice of the time and place of the hearing to all persons interested in the

24 ///

25 ///

1 institutional fund.

2 DATED this 19th day of November, 2014.



3  
4 Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner

5 PETITIONER  
6 University of Oregon Foundation  
7 1720 E 13<sup>th</sup> Ave., Suite 410  
8 Eugene, OR 97403-1905

9 ATTORNEY FOR PETITIONER  
10 Laurie A. Nelson  
11 OSB # 074478  
12 Gleaves Swearingen LLP  
13 975 Oak Street, Suite 800  
14 Eugene, OR 97401  
15 541-345-2034 (fax no.)  
16 [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)



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UNIVERSITY OF OREGON FOUNDATION  
*[Handwritten Signature]*

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CIRCUIT COURT OF OREGON  
FOR LANE COUNTY

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the Tee A. Corinne Institutional  
Fund

Case No. 52-14-23129

University of Oregon Foundation,  
Petitioner.

PETITION FOR MODIFICATION OF  
INSTITUTIONAL FUND

Fees determined by ORS 21.135(1), (2)(h)

UNIVERSITY OF OREGON FOUNDATION, an Oregon nonprofit corporation, by and through its President and Chief Executive Officer, Paul Weinhold, petitioner, represents to and petitions the court as follows:

1. Attorney General Notice and Opportunity to be Heard. Notice to the Attorney General with an opportunity to be heard is required by ORS 128.328(3). Petitioner has received the Assistant Attorney General Susan Bower's consent to the modification (see page 3 of Exhibit 1). Petitioner will provide notice to the Attorney General and seek a signed Consent for filing in this proceeding.

2. Venue. Venue for this matter lies in Lane County because the institutional fund is administered in Lane County, Oregon.

3. Historical Background of Fund. Donor Tee A. Corinne passed away in 2006. The Codicil to her Will (the "gift instrument") left a generous gift of her artwork, notes, literary

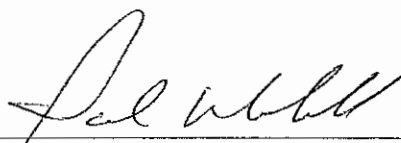
1 works and copyrights/royalties to the Special Collections and University Archives at the  
2 University of Oregon Libraries. She left the residue of her estate to the University of Oregon  
3 Foundation in support of the gift.

4 4. Reason for Modification. The initial process of preserving, storing and  
5 making the donated materials available to the public has been completed, and of the funds Ms.  
6 Corinne donated to the Foundation, \$175,000 remains to generate income on an ongoing basis.  
7 In order to avoid waste, an expansion of Ms. Corinne's original purpose is necessary to utilize  
8 the funds. Therefore, the Foundation wishes to expand the purpose of the gift from support of  
9 Ms. Corinne's personal works and the works of the Lesbian Community of Southern Oregon to  
10 the works of lesbians and feminists more generally.

11 5. Statutory Basis for Modification (UPMIFA). ORS 128.328(3) authorizes a court  
12 to modify a charitable purpose or restriction contained in a gift instrument on the use of  
13 institutional funds if the purpose or restriction is unlawful, impracticable, impossible to achieve  
14 or wasteful. Here, the initial charitable purpose has been fulfilled, and maintenance of the  
15 materials initially donated costs less than the income generated by the remaining donated funds.  
16 An expansion of the Fund's charitable purpose is consistent with the Donor's charitable purpose  
17 as expressed in the gift instrument, and will prevent waste of the income generated by the  
18 donated funds.

19 WHEREFORE, petitioner prays for a general judgment approving the modification of the  
20 institutional fund as set forth in Exhibit B of Exhibit 1, attached hereto and incorporated herein.

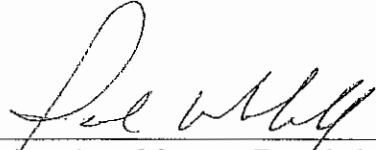
21 Dated this 13<sup>TH</sup> day of November, 2014.



22  
23 University of Oregon Foundation  
24 By: Paul Weinhold  
25 President and Chief Executive Officer  
26 Petitioner

1 I, PAUL WEINHOLD, HEREBY DECLARE THAT THE ABOVE STATEMENT  
2 IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I  
3 UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT  
4 TO PENALTY FOR PERJURY.

5 Dated: November, 13<sup>th</sup>, 2014.

  
University of Oregon Foundation  
By: Paul Weinhold  
President and Chief Executive Officer  
Petitioner

8 PETITIONER  
9 University of Oregon Foundation  
10 1720 E 13<sup>th</sup> Ave., Suite 410  
11 Eugene, OR 97403-1905

ATTORNEYS FOR PETITIONER  
Laurie A. Nelson OSB#074478  
Gleaves Swearingen LLP  
P.O. Box 1147  
Eugene, Oregon 97440-1147  
(541) 686-8833  
(541) 345-2034 (Fax)  
Email: [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

## AGREEMENT MODIFYING INSTITUTIONAL FUND

### PARTIES:

University of Oregon Foundation (A.K.A. University of Oregon Development Fund) (the "Foundation")

Adriene Lim, Philip H. Knight Dean of Libraries, University of Oregon

Michael C. Andreasen, Vice President, University Advancement, University of Oregon

### RECITALS:

- A. The Parties desire to modify the **Tee A. Corinne** Institutional Fund Agreement, established in 2007 by gifts from the estate of Tee A. Corinne based on the Codicil to the Last Will and Testament of Tee Athelston Corrine, the Codicil being dated August 25, 2006 (the "Institutional Fund"), a copy of which is attached hereto as Exhibit "A."
- B. The Parties and the Oregon Attorney General constitute all persons and entities whose signatures are required for this Agreement to be effective pursuant to ORS Chapter 128.
- C. ORS 128.328(3) authorizes a court to modify a wasteful charitable purpose provided the modification is consistent with the donor's expressed charitable purposes. The modification in this matter promotes the donor's intent by using excess donated funds to promote donor's specific charitable intent beyond what was originally thought possible at the time of the gift (see Exhibit B).

### AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing recitals that are by this reference expressly made a part hereof, and in consideration of the terms hereinafter contained, the Parties agree as follows:

1. Modification of Institutional Fund

On the Effective Date, the Institutional Fund shall be modified as set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

2. Effective Date

This Agreement shall be effective on the date that all Parties and the Oregon Attorney General have each signed this Agreement and, if required by law, this Agreement has been approved by the Circuit Court of the State of Oregon for Lane County.

3. Number, Gender and Captions

As used herein, the singular shall include the plural and the plural the singular, as the context requires. The masculine and neuter shall each include the masculine, feminine and neuter, as

the context requires. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Agreement.

4. Counterparts

This Agreement has been prepared and may be executed in multiple counterparts, each of which shall constitute an original. Each party may execute a separate counterpart, all of which when assembled shall constitute this Agreement, fully executed.

5. Original Agreement

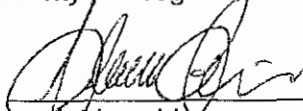
The Institutional Fund, as amended, and each term and provision thereof shall remain in full force and effect, except as herein modified, amended or restated.

6. Entire Agreement


This Agreement and the exhibit hereto constitute the final written expression of all terms of the Institutional Fund and when read together they constitute the complete and exclusive statement of those terms.

IN WITNESS WHEREOF, each of the undersigned has executed this Agreement on the date set opposite their respective signatures below.

University of Oregon

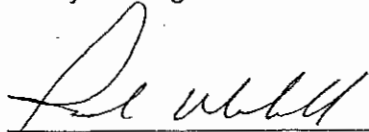
By:   
Adriene Lim  
Philip H. Knight Dean of Libraries

8/11/14  
Date

By:   
Michael C. Andreasen  
Vice President, University Advancement

8/27/14  
Date

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

9/2/2014  
Date

ORS Ch. 128 (and, to the extent applicable, ORS Ch. 130) provides that, in certain instances, in order for an agreement modifying charitable funds held in trust subject to the enforcement or supervisory powers of the state or the Attorney General under ORS 128.610 to 128.750 to be

effective, the Attorney General for the State of Oregon must consent to the agreement. The Institutional Fund is an agreement that may be subject to that requirement. The Attorney General hereby consents to the foregoing Agreement Modifying Institutional Fund.

ATTORNEY GENERAL

By: Susan A. Bower  
Susan A. Bower, OSB #960960  
Office of the Attorney General  
State of Oregon

10/21/14  
Date

Codicil to the Last Will and Testament of Tee Athelston Corinne

The purpose of this codicil is to clarify Articles VIII and IX of the Will of Tee Athelston Corinne, Executed July 21, 2006.

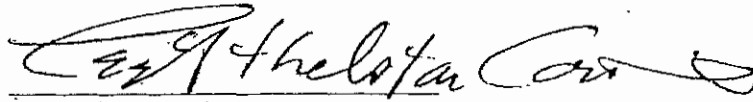
Article VIII is hereby amended to read:

I give all my artwork (including but not limited to drawings, paintings, photographs, prints, negatives) notes, and literary works to the Special Collections and University Archives in the University of Oregon Libraries. I give and transfer my copyright and any royalties generated from all of my creative works to Special Collections and University Archives in the University of Oregon Libraries.

Article IX is hereby amended to read:

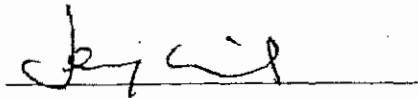
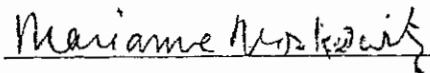
I give the residuary estate, i.e., the rest of my personal and real property not otherwise specifically and validly disposed of by this will or in any other manner, to The University of Oregon Foundation to benefit the Special Collections and University Archives at the University of Oregon Libraries, for the purpose of processing, preserving and making available the papers and records of the Lesbian Community of Southern Oregon.

This codicil is executed and made a part of my Last Will and Testament, negating the previous codicil of August 20, 2006, this 25th Day of August, 2006.



Tee Athelston Corinne

Witnesses:



cc: Jeanne S. Simington, Attorney in Fact for Tee A. Corinne  
P. O. Box 806  
Merlin, OR 97532  
541-474-7645

Exhibit A



**Modification of Institutional Fund**

**Tee A. Corinne Fund (fund 34/24-6678)**

**Modification of Purpose**

Whereas the donor left generous funds through her estate, the remaining parties established a fund in October 2007; and

Whereas the initial work of processing the original collection is complete, and a balance of over \$175,000 remains, generating approximately \$7,000 per year additional income; and

Whereas, by expanding the purpose of the fund, we avoid being wasteful of the donor's generosity, and expand the ability to highlight her areas of interest for future generations;

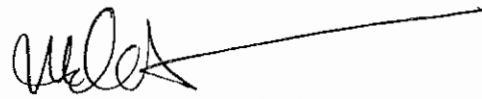
Therefore it is the parties' intent and agreement that the Foundation shall modify the purpose to become as follows (modifications are highlighted and bold):

To benefit the Special Collections and University Archives at the University of Oregon Libraries, for the purpose of **acquiring**, processing, preserving and making available the papers and records of **feminists and/or lesbians**, including the Lesbian Community of Southern Oregon.

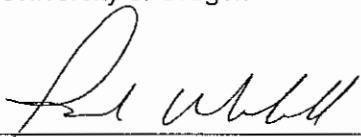
All other terms and conditions of the fund remain in effect.

Signature:   
Adriene Lim  
Philip H. Knight Dean of Libraries  
University of Oregon

8/16/14  
Date

Signature:   
Michael Andreasen  
Vice President, University Advancement  
University of Oregon

8/27/14  
Date

Signature:   
Paul Weinhold  
President/CEO  
University of Oregon Foundation

9/2/2014  
Date

**Exhibit B**



CERTIFIED A TRUE COPY

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the Tee A. Corinne Institutional  
Fund

Case No. 52-14-23129

University of Oregon Foundation,  
Petitioner.

GENERAL JUDGMENT FOR  
MODIFICATION OF  
INSTITUTIONAL FUND

This matter having come before the court on the Petition of Petitioner University of Oregon Foundation, an Oregon nonprofit corporation, by and through its President and Chief Executive Officer, Paul Weinhold, for the modification of the Tee A. Corinne Institutional Fund, and it appearing to the court from the records and files herein that:

1.

Service was made and perfected by regular mail to the persons entitled to notice as follows:

<u>Name</u>	<u>Date</u>
Susan A. Bower, Assistant Attorney General, State of Oregon	November 19, 2014
Douglas Y.S. Park, General Counsel, University of Oregon	November 19, 2014

2.

Notice as required by Oregon law has been waived by all persons entitled thereto.

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3.

Venue is properly in this court and no other court in this state has acquired jurisdiction in this matter.

4.

In compliance with the statutory requirement to provide the Attorney General with notice and an opportunity to be heard in this matter, petitioner has obtained the consent of the Attorney General. The Consent and Waiver of Assistant Attorney General Susan A. Bower is filed herewith.

5.

Petitioner has obtained consent to the modification from Douglas Y.S. Park, General Counsel for the University of Oregon, beneficiary. The Consent and Waiver of General Counsel is filed herewith.

6.

Pursuant to ORS 128.328(3), the court has authority to modify a charitable purpose or restriction contained in a gift instrument on the use of institutional funds if the purpose or restriction is unlawful, impracticable, impossible to achieve or wasteful. Here, the initial charitable purpose has been fulfilled, and maintenance of the materials initially donated costs less than the income generated by the remaining donated funds. An expansion of the Fund's charitable purpose is consistent with the Donor's charitable purpose

///

///

1 as expressed in the gift instrument, and will prevent waste of the income generated by the  
2 donated funds.

3 NOW, THEREFORE, it is hereby adjudged that a general judgment is entered as follows:

4 The Tee A. Corinne Institutional Fund shall be modified as set forth in Exhibit B of  
5 Exhibit 1 attached to the Petition filed herein.

6  
7 DATED this \_\_\_\_ day of \_\_\_\_\_, 2014.

8  
9  
10 \_\_\_\_\_  
Circuit Court Judge

11 PETITIONER  
12 University of Oregon Foundation  
13 1720 E 13<sup>th</sup> Ave., Suite 410  
14 Eugene, Oregon 97403-1905

15 ATTORNEYS FOR PETITIONER  
16 Laurie A. Nelson, OSB # 074478  
17 Gleaves Swearingen LLP  
18 P.O. Box 1147  
19 Eugene, Oregon 97440-1147  
20 (541) 686-8833  
21 (541) 345-2034 (Fax)  
22 email: [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

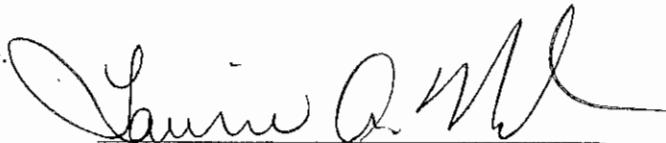
**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing General Judgment for Modification of Institutional Fund on the following persons on November 19, 2014, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: November 19, 2014.

A handwritten signature in black ink, appearing to read "Laurie A. Nelson", written over a horizontal line.

Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner

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FILED BY  
Laurie A. Nelson

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of Tee A. Corinne Institutional  
Fund,

Case No. 52-14-23129

AFFIDAVIT OF MAILING NOTICE  
OF FILING OF PETITION FOR  
MODIFICATION OF INSTITUTIONAL  
FUND

University of Oregon Foundation,  
Petitioner.

STATE OF OREGON        )  
                                      ) ss.  
County of Lane         )

I, Laurie A. Nelson, an attorney with the law firm of Gleaves Swearingen LLP, attorneys for the Petitioner, being first duly sworn, depose and say:

Notice of Filing of Petition for Modification of Institutional Fund, a copy of which Notice is attached hereto, was mailed on November 19, 2014, being not less than 60 days before the time fixed for filing objections, to each of the following persons entitled to notice at their last known address:

Susan A. Bower  
Assistant Attorney General  
State of Oregon

Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

///

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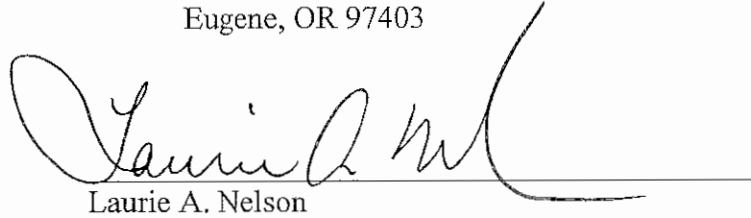
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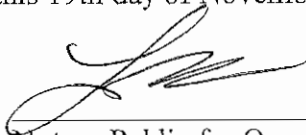
1 Douglas Y.S. Park  
2 General Counsel  
3 University of Oregon

Office of General Counsel  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

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Laurie A. Nelson

Subscribed and sworn to before me this 19th day of November, 2014.



  
Notary Public for Oregon  
My commission expires: 7/17/18



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 23, 2014

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

**RECEIVED**

**APR 25 2014**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation  
Tee A. Corinne Institutional Fund

Dear Susan:

I am enclosing for your review a proposed Nonjudicial Settlement Agreement Modifying Institutional Fund for the Tee A. Corinne Institutional Fund.

Ms. Corinne passed away in 2006. The Codicil to her Will left a generous gift of her artwork, notes, literary works and copyrights/royalties to the Special Collections and University Archives at the University of Oregon Libraries. She left the residue of her estate to the University of Oregon Foundation for support of this gift.

The initial process of preserving, storing and making these materials available to the public has been completed, and of the funds Ms. Corinne left to the Foundation, \$175,000 is left over. An expansion of Ms. Corinne's original purpose is necessary in order to utilize the funds. Therefore, the Foundation wishes to expand the purpose of the gift from support of Ms. Corinne's personal works and the works of the Lesbian Community of Southern Oregon to the works of lesbians and feminists more generally. I have enclosed for your convenience a copy of Ms. Corinne's Wikipedia page which we believe demonstrates the appropriateness of the modified purpose as expressed in Exhibit B of the proposed agreement.

As you know, we have previously processed as court proceedings those modifications in which donor consent is not available. However, we feel that the language of ORS 130.045, the nonjudicial settlement agreement statute, authorizes a nonjudicial settlement agreement under the UTC or other law, including UPMIFA, without donor consent where, as in this case, the modification is consistent with the material purpose of the trust.

If the Nonjudicial Settlement Agreement meets with your approval, please sign where indicated and return the signed original to us in the enclosed envelope. We will provide a fully executed copy for your files. If you would prefer to be the last signer on

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

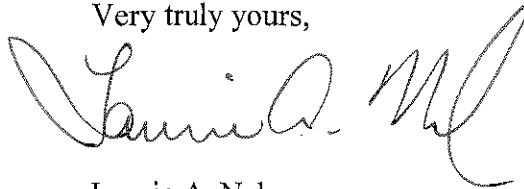
**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147

Ms. Susan Bower  
April 23, 2014  
Page - 2

the document, please just let me know, and we proceed that way. If you have questions or need additional information please do not hesitate to let me know.

Best regards.

Very truly yours,

A handwritten signature in black ink, appearing to read "Laurie A. Nelson". The signature is fluid and cursive, with a large initial "L" and "N".

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Paul Weinhold (via email w/ encls.)  
Erika Funk (via email w/ encls.)  
Hilary Hefferlin (via email w/ encls.)  
Thomas P.E. Herrmann (via email w/ encls.)  
Ian Richardson (via email w/ encls.)



**Codicil to the Last Will and Testament of Tee Athelston Corinne**

The purpose of this codicil is to clarify Articles VIII and IX of the Will of Tee Athelston Corinne. Executed July 21, 2006.

Article VIII is hereby amended to read:

I give all my artwork (including but not limited to drawings, paintings, photographs, prints, negatives) notes, and literary works to the Special Collections and University Archives in the University of Oregon Libraries. I give and transfer my copyright and any royalties generated from all of my creative works to Special Collections and University Archives in the University of Oregon Libraries.

Article IX is hereby amended to read:

I give the residuary estate, i.e., the rest of my personal and real property not otherwise specifically and validly disposed of by this will or in any other manner, to The University of Oregon Foundation to benefit the Special Collections and University Archives at the University of Oregon Libraries, for the purpose of processing, preserving and making available the papers and records of the Lesbian Community of Southern Oregon.

This codicil is executed and made a part of my Last Will and Testament, negating the previous codicil of August 20, 2006, this 25th Day of August, 2006.

  
Tee Athelston Corinne

Witnesses:





cc: Jeanne S. Simington, Attorney in Fact for Tee A. Corinne  
P. O. Box 806  
Merlin, OR 97532  
541-474-7645

**Exhibit A**



### Modification of Institutional Fund

#### Tee A. Corinne Fund (fund 34/24-6678)

##### Modification of Purpose

Whereas the donor left generous funds through her estate "for the purpose of processing, preserving and making available the papers and records of the Lesbian Community of Southern Oregon," the remaining parties established a fund in October 2007; and

Whereas the initial work of processing the original collection as specified in donor's Codicil (Article IX) is complete, and a balance of over \$175,000 remains, generating approximately \$7,000 per year additional income which exceeds the monetary requirements of the remainder of donor's original charitable purpose; and

Whereas, by expanding the purpose of the fund, we avoid being wasteful of the donor's generosity, and expand the ability to highlight her areas of interest for future generations;

Therefore it is the parties' intent and agreement that the Foundation as Trustee shall modify the purpose to become as follows (modifications are in bold):

To benefit the Special Collections and University Archives at the University of Oregon Libraries, for the purpose of **acquiring**, processing, preserving and making available the papers and records of **lesbians and/or feminists, including, but not limited to**, the Lesbian Community of Southern Oregon.

All other terms and conditions of the fund remain in effect.

Signature: \_\_\_\_\_  
Deborah A. Carver  
Philip H. Knight Dean of Libraries  
University of Oregon

\_\_\_\_\_  
Date

Signature: \_\_\_\_\_  
Michael Andreasen  
Vice President, University Advancement  
University of Oregon

\_\_\_\_\_  
Date

Signature: \_\_\_\_\_  
Paul Weinhold  
President/CEO  
University of Oregon Foundation

\_\_\_\_\_  
Date

**Exhibit B**

# Tee Corinne

From Wikipedia, the free encyclopedia

**Tee Corine** (November 3, 1943 – August 27, 2006) was a lesbian visual artist notable for the portrayal of sexuality in her artwork.

## Contents

- 1 Early life and education
- 2 Career
- 3 Personal life
- 4 Death and legacy
- 5 Bibliography
- 6 References
- 7 Additional sources
- 8 External links

## Early life and education

Corinne was born and grew up in Florida. Her mother introduced her to principles and techniques for making visual art. According to Corinne, "I have seldom succeeded in keeping a diary, but I have almost always carried a drawing pad, and since my eighth year, I have also had a camera."

With a B.A. in printmaking and painting (with minors in English and history) from University of South Florida, Corrine went onto get an M.F.A. in drawing and sculpture at Pratt Institute in 1968. After a few years of teaching and backpacking in Europe, she became attracted to the back-to-the-land movement and communal living. She was also, in her words, sliding into suicidal depression.

"Something didn't feel right. Nowadays they talk about over-achieving adult children of alcoholics and the problems they have with depressions . . . Around the age of thirty I realized that art could no longer solve my problems . . . I found therapy, separated from my husband, became involved with women and joined the Women's Movement. I felt better."<sup>[1]</sup>

## Career

According to *Completely Queer : The Gay and Lesbian Encyclopedia*, "Corinne is one of the most

**Tee A. Corinne**



Tee A. Corrine

<b>Born</b>	Linda Tee Cutchin November 3, 1943 St. Petersburg, Florida
<b>Died</b>	August 27, 2006 (aged 62) Southern Oregon, United States of America
<b>Nationality</b>	American
<b>Occupation</b>	Photographer, visual artist, writer and activist

visible and accessible lesbian artists in the world."<sup>[2]</sup>

Corinne began exhibiting and publishing art and writing in the mid-1960s. She was a co-facilitator of the Feminist Photography Ovulars (1979–1981) and a co-founder of *The Blatant Image, A Magazine of Feminist Photography* (1981–1983). She was the author of one novel, three collections of short stories, four books of poetry and numerous artists books and small edition publications.

*Family*, her show of mixed media drawings about growing up in an alcoholic family, has been the subject of a video interview by Jane Scott Productions. Portfolios of her art have been published in *Lesbian Subjects*, *Feminist Studies*, *Gallerie: Women's Art*, *The Advocate*, *Philadelphia Gay News*, *The Lesbian Inciter*, *I Am My Lover* (first edition, 1979) and *Femalia*.

In 1980, she was one of the ten invited artists whose work was exhibited in the Great American Lesbian Art Show.

In the early 1980s, Tee Corinne developed strong personal and artistic connections to Oregon after she moved to southern Oregon and lived and became active in the many women's communities springing up in the area. As she notes in one of her manuscripts, "Slowly, in Oregon, I reconnected with the deep levels of creativity that run in me and began producing work which pleased me."

She became adept at representing lesbian sexuality in ways that would elude the male gaze. In 1982, she produced a series of photographs called Yantras of Womanlove. Concerned with protecting the privacy of her models, she used techniques involving multiple prints, solarization, images printed in negative, and multiple exposures. Tee consistently and conscientiously included women of color, fat women, older women, and women with disabilities as her subjects. Sometimes printers would refuse to print her works and art galleries would refuse to show it. In 1975, she self-published the Cunt Coloring Book, which is still in print today.

Corinne wrote about art for a variety of publications and, from 1987, was the art books columnist for *Feminist Bookstore News*. A co-founder and past co-chair of the Gay & Lesbian Caucus (an affiliated society of the College Art Association), she also co-founded the Women's Caucus for Art Lesbian & Bisexual Caucus. In 1989, Corrine received a Lambda literary award in the lesbian anthology category for her editing of *Intricate Passions* (published by Banned Books).<sup>[3]</sup>

In 1991, she was chosen by Lambda Book Report as one of the fifty most influential lesbians and gay men of the decade, and in 1997 she received the Women's Caucus for Art President's Award for service to women in the arts.<sup>[2]</sup>

Perhaps her best known work is the cover of the 1993 self-titled debut album of the English alternative rock band Suede.

In 1998, her photographs appeared on the cover and sleeve of the timmikat ReCoRDS' release, "Milkshake: A CD to Benefit The Harvey Milk Institute"

## Personal life

In 1966, Corinne married the man she described as her 'best friend'.<sup>[4]</sup> She came out in 1975<sup>[5]</sup> at which time she was in a relationship with Honey Lee Cottrell. Over the years, Corrine embarked upon relationships with Caroline Overman (early 1980s), Lee Lynch (mid 1980's) and Beverly Anne Brown (1989–2005).<sup>[5]</sup>

## Death and legacy

Corinne died on the 27th August 2006<sup>[6]</sup> in Southern Oregon after a struggle with liver cancer. She was 62 years old. Her manuscript collection was donated to the University of Oregon Libraries, and is now housed in the library's Special Collections unit. The collection includes correspondence, literary manuscripts, artwork, photographs, artifacts, and other documents that reflect Corinne's life and work.<sup>[7]</sup>

Moonforce Media created the *Tee A. Corinne Prize for Lesbian Media Artists* in 2006 to annually honor Corinne as an artist with bold vision and a fierce dedication to encouraging and preserving lesbian art. The award is an unrestricted grant of up to \$1,000 annually. The prize is dedicated to artists working in photography, film, video, digital media, new media, or any fusions of these forms and in any genre including documentary, narrative, experimental, or any other styles or combination of genres. The award furthers Corinne's wish that individual lesbian artists be financially supported to work independently and without censorship.<sup>[8]</sup>

## Bibliography

- *The Cunt Coloring Book*. San Francisco: Pearlchild, 1975; San Francisco: Last Gasp, 1988. Also published as *Labiaflowers*. Tallahassee, FL: Naiad Press, 1981.
- *Courting Pleasure*. Austin: Banned Books, 1994.
- *Family: About Growing Up In An Alcoholic Family*. North Vancouver, BC: Gallerie, 1990.
- *Lesbian Muse: The Women Behind the Words*. Portland, OR: Chance Publications, 1989.
- *The Sex Lives of Daffodils: Growing Up As An Artist Who Also Writes*. Wolf Creek, OR: Pearlchild 1994, 1997.
- *Twenty-Two Years, 1970-1992*. Wolf Creek, OR: Pearlchild, 1992.
- *Wild Lesbian Roses: Essays on Art, Rural Living, and Creativity, 1986-1995*, Wolf Creek, OR, Pearlchild, 1997.
- *Yantras of Womanlove*. Tallahassee, FL: Naiad Press, 1982.
- *The Little Houses on Women's Land* (2002)
- *Drawing as a Problem-Solving Activity* (2002)

## References

1. ^ [http://findarticles.com/p/articles/mi\\_qa3693/is\\_200607/ai\\_n17178702/](http://findarticles.com/p/articles/mi_qa3693/is_200607/ai_n17178702/). Missing or empty |title= (help)
2. ^ <sup>a</sup> <sup>b</sup> "Tee Corinne - Biography" ([http://www.queer-arts.org/archive/9809/corinne/corinne\\_bio.html](http://www.queer-arts.org/archive/9809/corinne/corinne_bio.html)). Queer-arts.org. Retrieved 2012-06-24.
3. ^ "2nd Annual Lambda Literary Awards" (<http://www.lambdaliterary.org/winners-finalists/07/13/lambda-literary-awards-1989/>). 30 July 1990. Retrieved 4 October 2010.
4. ^ "Tee A. Corinne's Personal Statement" (<http://varoregistry.org/corinne/pers.html>). Varo Registry. Retrieved 2012-06-24.

5. <sup>a</sup> <sup>b</sup> Corinne, Tee A. "Scars, Stoma, Ostomy Bag, Portacath: Picturing Cancer In Our Lives" ([http://www.glbtc.com/features/corinne/corinne\\_essay.htm](http://www.glbtc.com/features/corinne/corinne_essay.htm)). glbtq. Retrieved 2012-06-24.
6. <sup>a</sup> Silverberg, Cory (December 27, 2006). "Sexual Losses 2006" (<http://sexuality.about.com/b/2006/12/27/sexual-losses-2006.htm>). Sexuality.about.com. Retrieved 2012-06-24.
7. <sup>a</sup> "Knight Library Hosts Exhibit on Artist and Writer Tee Corinne" (<http://libweb.uoregon.edu/index/news-app/story.1951/title.knight-library-hosts-exhibit-on-artist-and-writer-tee-corinne/menu./sec./home>). University of Oregon Libraries. October 8, 2008. Retrieved 2012-06-24.
8. <sup>a</sup> Belge, Kathy (2006-08-27). "Tee Corinne Lesbian Artist (1943-2006)" (<http://lesbianlife.about.com/od/artistswriterset1/p/TeeCorinne.htm>). Lesbianlife.about.com. Retrieved 2012-06-24.

## Additional sources

- Corinne, Tee A. *The Sex Lives of Daffodils: Growing Up as an Artist Who Also Writes*. Wolf Creek, OR : Pearlchild, c1997 Sherman, Phillip and Samuel Bernstein, eds.
- Uncommon Heroes. Fletcher Press, c1994
- Queer arts.org. "Obscurely Famous," an interview with Tee Corinne. September 1998. (August 27, 2003).

## External links

- Guide to the Tee A. Corinne papers at the University of Oregon (<http://nwda-db.wsulibs.wsu.edu/findaid/ark:/80444/xv98508>)
- biography (<http://www.cla.purdue.edu/waaw/corinne/corinnebio.htm>)

Retrieved from "http://en.wikipedia.org/w/index.php?title=Tee\_Corinne&oldid=593538752"

Categories: 1943 births | 2006 deaths | American artists | American feminist writers | Feminist artists | Lesbian artists | Lesbian feminists | LGBT artists from the United States | People from Jackson County, Oregon | St. Petersburg College alumni | Lambda Literary Award winners | Lesbian writers | LGBT writers from the United States

- 
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**NONJUDICIAL SETTLEMENT AGREEMENT  
MODIFYING INSTITUTIONAL FUND**

**PARTIES:**

University of Oregon Foundation (A.K.A. University of Oregon Development Fund) (the "Foundation")

Deborah A. Carver, Philip H. Knight Dean of Libraries, University of Oregon

Michael C. Andreasen, Vice President, University Advancement, University of Oregon

**RECITALS:**

- A. The Parties desire to modify the **Tee A. Corinne** Institutional Fund, established in 2007 by gifts from the estate of Tee A. Corinne based on the Codicil to the Last Will and Testament of Tee Athelston Corrine, the Codicil being dated August 25, 2006 (the "Institutional Fund"), a copy of which is attached hereto as Exhibit "A."
- B. The Parties and the Oregon Attorney General constitute all interested persons and entities whose signatures are required for this Agreement to be effective pursuant to ORS Chapter 130.
- C. ORS 130.045(4) authorizes a nonjudicial settlement agreement provided that "the agreement does not violate a material purpose of the trust and includes terms and conditions that could be properly approved by the court under this chapter or other applicable law." (Emphasis added). The modification in this matter promotes the donor's intent by using excess donated funds to promote donor's specific charitable intent beyond what was originally thought possible at the time of the gift (see Exhibit B). Additionally, ORS 128.328(3) authorizes a court to modify a wasteful charitable purpose provided the modification is consistent with the donor's expressed charitable purposes.

**AGREEMENT:**

NOW, THEREFORE, in consideration of the foregoing recitals that are by this reference expressly made a part hereof, and in consideration of the terms hereinafter contained, the Parties agree as follows:

1. Modification of Institutional Fund

On the Effective Date, the Institutional Fund shall be modified as set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

2. Effective Date

This Agreement shall be effective on the date that all Parties and the Oregon Attorney General have each signed this Agreement and, if required by law, this Agreement has been approved by the Circuit Court of the State of Oregon for Lane County.

3. Number, Gender and Captions

As used herein, the singular shall include the plural and the plural the singular, as the context requires. The masculine and neuter shall each include the masculine, feminine and neuter, as the context requires. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Agreement.

4. Counterparts

This Agreement has been prepared and may be executed in multiple counterparts, each of which shall constitute an original. Each party may execute a separate counterpart, all of which when assembled shall constitute this Agreement, fully executed.

5. Original Agreement

The Institutional Fund, as amended, and each term and provision thereof shall remain in full force and effect, except as herein modified, amended or restated.

6. Entire Agreement

This Agreement and the exhibit hereto constitute the final written expression of all terms of the Institutional Fund and when read together they constitute the complete and exclusive statement of those terms.

IN WITNESS WHEREOF, each of the undersigned has executed this Agreement on the date set opposite their respective signatures below.

University of Oregon

By: \_\_\_\_\_  
Michael C. Andreasen  
Vice President, University Advancement

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deborah A. Carver  
Philip H. Knight Dean of Libraries

\_\_\_\_\_  
Date

University of Oregon Foundation

By: \_\_\_\_\_  
Paul Weinhold  
President/CEO

\_\_\_\_\_  
Date

ORS Chs. 130 and 128 provide that, in certain instances, in order for an agreement modifying charitable funds held in trust subject to the enforcement or supervisory powers of the state or the Attorney General under ORS 128.610 to 128.750 to be effective, the Attorney General for the State of Oregon must consent to the agreement. This Nonjudicial Settlement Agreement Modifying Institutional Fund is an agreement that may be subject to that requirement. The



Attorney General hereby consents to the foregoing Nonjudicial Settlement Agreement Modifying Institutional Fund.

ATTORNEY GENERAL

By: \_\_\_\_\_  
Susan A. Bower, OSB #960960  
Office of the Attorney General  
State of Oregon

\_\_\_\_\_ Date

*email to  
counsel  
-----  
court approval  
needed - response  
OK*



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

July 10, 2015

RECEIVED

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

JUL 13 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
Failing-Beekman Oration Prize Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Failing-Beekman Oration Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Humanities Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from July 10, 2015, on September 11, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm

Enclosure

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

July 10, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Failing-Beekman Oration Prize Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Failing-Beekman Oration Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Humanities Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from July 10, 2015, on September 11, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



July 10, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Failing-Beekman Oration Prize Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Failing-Beekman Oration Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Humanities Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from July 10, 2015, on September 11, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
W. Andrew Marcus (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



**GLEAVES  
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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

July 10, 2015

W. Andrew Marcus  
Interim Tykeson Dean  
College of Arts and Sciences  
114C Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Failing-Beekman Oration Prize Fund

Dear Dr. Marcus:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Failing-Beekman Oration Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Humanities Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from July 10, 2015, on September 11, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm

Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

CERTIFIED TRUE COPY  
*[Handwritten Signature]*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Failing-Beekman Oration Prize Fund.

- A. On June 29<sup>th</sup>, 1889, the University of Oregon received a gift from Henry Failing, deceased, and a gift from Cornelius C. Beekman, deceased.
- B. The University received the gifts and established the fund in 1889. On January 30<sup>th</sup>, 1961, by order of Lane County Circuit Judge Edward M. Leavy, an update to the purpose of the fund was authorized, as shown in the attached documentation (the "court order"), which is the only documentation of donor intent available to the Foundation.
- C. Paragraph V1 of the 1961 court order, a copy of which is attached hereto, stated:

"That there be awarded annually two prizes [...] to the two members of the senior class who, during and throughout their student days at the University, have most distinguished themselves in upholding the dignity of the spoken word in public address." EQ32/26-7666

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$20,069.58.

The Trustee will terminate the Fund and transfer the remaining assets to the:

"Humanities Scholarship Fund: For a scholarship for outstanding undergraduate or graduate students in the Humanities Program at the University of Oregon. Selection will be the responsibility of the Head of the Humanities Program, subject to the oversight of the Dean of the College of Arts and Sciences at the University of Oregon. Candidates will be evaluated based on the overall quality of their academic work, their commitment to learning, and their potential for further academic achievement." EQ26-6479

The transfer maintains the use of funds within the Humanities for student support.

The Failing-Beekman Oration Prize Fund shall be listed as a donor to the Humanities Scholarship Fund, honoring the original donors.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General

if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

W. Andrew Marcus  
Interim Tykeson Dean  
College of Arts and Sciences  
114C Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

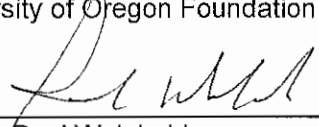
**Office of the Attorney General:**

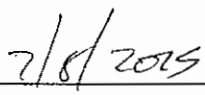
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

  
Date

## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation



See Page 3

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LAINE

In the matter of the FAILING and BEEKMAN ORATION PRIZE FUND of the University of Oregon on relation of the

STATE OF OREGON, acting by and through the STATE BOARD OF HIGHER EDUCATION,

Plaintiff,

vs.

DORIS H. WALKER, HENRY F. CABELL, and HARRISON G. PLATT, Executor, of the Estate of CARRIE C. BEEKMAN, Deceased; and all other unknown parties and unknown heirs of Cornelius C. Beekman, Deceased, and of Henry Failing, Deceased, who have or claim some title, estate, lien or interest in the property described in the Complaint herein,

Defendants.

Case No. 60226

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECREE

The above entitled matter having come on for hearing before this court upon plaintiff's motion for trial this 30th day of January, 1961, plaintiff appearing by ROBERT Y. THORNTON, Attorney General, State of Oregon, through Wolf von Otterstedt, Special Assistant Attorney General, and the defendants, Doris H. Walker, Henry F. Cabell and George C. Bronaugh, having appeared by stipulation and without counsel and all other defendants having failed to appear and an order of default as to all such defendants having been entered of record in this court prior to the time of this hearing; and the court having heard the testimony of the plaintiff supporting all material allegations of the petition for instructions; and the court being otherwise fully advised in the premises; now therefore this court makes the following

FINDINGS OF FACT:

1

That the relator, State of Oregon, acting by and through the State Board of Higher Education, is the trustee of the Failing-Beekman Oration Prize Fund of the University of Oregon, and that all of the above named defendants are over the age of twenty-one years and are the known surviving heirs of Cornelius C. Beekman, deceased, or of Henry Failing, deceased, respectively, and that they have or claim some vested contingent executory or reversionary interest in the

1 - Findings of Fact, Conclusions of Law and Decree

trust referred to and set out in the complaint.

II

That on or about the 29th day of June, 1889, by resolution duly passed by the regents of the University of Oregon at its regular meeting, such regents being the predecessors in interest to the plaintiff herein, a trust fund was established with a gift from Henry Failing, deceased, in the sum of \$2,500.00 and a gift from Cornelius C. Beekman, deceased, of Jacksonville, Oregon, in the sum of \$1,600.00, such trust generally providing for an oratorical contest to be held at the time of commencement exercises each year at the University of Oregon pursuant to certain standards and specifications provided in the trust resolution enacted by the Board of Regents of the University of Oregon as set forth specifically in the trust agreement which is attached to the complaint and by reference was made a part thereof; and that since receiving the said trust fund, the trustee plaintiff has held the same as set forth in the trust resolution in accordance with the desire and intention of the trustors.

III

That due to a change of circumstances, it is no longer feasible to carry out the intent of the trustors literally, and it has become impossible for the trustee petitioner to conform to the conditions of the trust; that the attending circumstances and conditions which have created a frustration to the trustors' intent in making the gift are as follows:

1. That when the trust was established in 1889, oratory and speech-making were almost exclusively an extracurricular activity of the University of Oregon managed by the Philologist Society and that this said society no longer exists and now oratory, debate and speechmaking are a part of the regular curriculum offered by the University of Oregon and taken by a large number of students.

2. That when the trust was established, no Department of Speech existed at the University of Oregon. That all courses in speech and debate or oratory are now administered by the Department of Speech of the University of Oregon which offers courses in four major areas for under-graduate and graduate

2 - Findings of Fact, Conclusions of Law and Decree

CONFIDENTIAL

Any unauthorized disclosure of this information is prohibited.

degrees including the doctorate in philosophy, to wit: radio-television, theatre, speech correction and rhetoric-public address.

3. That when the trust was established, the extracurricular activities in speech were confined to the campus of the University of Oregon in Eugene, Oregon, but that today one of the most significant aspects of the program in speech is the state-wide symposium in which students visit various areas of the state in speechmaking teams to talk to citizens of the state on problems of the present day.

4. That for a considerable number of years now, it has been impossible to hold the oratorical contest contemplated by the trust resolution at the time of commencement exercises of the University of Oregon.

#### IV

That, therefore, the intent of the donors has been frustrated as previously alleged and that the plaintiff herein is in doubt as to the extent of its authority to use the said trust resolution funds for purposes other than those enumerated hereinabove, and that petitioner, therefore, is in need of instructions from the court with regard to the future use of said trust funds.

#### V

That the plaintiff petitioner, according to the testimony of Professor Glenn Starlin, head of the Department of Speech of the University of Oregon, has determined that the following uses in keeping with present conditions and circumstances would best carry out the intent of the donors or trustors and that approval of the court is sought for instructions authorizing the use of the Falling-Beekman Oration Prize Fund under the following terms and conditions:

1. That there be awarded annually two prizes from the proceeds of the Falling-Beekman trust fund, the principal of which at the present time is in the amount of approximately \$5,400.00, in such sums as will be determined by a committee of the faculty, to the two members of the senior class who, during and throughout their student days at the University of Oregon, have most distinguished themselves in upholding the dignity of the spoken word in public address.

2. That there be established a committee of the faculty to be appointed by the President of the University of Oregon to determine who shall be the

3 - Findings of Fact, Conclusions of Law and Decree

two recipients of the prizes awarded under the trust, the amount to be so awarded and the rules and regulations for administering the competition and the making of the awards within the intention of the trustors.

Based upon the foregoing Findings of Fact, this court now makes the following

CONCLUSIONS OF LAW

The petitioner trustee is hereby empowered and authorized to employ the principal and income of the Falling-Beekman Oration Prize Fund in accordance with the terms and conditions set forth in paragraphs 1 and 2 of paragraph V set forth in the above Findings of Fact and this court hereby approves and confirms such proposed plan for the disposition of the Falling-Beekman Oration Prize Fund in accordance with the petition for instructions herein.

IT IS THEREFORE ORDERED AND DECREED by this court that the uses proposed in paragraph V of the Findings of Fact above for the Falling-Beekman Oration Prize Fund are hereby approved in all respects by this court and the petitioner trustee may employ the income and principal of the Falling-Beekman Oration Prize Fund in accordance with the terms and conditions set forth in paragraph V of the Findings of Fact herein, and that neither party is entitled to any costs or disbursements in the above entitled cause.

/s/ EDWARD M. LEAVY  
Circuit Judge

4 - Findings of Fact, Conclusions of Law and Decree

CONFIDENTIAL

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on July 10, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

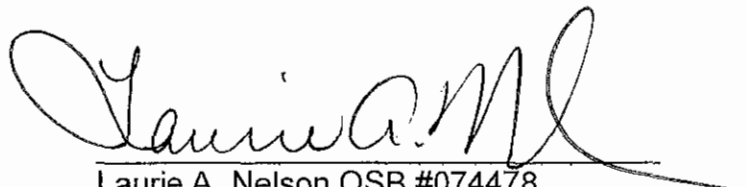
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

W. Andrew Marcus  
Interim Tykeson Dean  
College of Arts and Sciences  
114C Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: July 10, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 23, 2015

OK ✓ [Signature]

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED

APR 27 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
McCool Memorial Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the McCool Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

RECEIVED

April 23, 2015

APR 27 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
McCool Memorial Scholarship Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the McCool Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Susan Bower (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 23, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

RECEIVED

APR 27 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
McCool Memorial Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the McCool Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Roger Thompson (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 23, 2015

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

RECEIVED

APR 27 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
McCool Memorial Scholarship Fund

Dear Dr. Thompson:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the McCool Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN: gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson

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975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*James M.*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the McCool Memorial Scholarship Fund.

- A. In the Last Will and Testament signed September 6th, 1985, Alpha B. Hutchison as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund. Because the gift came through a Will, we presume the donor is deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, stated

"To the UNIVERSITY OF OREGON SCHOLARSHIP FUND, Ten Thousand Dollars (\$10,000.00), in memory of Eve H. McCool." EQ35/26-7580

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$23,937.83.

The Trustee will terminate the Fund and transfer the remaining assets to:

"The General University Scholarship Endowment Fund: To be used by the Office of Student Financial Aid for general University of Oregon scholarships." EQ32/26-6364

The transfer maintains the use of funds in the same department and maintains the Donor's emphasis on general use for scholarships.

The McCool Memorial Scholarship Fund shall be listed as a donor to the General University Scholarship Endowment Fund, reflecting the Donor's intent to honor Eve H. McCool.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

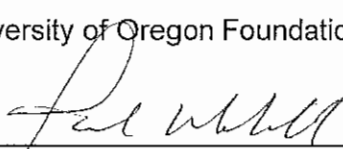
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

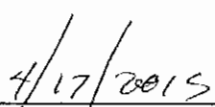
F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

  
\_\_\_\_\_  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

50-432-3033  
50-270-2201  
McCool SENIORSHIP

LAST WILL AND TESTAMENT

of

ALPHA B. HUTCHISON

I, ALPHA B. HUTCHISON, of the City of Portland, County of Multnomah and State of Oregon, being of lawful age and of sound and disposing mind, memory and understanding, and not acting under duress, fraud or undue influence of any person whomsoever, and not acting by reason of any contract or agreement with any person whomsoever, hereby revoking all former Wills by me heretofore at any time made, do make, publish and declare the following to be my Last Will and Testament; that is to say:

FIRST: I do direct that all my just debts, expenses of last illness and funeral expenses shall be paid by my executor, hereinafter named, as soon after my death as may be found convenient.

SECOND: I give and bequeath to the following named persons the items set out after their respective names:

(A) To ELINE GOSS, my small brass jardiniere, nest of four Chinese tables, four green Chinese plates and bookcase in hall.

(B) To my second cousin, BETTY PARISH WIGHT, my two small Chinese boxes with blue lining.

(C) To MARGARET LITTLE, my two blue penguins.

(D) To CAROLYN GOSS REIEFFER, my large brass bucket.

(E) To MELBA MENDE, my pewter fruit bowl.

(F) To AGNES NEELEY, the cherry table in the dinette.

(G) To DR. and MRS. NAT WILSON, share and share alike or to the survivor, the original watercolor by Margarita Iacch.

(H) To LINDA WILEY, my Henry Wadsworth Longfellow mahogany desk and ink well.

(I) To ALICE BLESSING, my marble top commode in the living room.

Should any of the above named beneficiaries predecease me, the devise and bequest to him or her shall lapse and be of no effect.

THIRD: I give and bequeath to the following named persons and organizations the sums specified after their respective names:

(A) To my second cousin, H. WADE BYERS, SR., Ten Thousand Dollars (\$10,000.00).

(B) To SUE MARTIN, Five Hundred Dollars (\$500.00).

(C) To WILLAMETTE VIEW MANOR FOUNDATION, Fifteen Thousand Dollars (\$15,000.00).

(D) To my second cousin, BETTY PARISH WIGHT, Five Thousand Dollars (\$5,000.00).

(E) To the UNIVERSITY OF OREGON SCHOLARSHIP FUND, Ten Thousand Dollars (\$10,000.00), in memory of Eve H. McCool.

(F) To KAPPA ALPHA THETA FOUNDATION, Ten Thousand Dollars (\$10,000.00) in memory of Eve H. McCool.

(G) To LOO LUFFMAN, Ten Thousand Dollars (\$10,000.00).

(H) To MARGARET LITTLE, Ten Thousand Dollars (\$10,000.00).

(I) To the TENTH CHURCH OF CHRIST, SCIENTIST, Five Thousand Dollars (\$5,000.00).

(J) To PETER LITTLE, STEPHEN LITTLE, PATRICIA LITTLE and SARAH LIGGETT, the sum of Five Thousand Dollars (\$5,000.00) each.

*not intended to be included I, Carly 7-6-87*

(K) To THE SALVATION ARMY, a California corporation, for use in the Cascade Division, the sum of Ten Thousand Dollars (\$10,000.00).

(L) To GRACE JOHNSON, the sum of Two Thousand Dollars (\$2,000.00).

(M) To LINDA WILEY, the sum of Ten Thousand Dollars (\$10,000.00).

(N) To SHRINERS HOSPITALS FOR CRIPPLED CHILDREN, a corporation, for the use and benefit of the Portland Unit, the sum of Ten Thousand Dollars (\$10,000.00).

Should any of the above named individuals predecease me, or in the event any above named institutional beneficiary is not in existence at the time of my death, the bequest to such person or institution shall lapse and be of no effect.

FOURTH: I give, devise and bequeath all the rest, residue and remainder of my estate, of every kind and nature and wheresoever situate to LOU LUFFMAN, THE SALVATION ARMY, a California corporation, for use in the Cascade Division, SHRINERS HOSPITALS FOR CRIPPLED CHILDREN, a corporation, for the use and benefit of the Portland Unit, and LOAVES AND FISHES CENTERS, INC., share and share alike.

Should the above named individual predecease me, or in the event any above named institutional beneficiary is not in existence at the time of my death, the bequest to said person or institution shall lapse and be of no effect.

LASTLY: I hereby nominate and appoint the UNITED STATES NATIONAL BANK OF OREGON to be the executor of this, my Last Will and Testament.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, my Last Will and Testament, this 6<sup>th</sup> day of September, 1935.

Alpha B. Murchison (SEAL)

The foregoing instrument was, on the date it bears, signed, sealed, published and declared by the said ALPHA B. MURCHISON as and for her Last Will and Testament in the presence of us, who, at her request and in her presence, and in the presence of each other, all being present at the same time, have hereunto set our names as witnesses thereto.

Wm. H. Keats  
Residing at Portland, Oregon

Richard G. Paul  
Residing at Portland, Oregon

A true copy of  
Richard G. Paul



## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 23, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

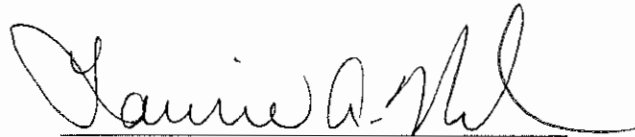
Michael Andreasen  
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112 Johnson Hall  
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Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
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Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 23, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

*OK - JF*

April 30, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED  
MAY - 4 2015  
DEPARTMENT OF JUSTICE  
PORTLAND, OREGON

Re: University of Oregon Foundation Termination of Institutional Fund  
Newel H. Comish Scholarship Award

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Newel H. Comish Scholarship Award.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Koert S. Kelman Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Kees de Kluyver (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 30, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Newel H. Comish Scholarship Award

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Newel H. Comish Scholarship Award.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Koert S. Kelman Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Kees de Kluyver (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

MAY - 4 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 30, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Newel H. Comish Scholarship Award

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Newel H. Comish Scholarship Award.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Koert S. Kelman Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Kees de Kluyver (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 30, 2015

Kees de Kluyver  
Dean  
Lundquist College of Business  
350A Illis Hall  
1208 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Newel H. Comish Scholarship Award

Dear Dr. de Kluyver:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Newel H. Comish Scholarship Award.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Koert S. Kelman Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

*Samuel M. Hill*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding Newel H. Comish Scholarship Award.

- A. On December 13, 1955, Newel H. Comish as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund on December 23, 1955. The Donor died in 1982.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"Scholarship award shall be given to the student majoring in marketing in the College of Business Administration of the University of Oregon who meets the following requirements:

- Is one of the five students with the highest cumulative scholastic records at the time the award is made. The determination of level of scholastic record is to be made by the Head of the Department of Marketing, Transportation and Business Administration, or his designate.
- Is of high moral character.
- But in case of a tie in scholarship records, the award shall be divided accordingly between the students so qualifying.

"The said award or awards shall be presented to the students at the banquet of the annual conference of the Oregon Retail Distributors' Institute or the awards banquet of the College of Business Administration. In the event that neither such banquet is held, they may be presented at the last regularly scheduled meeting of the faculty of the College of Business Administration. If, however, the President of the University of Oregon, the Dean of the College of Business Administration and the teacher of retailing at the University of Oregon should collectively decide fifteen years after the death of the party of the first part that the awards could best be used in another way, they shall be free to so employ them." EQ32/26-7660

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$3,560.89.

The Trustee will terminate the Fund and transfer the remaining assets to:

RECEIVED

MAY - 4 2015

"The Koert S. Kelman Fund: An award for a student pursuing a career in sales and marketing. Student to have achieved a GPA of 3.0 or higher and preference shall be made for financial need. Recipient is to be determined by committee within the Lundquist College of Business." EQ32-5664

The transfer maintains the use of funds within the College of Business for scholarships in perpetuity.

The Newel H. Comish Scholarship Award shall be listed as a donor to the Koert S. Kelman Fund, reflecting the University intent to honor the donor.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Kees de Kluyver  
Dean  
Lundquist College of Business  
350A Lillis Hall  
1208 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

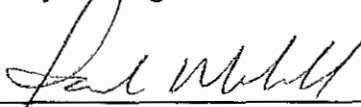
**Office of the Attorney General:**

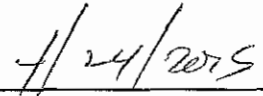
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

- F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

  
Date

## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation



GIFT AGREEMENT

This agreement made and entered into this 21st day of June, 1972, by and between Newel H. Comish, St. George, Washington County, Utah, party of the first part and the College of Business Administration, University of Oregon, Eugene, Lane County, Oregon, party of the second part, Witnesseth:

That the party of the first part hereby gives to the party of the second part One Thousand Dollars (\$1,000.00) to be used by the party of the second part as a basis of scholarship awards under the following conditions:

1. That the principal of One Thousand Dollars (\$1,000.00) shall be invested by the Business Office of the University of Oregon, or some other agency designated by it.

2. That the annual interest on the said One Thousand Dollars (\$1,000.00) shall be employed as a cash scholarship award and known as the Newel H. Comish Scholarship Award.

3. That the said cash scholarship award shall be given to the student majoring in marketing in the College of Business Administration of the University of Oregon who meets the following requirements:

- a. Is one of the five students with the highest cumulative scholastic records at the time the award is made. The determination of level of scholastic record is to be made by the Head of the Department of Marketing, Transportation and Business Environment, the Dean of the College of Business Administration, or his designate.
- b. Is of high moral character.
- c. But in case of a tie in scholarship records, the award shall be divided accordingly between the students so qualifying.

4. That the said award or awards shall be presented to the students at the banquet of the annual conference of the Oregon Retail Distributors' Institute or the awards banquet of the College of Business Administration. In the event that neither such banquet is held, they may be presented at the last regularly scheduled meeting of the faculty of the College of Business Administration.

5. If, however, the President of the University of Oregon, the Dean of the College of Business Administration and the teacher of retailing at the University of Oregon should collectively decide fifteen years after the death of the party of the first part that the awards could best be used in another way, they shall be free to so employ them.

*Newel H. Comish*  
Party of the First Part

*Donald S. Duff*  
Party of the Second Part

**OREGON STATE BOARD OF HIGHER EDUCATION**

Endowment Fund Group

Donor	<u>Comish, Nevel H. Scholarship</u>	Account #	Principal	<u>50-430-3011</u>
Ownership No.	<u>538</u>	Account #	Assets	
Institution	<u>University of Oregon</u>	Account #	Income	<u>50-270-8011</u>

Restrictions and Conditions:

IF After 15 years after death of Nevel H. Comish, the President, Dean of Bus. Adm and teacher of retailing decide to use awards in another way, they may do so. Income from fund to be awarded as cash scholarship to a Junior Student majoring in Marketing and Merchandising in the School of Business Administration of the University, and who meets the following requirements:

Is one of five students who  
 Has highest cumulative scholastic record at end of second term of each  
 respective academic year. In case of tie in scholarship records, the award  
 shall be divided accordingly between students so qualifying.  
 Has a moral character.

Signifies in writing that he or she plans to go into the retailing business or  
 into teaching of retailing subjects.

General Description:

Gift from Nevel H. Comish.

Assets Received\*

Date	Description of Assets	No of Shares	Total Value	Disposal Date	Disposal Amount
12-23-55	Cash		1,000		

\*Includes cash, non-cash assets, funds held in trust by others.

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 30, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

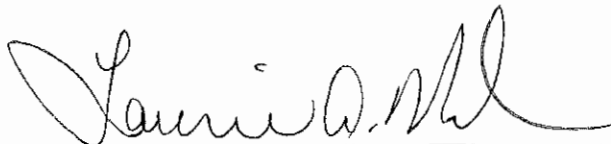
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Kees de Kluyver  
Dean  
Lundquist College of Business  
350A Lillis Hall  
1208 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 30, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

*OK gm*

May 1, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED  
MAY - 4 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
Wallace B. Caufield, Jr. Memorial Fund

Dear Susan:

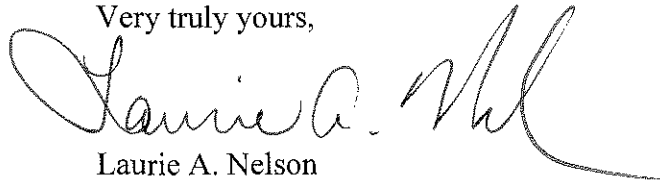
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Wallace B. Caufield, Jr. Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

  
Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Aдриene Lim (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Wallace B. Caufield, Jr. Memorial Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Wallace B. Caufield, Jr. Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



May 1, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Wallace B. Caufield, Jr. Memorial Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Wallace B. Caufield, Jr. Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Adriene Lim (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



**GLEAVES  
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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Wallace B. Caufield, Jr. Memorial Fund

Dear Dr. Lim:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Wallace B. Caufield, Jr. Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm

Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147

CERTIFIED TRUE COPY

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Wallace B. Caufield, Jr. Memorial Fund.

- A. In 1946, Wallace B. Caufield as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund on December 10, 1946. Wallace B. Caufield died on November 22, 1966.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"The income from the fund shall be used to purchase for the University of Oregon Library outstanding or unusual books (which would not otherwise be acquired) in the fields of higher mathematics and science, and should a School of Engineering be established in the future at the University of Oregon, then such books in the field of engineering shall be purchased for the library. The perpetual fund hereby established shall be known as the Wallace B. Caufield, Jr. Memorial Fund and there shall be placed in all books purchased from the income of the fund appropriate book plates indicating that the books were purchased from such fund." EQ31/24-7564

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$21,883.39.

The Trustee will terminate the Fund and transfer the remaining assets to the:

"Library Acquisitions Endowment Fund: for library acquisitions in any format across all disciplines." EQ31-4956

The transfer maintains the use of funds within the Library for acquisitions in perpetuity.

The Wallace B. Caufield, Jr. Memorial Fund shall be listed as a donor to the Library Acquisitions Endowment Fund, reflecting the Donor's intent to honor his son.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.



E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

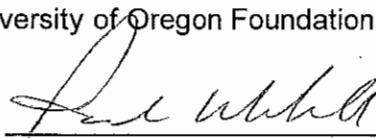
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

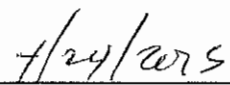
F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

  
\_\_\_\_\_  
Date

## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

UNIVERSITY OF OREGON

EUGENE

Office of the President

25 November 1946

Mr. Wallace B. Caufield  
Great Western Royal Hotel  
Paddington, London, W. 2  
England

Dear Mr. Caufield:

I am writing to acknowledge officially the receipt of \$6,100 to be deposited to the account of the Wallace B. Caufield, Jr. Memorial Fund and used in accordance with the following memorandum:

"This fund is established to perpetuate the memory of Wallace B. Caufield, Jr., who attended the University of Oregon from 1937 to 1939, and who gave his life in the service of his country on January 1, 1945, while serving in a responsible technical capacity with the armed forces of his country.

"An initial fund of \$6,100 has been given to the State of Oregon, acting by and through the State Board of Higher Education, for the sole use and benefit of the University of Oregon, to be held as a perpetual fund, with full power to invest and reinvest, pursuant to the laws of Oregon governing such funds. The income from the fund shall be used to purchase for the University of Oregon Library outstanding or unusual books (which would not otherwise be acquired) in the fields of higher mathematics and science, and should a School of Engineering be established in the future at the University of Oregon, then such books in the field of engineering shall be purchased for the library.

"The perpetual fund hereby established shall be known as the Wallace B. Caufield, Jr. Memorial Fund and there shall be placed in all books purchased from the income of the fund appropriate book plates indicating that the books were purchased from such fund."

I should like to express the appreciation of the University for this fine contribution to the fields of higher mathematics and science, and, of course indirectly, to the welfare of the students who study in such areas. We feel certain that in making this decision you have provided a program which will serve the memory of Wallace B. Caufield, Jr. in the finest possible manner. We assure you that we shall make every effort to utilize the income from the fund according to the letter and the spirit of the fine gift.

Sincerely yours,

COPY

H. K. Newburn  
President

cc Mr. Lindstrom  
Mrs. Moore

CONFIDENTIAL

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on May 1, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

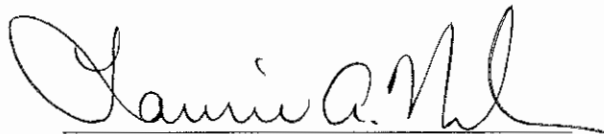
Michael Andreasen  
Vice President  
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Eugene, OR 97403

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: May 1, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

OK SB

May 1, 2015

RECEIVED

MAY - 4 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1902 Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1902 Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1902 Scholarship Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1902 Scholarship Fund.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



May 1, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1902 Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1902 Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.) ✓  
Susan Bower (w/ encls.) ✓  
Roger Thompson (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



May 1, 2015

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1902 Scholarship Fund

Dear Dr. Thompson:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1902 Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*Jaini M*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Class of 1902 Scholarship Fund.

- A. In 1952, Fred J. Ziegler on behalf of the UO Class of 1902 made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund on September 30, 1952. The individual donors are not identified, and Mr. Ziegler, himself a member of the class of 1902, died May 7, 1988.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"From the Class of 1902 to be used to provide a perpetuating scholarship fund."  
EQ32/26-7647

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$3,902.28.

The Trustee will terminate the Fund and transfer the remaining assets to:

"The General University Scholarship Endowment Fund: to be used by the Office of Student Financial Aid for general University of Oregon Scholarships." EQ32-6364

The transfer maintains the use of funds for University of Oregon scholarships in perpetuity.

The Class of 1902 Scholarship Fund shall be listed as a donor to The General University Scholarship Endowment Fund, reflecting the Donors' intent to honor the UO Class of 1902.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

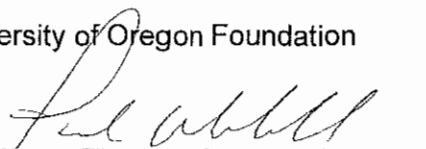
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

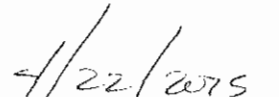
**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

Date

  
\_\_\_\_\_  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

UNIVERSITY OF OREGON  
OFFICE OF THE PRESIDENT

OREGON STATE BOARD OF

SEP 27 1952 ERE

September 22, 1952 HIGHER EDUCATION

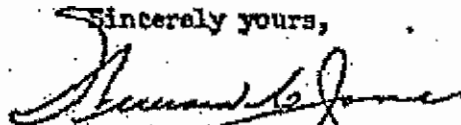
MEMORANDUM: Gift of \$1,000 to the University of Oregon Scholarship Fund from the Class of 1902.

Dear Chancellor Byrne:

The University of Oregon has received a gift of \$1,000 from the Class of 1902. This gift was presented through Dr. Fred J. Ziegler, 715 Medical Dental Building, Portland, Oregon, and is to be used to provide a perpetuating scholarship fund.

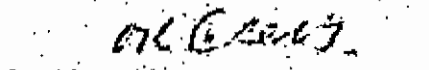
We are reporting this item to you for acceptance and acknowledgment by the State Board of Higher Education.

Sincerely yours,



William C. Jones  
Dean of Administration

APPROVED:

  
H. K. Newburn, President  
Charles D. Byrne, Chancellor

Board acceptance.

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on May 1, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

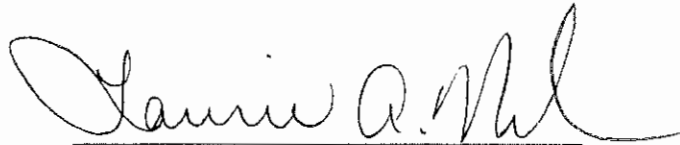
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: May 1, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

OK 5/3  
**RECEIVED**  
MAY - 4 2015  
DEPARTMENT OF JUSTICE  
PORTLAND, OREGON

Re: University of Oregon Foundation Termination of Institutional Fund  
John Lee-Rick Bullis Memorial Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Lee-Rick Bullis Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Brook Muller (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
John Lee-Rick Bullis Memorial Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Lee-Rick Bullis Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Brook Muller (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
John Lee-Rick Bullis Memorial Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Lee-Rick Bullis Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Brook Muller (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Brook Muller  
Acting Dean  
Architecture and Allied Arts  
105 Lawrence Hall  
5 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
John Lee-Rick Bullis Memorial Fund

Dear Mr. Muller:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Lee-Rick Bullis Memorial Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*Jamie M. [Signature]*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the John Lee-Rick Bullis Memorial Fund.

- A. In July 1984 E. F. Hutton & Company Inc. made a distribution from the estate of Mrs. Jeanne F. Lee, to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received information for the purpose and established the fund in August 1984.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"To provide scholarship assistance from the income of the fund to students in the University of Oregon Architectural School." EQ32/26-7630

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$14,988.28.

The Trustee will terminate the Fund and transfer the remaining assets to the:

"Architecture Scholarship Endowment Fund: To provide a scholarship for a student in architecture, to be selected by the Dean of the School of Architecture and Allied Arts." EQ35-4076

The transfer maintains the use of funds for scholarships in architecture in perpetuity, with greater spending potential due to economies of scale.

The John Lee-Rick Bullis Memorial Fund shall be listed as a donor to the Architecture Scholarship Endowment Fund, reflecting the Donors' intent to memorialize her son and the son of her long time business associate, Richard S. Bullis.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Brook Muller  
Acting Dean  
Architecture and Allied Arts  
105 Lawrence Hall  
5 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

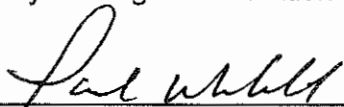
**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

4/27/2015  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation



E.F. Hutton & Company Inc. 101 California Street. San Francisco, California 94111 (415) 362-5225

~~File~~  
File

Robert M. Bacon

August 1, 1984

Oregon State System of Higher Education  
Office of Administration  
Controller's Office  
P.O. Box 488  
Corvallis, Oregon 97339

Attn: Janet L. Bremier  
Office Services Supervisor

Gentlemen:

We have your letter of July 25, 1984 regarding the John Lee-Rick Bullis Memorial Fund, University of Oregon, established by Mrs. Jeanne F. Lee.

We have no documentation. Mrs. Lee is deceased. She set up this fund in memory of those two boys who both died at an early age. John Lee was her son, and Rick Bullis was the son of her long time business associate, Richard S. Bullis.

It is our understanding that Mrs. Lee's objective was to provide scholarship assistance from the income of the fund to students in the University of Oregon Architectural School.

Sincerely,

Robert M. Bacon

RMB/ld



**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on May 1, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

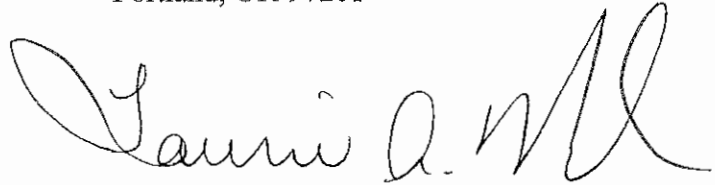
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Brook Muller  
Acting Dean  
Architecture and Allied Arts  
105 Lawrence Hall  
5 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: May 1, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

OK *LSB*

April 30, 2015

RECEIVED

MAY - 4 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Kathryn S. Riddle Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Kathryn S. Riddle Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will become fully expendable for scholarships for women in Physical Education.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Robert Kevin Marbury (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



April 30, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Kathryn S. Riddle Scholarship Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Kathryn S. Riddle Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will become fully expendable for scholarships for women in Physical Education.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Robert Kevin Marbury (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 30, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Kathryn S. Riddle Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Kathryn S. Riddle Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will become fully expendable for scholarships for women in Physical Education.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Robert Kevin Marbury (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 30, 2015

Robert Kevin Marbury  
Director  
Physical Education and Recreation  
21G SRC  
1273 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Kathryn S. Riddle Scholarship Fund

Dear Dr. Marbury:

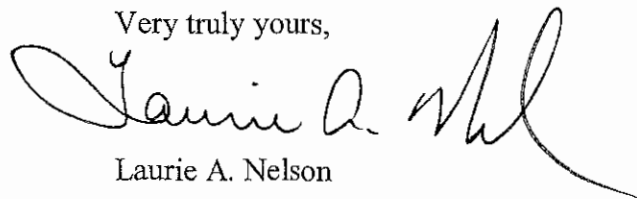
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Kathryn S. Riddle Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will become fully expendable for scholarships for women in Physical Education.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CELESTINE TRUE COPY  
*Jamie M*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Kathryn S. Riddle Scholarship Fund.

- A. Through her Last Will and Testament, signed July 30, 1981, Kathryn Sweney Riddle outlined a bequest to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received information for the purpose and established the fund after she died in 1995.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"The beneficiary of each of the three (3) bequests herein mentioned shall hold the principal thereof in trust by it and the income therefrom shall be used to establish and provide a scholarship for an outstanding upper-class woman student in the Women's Physical Education Department at the mentioned Universities, each to be known as the Kathryn S. Riddle Scholarship. The recipient of the annual scholarship shall be a student selected by the Chairman of the Department of Women's Physical Education at such University with the advice of the Department Faculty." EQ32/26-7601

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$9,631.56.

The Trustee will terminate the endowed portion of the Fund and make the account fully expendable. The purpose of the fund will remain the same, supporting scholarships for women in Physical Education.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Robert Kevin Marbury  
Director  
Physical Education and Recreation  
21G SRC  
1273 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

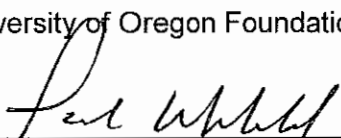
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.


**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

Date

  
\_\_\_\_\_  
Date

## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

Last Will and Testament of

KATHRYN SWENEY RIDDLE

I, Kathryn Sweney Riddle, of Maryville, in Nodaway County, Missouri, being of sound and disposing mind and memory, do hereby MAKE, PUBLISH and DECLARE this instrument to be my Last Will and Testament, and I hereby revoke all former Wills and Codicils by me made at any time.

I

I direct that my body be buried in the Mountain View Cemetery in Pocatello, Idaho. I direct the payment of all my lawful debts and the expenses of my last illness and funeral as soon as practicable after my death.

II

If my mother, Catherine Sweney Riddle (Mrs. Edward C. Riddle), of Maryville, Missouri, survives me, then I give, devise and bequeath all my property and estate, real, personal and mixed, wheresoever situated, which I may own at the time of my death or to which I may thereafter become entitled, to Wayne VanZomeran, of Maryville, Missouri, as Trustee, and in the event he predeceases me, fails or refuses to serve for any reason, or dies or resigns while serving, then to Ann VanZomeran, of Maryville, Missouri, as contingent and successor Trustee, IN TRUST, HOWEVER, for the following uses and purposes:

A. Said Trustee shall take charge and possession of all of my property and estate and shall hold, possess, manage, invest, reinvest and otherwise manage and be in charge of all of the same, and shall collect the income therefrom and the income and principal thereof shall be used, applied to, spent and distributed by my said Trustee for the support, care and maintenance of my mother, Catherine Sweney Riddle, during her lifetime, in such sums as the Trustee, in his absolute

KSR

discretion, shall determine to be required by and in the best interests of my mother, and only to the extent that her Social Security payment, other government benefits and other property and income from any source, if any, are not adequate for her support, care and maintenance. Said Trustee shall pay or apply the principal and income from the trust to such persons as shall provide my mother with care requested by said Trustee. The Trustee shall pay her burial expenses upon my mother's death.

B. I give to my Trustee in the execution of this Will, full power to sell, exchange, encumber, convey and otherwise dispose of the trust property, either at public or private sale, and to invest and reinvest the proceeds thereof in all types and kinds of income producing property, and to execute all necessary instruments to effect such transfers and conveyances of property without the necessity of any transferee or purchaser seeing to the application of the proceeds of any sale or conveyance. The Trustee shall have the power to improve the trust property from principal or income, to operate, lease and manage the trust property, to pay all necessary expenses in connection therewith, including taxes and costs of administration. Said Trustee may deal generally with said property.

C. Upon the death of my mother, Catherine Eweney Riddle, this trust shall terminate, the Trustee shall wind up the trust affairs and the principal and accumulated income of the trust shall be distributed to the persons and in the proportions and in accordance with the provisions of Paragraph III of this my Last Will and Testament, to whom I give, devise and bequeath the rest, residue and remainder of my trust estate following the death of my mother.

### III

If my mother predeceases me, or upon termination of the trust provided in Paragraph II above by the death of my said mother, I give,

RJR

devise and bequeath all of the rest, residue and remainder of my estate, real, personal and mixed, wheresoever situated, as follows:

A. I give and bequeath to the Northwest Missouri State University Educational Foundation, Inc., of Maryville, Missouri, the sum of Five Thousand Dollars (\$5,000.00); to the University of Wisconsin at Madison, Wisconsin, the sum of Five Thousand Dollars (\$5,000.00); and to the University of Oregon at Eugene, Oregon, the sum of Five Thousand Dollars (\$5,000.00). The beneficiary of each of the three (3) bequests herein mentioned shall hold the principal thereof in trust by it and the income therefrom shall be used to establish and provide a scholarship for an outstanding upper-class woman student in the Women's Physical Education Department at the mentioned Universities, each to be known as the Kathryn S. Riddle Scholarship. The recipient of the annual scholarship shall be a student selected by the Chairman of the Department of Women's Physical Education at such University with the advice of the Department Faculty.

B. All the rest, residue and remainder thereof, I give, devise and bequeath as follows: An undivided one-half (1/2) thereof to my niece, Mrs. Patricia Duncan McKelligett, of 1200 South Dixie Highway, Lot 2, Pompano Beach, Florida 33060, to be hers absolutely; and an undivided one-half (1/2) thereof to my great-nephew, Bruce A. Nelson, of ~~3324 Woodland Drive, Charleston, South Carolina~~ 52 Heander Road, Charleston, South Carolina 29405, to be his absolutely. *KGD*

IV

I nominate and appoint Wayne VanZomeren, of Maryville, Missouri, Executor of this my Last Will and Testament and request that he not be required to give bond. In the event he shall predecease me or fail to serve for any reason, then I nominate and appoint Ann VanZomeren Executrix of this my Last Will and Testament and request that

*HJR*



she not be required to give bond.

I give to my Executor or his successor in the execution of this Will full power and authority to sell and convey all or any part of the property constituting my estate and in connection with such sales, to execute all necessary deeds, contracts and other instruments.

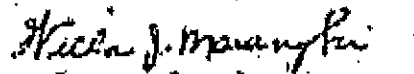
IN WITNESS WHEREOF, I have hereunto affixed my signature to this my Last Will and Testament on this 30th day of July, 1981.

  
KATHRYN SWEENEY RIDDLE  
TESTATRIX

The foregoing instrument consisting of three (3) pages and this page, was on the 30th day of July, 1981, signed and declared by the said Kathryn Sweeney Riddle to be her Last Will and Testament, in the presence of us, who, at her request and in her presence, and in the presence of each other have subscribed our names as witnesses thereto; first reading said Will aloud to her.

  
Maryville, Missouri

  
Maryville, Missouri

  
Maryville, Missouri

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 30, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

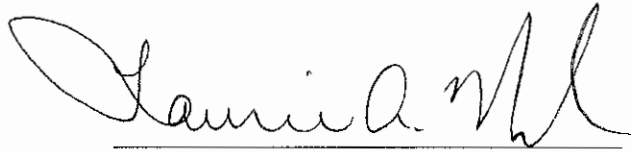
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Robert Kevin Marbury  
Director  
Physical Education and Recreation  
21G SRC  
1273 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 30, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



May 1, 2015

OK ✓ JB

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Frances P. Courteau Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Frances P. Courteau Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

May 1, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Frances P. Courteau Scholarship Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Frances P. Courteau Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



May 1, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Frances P. Courteau Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Frances P. Courteau Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Roger Thompson (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



May 1, 2015

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Frances P. Courteau Scholarship Fund

Dear Dr. Thompson:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Frances P. Courteau Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*Jamie M. [Signature]*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Frances P. Courteau Scholarship Fund.

- A. In January 1963 the University received a gift as beneficiary of a life insurance policy, to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund in January 1963. Mrs. Frances P. Courteau, the Donor, died on November 24, 1962.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"University of Oregon (Scholarship Fund)." EQ32/26-7645

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$19,584.22.

The Trustee will terminate the Fund and transfer the remaining assets to:

"The General University Scholarship Endowment Fund: to be used by the Office of Student Financial Aid for general University of Oregon Scholarships." EQ32-6364

The transfer maintains the use of funds for University of Oregon scholarships in perpetuity.

The Frances P. Courteau Scholarship Fund shall be listed as a donor to The General University Scholarship Endowment Fund, reflecting the University's intent to honor the Mrs. Courteau.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

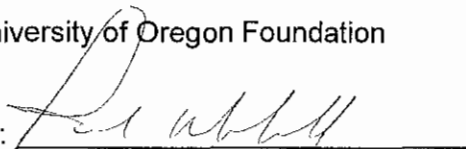
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

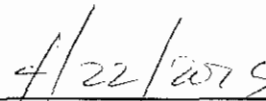
**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

Date

  
\_\_\_\_\_  
4/22/2015



## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

# Southern Pacific Company

65 MARKET STREET, SAN FRANCISCO 5, CALIFORNIA

W. A. WILSON  
General Counsel  
F. M. COYNE  
VERNON LAYNE  
R. V. COLE  
Assistant General Counsel

C. A. ALLEN  
Director of Accounting  
J. M. DIMARTINI  
Manager, Data Processing  
C. H. FLEMER  
Director of Equipment Stores Accounts  
C. E. GROVE  
Manager, Miscellaneous Services  
R. E. MOLLINER  
Internal Auditor

G. W. KLEE  
Director of Insurance  
E. O. MUELFLOHN  
Manager, Systems Division  
D. TRABERT  
Director of Miscellaneous Accounts  
T. E. WALSH  
Income Tax Auditor

NO REPLY PLEASE REFER TO

January 22, 1963

RECEIVED

YHR

University of Oregon  
Eugene, Oregon

Gentlemen:

Mrs. Frances P. Courteau, who had been employe of the Southern Pacific Company since October 21, 1942, died on November 24, 1962. She carried Metropolitan Group Life Insurance in the amount of \$5500.00, the beneficiary being University of Oregon (Scholarship Fund).

This policy (Group Number 2000-G, Certificate Number 69779) has now been received from Mr. H. J. Tabraham, Probate Administrator of the estate of Mrs. Courteau.

Enclosed is form B-034, Group "Proof of Death" in duplicate. If you will please complete under "Claimant's Statement" (having the proper official of the University sign as claimant) and return both forms to this office, we shall arrange for final processing.

Yours truly,



CC - Mr. H. J. Tabraham  
Probate Administrator  
Crocker-Anglo National Bank  
P.O. Box 3739, Rincon Annex  
San Francisco 20, California

METROPOLITAN LIFE INSURANCE COMPANY

PACIFIC COAST HEAD OFFICE

HOWARD E. JONES  
MANAGER  
CLAIMS DIVISION

100 STOCKTON STREET  
SAN FRANCISCO 29, CALIFORNIA

February 26, 1963

ATTENTION: CLAIMS DIVISION

JE

Mr. J. O. Lindstrom, Business Manager  
University of Oregon  
Eugene, Oregon

Subject: Frances P. Courteau, Group 2000-G, Certificate 69719

Dear Mr. Lindstrom:

This will refer to your letter of January 24, 1963 addressed to Mr. C. A. Allen, Auditor of Revenue Accounts, Southern Pacific Company, 65 Market Street, San Francisco 5, California.

The following limited information is offered. The maiden name of the insured was Frances Sale. She attended the University from 1929 through 1933 and again in 1935. She received a Bachelor of Arts Degree, in Art. A sister, Mrs. Donald Thomas, resides at 3831 S.E. Tulcan, Portland 2, Oregon.

The check for \$5,500.00, payable to the University of Oregon, Scholarship Fund, is enclosed.

Yours truly,

*R. R. Anderson*  
Richard R. Anderson  
Senior Claim Approver  
Death Claim Section

5-3605 - Frances P. Courteau  
Eugene, Oregon

5-3205 - Frances P. Courteau  
Eugene, Oregon  
RECEIVED

FEB 27 1963  
UNIVERSITY OF OREGON  
REGISTERING OFFICE

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on May 1, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

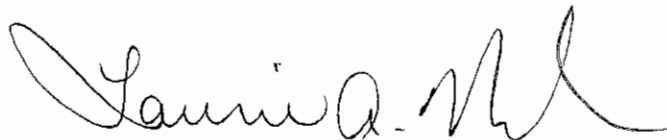
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: May 1, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee

**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

OK SB

April 30, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED

MAY - 4 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
T. Neil Taylor Scholarship in Editing

Dear Susan:

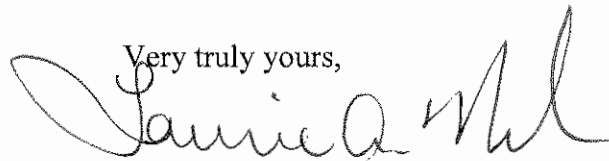
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the T. Neil Taylor Scholarship in Editing.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Hall of Achievement Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Julianne H. Newton (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 30, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
T. Neil Taylor Scholarship in Editing

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the T. Neil Taylor Scholarship in Editing.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Julianne H. Newton (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



April 30, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
T. Neil Taylor Scholarship in Editing

Dear Mr. Andreasen:

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Julianne H. Newton (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 30, 2015

Julianne H. Newton  
Interim Dean  
School of Journalism and Communication  
217 Allen Hall  
1275 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
T. Neil Taylor Scholarship in Editing

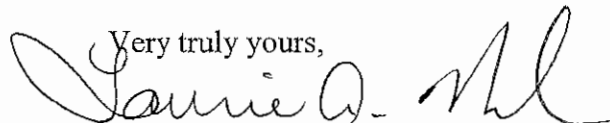
Dear Dr. Newton:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the T. Neil Taylor Scholarship in Editing.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Hall of Achievement Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,  
  
Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY



As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the T. Neil Taylor Scholarship in Editing.

- A. In 1940, T. Neil Taylor as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received that gift and others from the donor, establishing the endowment fund on July 8, 1954. Mr. Taylor earned his BA in Journalism from the University of Oregon in 1931, and we presume Mr. Taylor is deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"Disbursements against this account will be made upon order of Dean Allen [UO School of Journalism] for a scholarship in Editing as determined by him." EQ32/26-7617

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$18,022.29.

The Trustee will terminate the Fund and transfer the remaining assets to the:  
"Hall of Achievement Scholarship Fund: To provide financial support to students in the School of Journalism and Communication." EQ32-5841

The transfer maintains the use of funds within the School of Journalism for Scholarship support in perpetuity.

The T. Neil Taylor Scholarship in Editing Fund shall be listed as a donor to the Hall of Achievement Scholarship Fund, reflecting the University intent to honor the Donor.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Julianne H. Newton  
Interim Dean  
School of Journalism and Communication  
217A Allen Hall  
1275 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By: \_\_\_\_\_

Paul Weinhold  
President/CEO

4/24/2018  
\_\_\_\_\_  
Date

## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

January 16, 1940

Mr. T. Neil Taylor  
130 Market Street  
Oakland, California

Dear Mr. Taylor:

I am enclosing University of Oregon receipt No. O-79176 in acknowledgment of your \$50 contribution sent to Dean Allen. We have set up a special scholarship account to be known as the "T. Neil Taylor Scholarship in Editing". Disbursements against this account will be made upon order of Dean Allen for a scholarship in Editing as determined by him.

The University of Oregon deeply appreciates your fine interest in establishing this scholarship, and we are very glad to handle the funds you turn over to us.

I am sending a carbon copy of this letter to the President's Office so that President Erb, the Chancellor, and the Board, may be informed of your fine contribution.

Sincerely yours,

J. O. LINDSTROM  
Business Manager

Enc. 1  
cc: President Erb  
Dr. Pallett

UNIVERSITY OF OREGON  
OFFICE OF THE BUSINESS MANAGER  
Eugene, Oregon

July 8, 1954

*Copy  
of file  
to file*

*JW  
L.HOR  
2 File*

MEMORANDUM

TO: John L. Watson, Assistant Comptroller  
FROM: J. O. Lindstrom, Business Manager  
SUBJECT: T. Neil Scholarship Editing Account 5-3312

*Dept made  
9/21/54*

At the request of Gordon A. Sabins, Dean of the School of Journalism, and with the approval of T. Neil Taylor, it is requested that the balance in account 5-3312, which we understand to be \$1,761.15, be transferred as of July 1, 1954 to an endowment fund to be known as the T. Neil Taylor Endowment Scholarship Fund.

Would you please set up the proper account.

The income from this account is to be placed in a scholarship account as I imagine two new accounts will have to be set up.

If you'll give me the numbers of these new accounts, I'll type up the account sheets.

Sincerely,

*[Signature]*  
J. O. Lindstrom  
Business Manager

P.S. We understand that the endowment fund will earn 3% per year.

TO: J. O. Lindstrom J.O.L.

FROM: John L. Watson

Following account numbers for the Neil Taylor Scholarship Fund:

Income Account  
Principal Account

5-3230  
5-3730

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 30, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Julianne H. Newton  
Interim Dean  
School of Journalism and Communication  
217 Allen Hall  
1275 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 30, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

OK ✓ JB

April 30, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Edith Kerns Chambers Scholarship Endowment Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Edith Kerns Chambers Scholarship Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

ES  
JAK STREET | SUITE 800  
ENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



April 30, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Edith Kerns Chambers Scholarship Endowment Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Edith Kerns Chambers Scholarship Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147





April 30, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Edith Kerns Chambers Scholarship Endowment Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Edith Kerns Chambers Scholarship Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Roger Thompson (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



April 30, 2015

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Edith Kerns Chambers Scholarship Endowment Fund

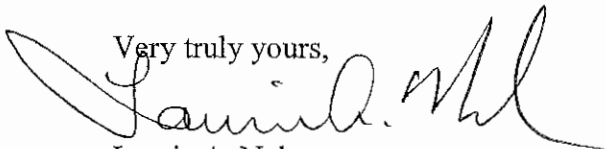
Dear Dr. Thompson:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Edith Kerns Chambers Scholarship Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 30, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,  
  
Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

CERTIFIED TRUE COPY  
JAMIE M. [Signature]

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Edith Kerns Chambers Scholarship Endowment Fund.

- A. In 1950, Mrs. William Dolph Janes, as President of the Association of University of Oregon Women, conveyed two gifts to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gifts and established the fund in 1950; multiple donors contributed to the fund in the following years.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"A scholarship shall be granted to an undergraduate student or students of high scholastic promise who need financial assistance while attending the University of Oregon." EQ32/26-7565

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$20,274.14.

The Trustee will terminate the Fund and transfer the remaining assets to:

"The General University Scholarship Endowment Fund: to be used by the Office of Student Financial Aid for general University of Oregon Scholarships." EQ32-6364

The transfer is expressly authorized by the Fund Agreement, and maintains the use of funds for University of Oregon scholarships in perpetuity.

The Edith Kerns Chambers Scholarship Endowment Fund shall be listed as a donor to The General University Scholarship Endowment Fund, reflecting the Donors' intent to honor Edith Kerns Chambers.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

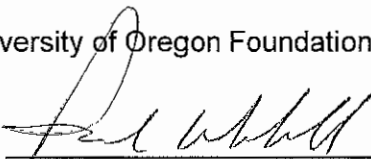
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

4/24/2015  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

Suggested Letter.

Mr. J. O. Lindstrom  
Business Manager  
University of Oregon  
Eugene, Oregon

*Check amt 5-3750  
Return Receipt + File to Mrs. Dolph  
JW 7/31*

Dear Mr. Lindstrom:

At the direction of the State Association of University of Oregon Women, I am enclosing a check in the amount of \$50 from Irene H. Gerlinger, 1741 S.W. Highland Road, Portland, and another check for \$25 from Maude H. Kerns of 1059 Hilyard Street, Eugene. These checks are being turned over to the University of Oregon to be deposited in a new scholarship fund to be known as the Edith Kerns Chambers Scholarship Endowment Fund. The State Association of University of Oregon Women plan to make donations to this scholarship fund as our program goes forward from year to year and as we have completed our other numerous scholarship projects. 5-3750

After the fund has reached a fairly good size, the University of Oregon is authorized to transfer this endowment fund into the Student Loan Funds of the University with the loans to be made to any student registered at the University of Oregon at Eugene in accordance with the regulations governing loan funds at the University.

It is further understood that the interest earnings from service charges and interest charged students who borrow from this loan fund shall be credited to a scholarship fund once each year and that a scholarship shall be granted to an undergraduate student or students of high scholastic promise who need financial assistance while attending the University of Oregon. The scholarship shall be limited to undergraduate students and shall be selected by the University committee which normally selects students for state scholarships which during the academic year 1949-50 was the committee known as "Scholarships and Financial Aid, Karl W. Onthank, Chairman".

Mrs. Irene H. Gerlinger's \$50 contribution represents the first donation to this fund. Miss Maude Kerns' gift of \$25 is the second donation received. We hope to have many more as our program advances.

Sincerely yours,

*Mrs. Wm. Dolph Janes*  
President, Association of  
University of Oregon Women

Mrs. William Dolph Janes, President  
2395 Columbia  
Eugene, Oregon

CONFIDENTIAL

OREGON STATE BOARD OF HIGHER EDUCATION  
Endowment Fund Group

Donor	<u>Chamber, Edith Kerns Scholarship</u>	Account #	Principal	<u>50-430-3028</u>
Ownership No.	<u>553</u>	Account #	Assets	
Institution	<u>University of Oregon</u>	Account #	Income	<u>50-270-8032</u>

Restrictions and Conditions:

Income from endowment fund to be used for scholarships to undergraduate students of high scholastic promise registered at U of O who need financial assistance while attending U of O.

General Description:

No file material here, except account request sheets.

Assets Received\*

Date	Description of Assets	No of Shares	Total Value	Disposal Date	Disposal Amount
1950	CASH As of 5-25-79		4645.08		

\*Includes cash, non-cash assets, funds held in trust by others.

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 30, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

---

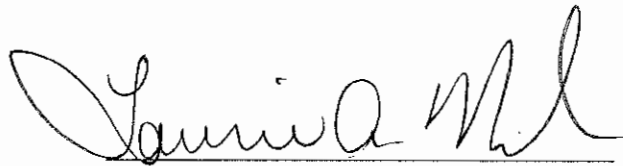
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 30, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee





OK JPB

May 1, 2015

RECEIVED

MAY - 4 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1903 Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1903 Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



May 1, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1903 Scholarship Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1903 Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Susan Bower (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



May 1, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1903 Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1903 Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Roger Thompson (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



May 1, 2015

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Class of 1903 Scholarship Fund

Dear Dr. Thompson:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1903 Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from May 1, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

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EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

UNIVERSITY OF OREGON  
JAMIE M. [Signature]

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Class of 1903 Endowment Fund.

- A. In 1953, members of the UO Class of 1903 made gifts to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund in July, 1953. The individual donors are not identified in surviving records.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"For the Class of 1903 Endowment Fund." EQ32/26-7648

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$5,321.26.

The Trustee will terminate the Fund and transfer the remaining assets to:

"The General University Scholarship Endowment Fund: to be used by the Office of Student Financial Aid for general University of Oregon Scholarships." EQ32-6364

The University of Oregon has consistently utilized this fund as a general scholarship. The transfer maintains the use of funds for University of Oregon scholarships in perpetuity.

The Class of 1903 Endowment Fund shall be listed as a donor to The General University Scholarship Endowment Fund, reflecting the Donors' intent to honor the UO Class of 1903.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

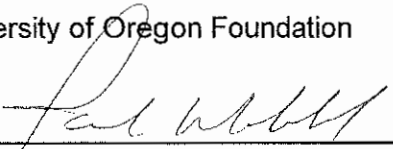
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

  
\_\_\_\_\_  
Date

## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

JUL 13 1953

UNIVERSITY OF OREGON  
OFFICE OF THE PRESIDENT

HIGHER EDUCATION

July 13, 1953

MEMORANDUM: Gift of \$1,225.50 from various donors for the Class of 1903  
Endowment Fund

Dear Chancellor Byrne:

The University of Oregon has received gifts totaling \$1,225.50 from various donors for the Class of 1903 Endowment Fund. The list of donors is on file in the Alumni Office.

We are reporting this gift to you for acceptance by the State Board of Higher Education.

Sincerely yours,

*H. K. Newburn*  
H. K. Newburn  
President

APPROVED:

Charles D. Byrne, Chancellor

Board acceptance.



## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on May 1, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

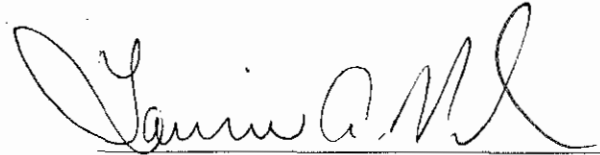
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: May 1, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



UNIVERSITY OF OREGON  
FOUNDATION

February 13, 2015

Ms. Susan A. Bower  
Charitable Activities  
Section Department of  
Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED

FEB 20 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation  
Van Schaack Music Scholarship Fund

Dear Ms. Bower:

On behalf the University of Oregon Foundation, I enclose two true copies of the Agreement Modifying Institutional Fund for the Van Schaak Music Scholarship Fund.

As described in the Modification of Fund Agreement, the Fund was established as a scholarship fund "for the benefit of blind persons studying music." In the last twelve years only one student has met these criteria. Therefore, it has been impractical to achieve the donor's original intent and wasteful to hold the fund for such a narrow purpose, as is. For these reasons, we ask that the Fund be modified as follows: "To support scholarship(s) for music students at the University of Oregon, with a strong preference for those who are blind."

If you consent to this modification, please sign the documents where indicated and return to me in the self-addressed envelope.

If you have questions or need additional information please call, or email me.

Very truly yours,

Wendy Laing  
General Counsel  
[laing@uofoundation.org](mailto:laing@uofoundation.org)

*mailed  
2/23/15*

**Enclosures**

1720 E. 13th Avenue, Suite 410 • Eugene, OR 97403-1905 • T 541.302.0300 • Toll-Free 888.448.1544 • F 541.344.8079 • [uofoundation.org](http://uofoundation.org)

This information is PRIVILEGED and CONFIDENTIAL property of the University of Oregon Foundation. Any unauthorized reproduction, dissemination or disclosure is prohibited.

## AGREEMENT MODIFYING INSTITUTIONAL FUND

### PARTIES:

University of Oregon Foundation (A.K.A. University of Oregon Development Fund) (the "Foundation")

Dean, School of Music and Dance, University of Oregon

Vice President, University Advancement, University of Oregon

### RECITALS:

- A. The Parties desire to modify the **Van Schaack Music Scholarship Fund** ("Institutional Fund"), created by the Last Will and Testament of George Van Schaack, dated the 7<sup>th</sup> of November, 1980, a copy of which is attached hereto as Exhibit "A."
- B. The Parties and the Oregon Attorney General constitute all persons and entities whose signatures are required for this Agreement to be effective pursuant to ORS Chapter 130.

### AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing recitals that are by this reference expressly made a part hereof, and in consideration of the terms hereinafter contained, the Parties agree as follows:

#### 1. Modification of Institutional Fund

On the Effective Date, the Institutional Fund shall be modified as set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

#### 2. Effective Date

This Agreement shall be effective on the date that all Parties and the Oregon Attorney General have each signed this Agreement and, if required by law, this Agreement has been approved by the Circuit Court of the State of Oregon for Lane County.

#### 3. Number, Gender and Captions

As used herein, the singular shall include the plural and the plural the singular, as the context requires. The masculine and neuter shall each include the masculine, feminine and neuter, as the context requires. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Agreement.

#### 4. Original Agreement

The Institutional Fund, as amended, and each term and provision thereof shall remain in full force and effect, except as herein modified, amended or restated.

LAST WILL AND TESTAMENT

OF

GEORGE BOOTH VAN SCHAACK

I, GEORGE BOOTH VAN SCHAACK, a resident of Eugene, Lane County, Oregon, do hereby make and declare this to be my last Will and Testament, hereby revoking any prior Wills or Codicils to Wills by me made.

I.

DECLARE AND PUBLISH WILL

I, being over the age of majority, and of sound and disposing mind and memory, and having in mind the natural objects of my bounty, and not acting under the influence of any person whomsoever, and desiring to make a final disposition of my property, do hereby declare and publish this document as my Last Will and Testament.

II.

DESIGNATION OF HEIRS

I hereby declare that I am single with no children.

III.

APPOINTMENT OF PERSONAL REPRESENTATIVE

I hereby nominate and appoint Sanford Tepfer, now of the Biology Department, University of Oregon, to be Personal Representative of this my Last Will and Testament, to serve without bond.

IV.

POWERS OF PERSONAL REPRESENTATIVE

I hereby empower my Personal Representative to exercise at

*George Booth Van Schaack*  
LAST WILL AND TESTAMENT OF  
GEORGE BOOTH VAN SCHAACK - 1

Exhibit A

given to by included in Paragraph VII (D) below. Such sale or other disposition may and shall be made without any reference to the order of disposition of real and personal property, and without any petition, citation, hearing, order or any other action, and may be at private or public sale as to my said Personal Representative shall deem advisable.

V.

PAYMENT OF DEBTS AND TAXES

I direct that my just debts and the expenses of my last illness and for the disposal of my body be promptly paid. I direct my Personal Representative hereinbefore named to treat as an obligation of my estate and to pay, without any apportionment thereof, all estate, inheritance or other death taxes or duties imposed and made payable by reason of my death by the laws of the United States, or of any state. If any other person shall pay any such tax, my Personal Representative shall reimburse such person from my estate.

VI.

DEATH WITH DIGNITY; DISPOSAL OF BODY

IF the situation should arise in which there is no reasonable expectation of my recovery from physical or mental disability, I request that I be allowed to die and not be kept alive by artificial means or "heroic measures". I do not fear death itself as much as the indignities of deterioration, dependence and hopeless pain. I, therefore, ask that medication be mercifully administered to me to alleviate suffering even

*George W. Van Schaack*

LAST WILL AND TESTAMENT OF  
GEORGE BOOTH VAN SCHAACK - 3

Exhibit A

(g) To my friends, ALBERT and THELMA KAUFMAN, 953 East 20th Avenue, Eugene, Oregon 97495, the sum of \$1,000. This gift shall lapse if both have predeceased me.

(h) To my good friend RONALD SEIFERT, I leave \$500.00 to start his cassette library.

(i) To the HEERMANCE MEMORIAL LIBRARY, Coxsackie, New York, 12051, the sum of \$1,000.00 in honor of my parents, who were devoted to the Library. The bequest is to be used to buy books.

(j) To the HERBARIUM, DEPARTMENT OF BIOLOGY, UNIVERSITY OF OREGON, Eugene, Oregon 97403, the sum of \$1,000.00.

(k) To the UNIVERSITY OF OREGON SCHOOL OF MUSIC I leave my Steinway piano #239349, and \$3,000. The \$3,000 is to be used to provide an acoustically suitable practice room for the piano, and to keep the piano in top condition. The piano is to be used by four or five graduating seniors at bachelor rank each year in classical piano designated by the Dean of the School. I also leave to the School of Music my musical scores.

(l) To my friend and neighbor, SUE B. REIMER, all of my disc records, and the three Jan Vermeer Van Delft paintings: "Young Woman With a Water Jug", "A Street in Delft" and "View of Delft", all hanging in my living room, and the A.B. DeFries book, a study of the artist Vermeer.

(m) To GARY TEPFER (son of Sanford S. Tepfer) I leave all my tools, including my photographic equipment.

(n) To SUE B. REIMER a first option to purchase my house located at 1964 Harris Street, Eugene, Oregon for the then-current market value. She shall have one hundred twenty (120) days from the date of notice of this option to her by my Personal Representative to exercise her option. Upon its expiration, SANFORD S. TEPFER shall have an option to purchase for the same price. His option shall expire after one hundred twenty (120) days. Thereafter, the property shall be sold by the Personal Representative according to his best judgment.

(o) I direct my Personal Representative to distribute my books, except those specifically mentioned elsewhere in this will, to the following recipients, using his best judgment to distribute my library. This distribution should be carried out as quickly as possible after my demise while the books are still grouped on the shelves, and in the following sequence:

(1) To ALFREDO J. SADLER, Caixa Postal 30733, 0100 San Paulo, Brazil, books from my library as itemized on his May 23, 1980 list, and covering items 1 through 104. Recipient is to provide packing and all shipping.

  
LAST WILL AND TESTAMENT OF  
GEORGE BOOTH VAN SCHAACK - 5

Exhibit A

131 To the OREGON WILDERNESS COALITION, P.O. BOX 3066, Eugene, Oregon 97403, the sum of \$1,500.00.

(4) All the rest, residue and remainder of my estate shall go to an institution of higher learning for the establishment of a scholarship fund for the benefit of blind persons studying music.

The residue of the trust must not exceed one-half of the total proceeds of the trust. The trustee shall increase all of the first three dispersals proportionately if necessary to decrease the residue to one-half.

#### VIII.

#### POWERS OF TRUSTEE

My Trustee shall have full power and authority to manage and control the trust estate, and to sell, exchange, lease (for terms extending beyond the termination of the trust or otherwise), grant options, rent, mortgage, pledge, assign, transfer or otherwise dispose of all or any part thereof, upon such terms and conditions as they may see fit, and they may invest and reinvest all or any part of the trust estate in such stocks, common and preferred, debentures, shares or participations in any common fund, bonds, notes, securities or other property, domestic or foreign, whether of the class or kind now or hereafter ordinarily approved or held to be lawful for the investment of trust funds or not, as they may in their absolute discretion select, and they may make and change such investments from time to time according to their discretion; the Trustee shall have further power to hold any stocks, securities or other property which they may receive hereunder, and the Trustee may invest any part of the trust funds in property located outside of the State of Oregon.

The Trustee may register securities in the name of a nominee without

*George B. Van Schaack*  
LAST WILL AND TESTAMENT OF  
GEORGE BOOTH VAN SCHAACK - 7

Exhibit A

or special agents, or investment or management counselors as such Trustee may deem necessary or desirable for the best interest of the trust estate, and shall have the power to pay them reasonable compensation, but will not be responsible for the acts of such persons beyond such Trustee's obligation to use reasonable care in his selection; provided, that nothing herein contained shall be construed as relieving any bank or trust company that may at any time act as Trustee hereunder from responsibility for the acts of its officers and employees.

Neither the principal nor the income of the trust herein created shall be liable for the debts of any beneficiary thereof, nor shall the same be subject to seizure by any creditor of any beneficiary under any writ at law or in equity, and no beneficiary shall have the power to sell, assign, transfer, encumber, or in any other manner to anticipate or dispose of his or her trust in the trust estate or the income produced thereby.

Any Trustee serving pursuant to the terms of any trust created by this my Last Will and Testament may pay themselves fair compensation for his or her services as Trustee, and may reimburse themselves for costs and expenses expended in the administration of said trust. Any Trust Company serving in said capacity shall receive compensation for its services according to the published schedule of charges in effect at the date of execution hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of November, 1980.

  
GEORGE BOOTH VAN SCHAACK  
Testator

  
LAST WILL AND TESTAMENT OF  
GEORGE BOOTH VAN SCHAACK - 9

Exhibit A





UNIVERSITY OF OREGON  
FOUNDATION

## Modification of Fund Agreement

### Van Schaack Music Scholarship Fund

#### Modification of Purpose

Whereas the donor executed the Last Will and Testament of George Van Schaack dated the 7<sup>th</sup> of November, 1980; and

Whereas on page 7 of the Will the estate gift was *"for the establishment of a scholarship fund for the benefit of blind persons studying music"*; and

Whereas in the last twelve years the fund has only been able to award to one student; and

Whereas the fund has over \$40,000; and

Whereas it appears impractical to achieve the donor's original intent and wasteful to hold the funds for this narrow purpose;

Therefore it is the parties' intent and request that the Foundation shall modify the purpose to become as follows:

*"To support scholarship(s) for music students at the University of Oregon, with a strong preference for those who are blind."*

Signature: Brad Foley  
Brad Foley  
Dean, School of Music and Dance  
University of Oregon

1/6/2014  
Date

Signature: Michael Andreasen  
Michael Andreasen  
Vice President, University Advancement  
University of Oregon

1-8-15  
Date

Signature: Paul Weinhold  
Paul Weinhold  
President/CEO  
University of Oregon Foundation

1/14/2015  
Date

**Exhibit B**



January 23, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, Suite 410  
Portland, OR 97201

Re: University of Oregon Foundation  
Tee A. Corinne Institutional Fund

Dear Susan:

I am pleased to report that Judge Holland signed the General Judgment for Modification of Institutional Fund on January 21, 2015, in the Tee A. Corinne Institutional Fund modification case. I am enclosing a conformed copy of that General Judgment for your records.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Hilary Hefferlin (w/o encls.)  
Ian Richardson (w/o encls.)

RECEIVED  
JAN 26 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**COPY**

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the Tee A. Corinne Institutional Fund  
University of Oregon Foundation,  
Petitioner.

Case No. 52-14-23129

ACCEPTANCE OF SERVICE  
(General Counsel)

I, Douglas Y.S. Park, General Counsel, University of Oregon, do hereby accept personal and legal service of a true copy of the Petition for Modification of Institutional Fund and Notice of Filing of Petition for Modification of Institutional Fund filed in the above-entitled matter, certified to be such by Laurie A. Nelson, lawyer for Petitioner.

DATED this 12<sup>th</sup> day of January.

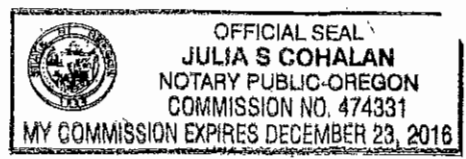
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**RECEIVED**  
**JAN 26 2015**  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

STATE OF OREGON  
County of Lane )

On this 12<sup>th</sup> day of Janu.  
acknowledged before me by Douglas Y..

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or Oregon  
sion expires: 12/23/16

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

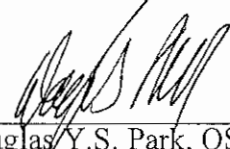
In the Matter of Tee A. Corinne Institutional  
Fund,  
University of Oregon Foundation,  
Petitioner.

Case No. 52-14-23129

CONSENT AND WAIVER  
OF GENERAL COUNSEL

I, Douglas Y.S. Park, General Counsel, University of Oregon, have read the Petition for Modification of Institutional Fund herein. I approve the contents thereof, waive receipt of any required statutory notice and the right to object to the modification, and consent to the immediate entry of a judgment as requested in the Petition.

DATED this 12<sup>th</sup> day of January, 2014.

  
\_\_\_\_\_  
Douglas Y.S. Park, OSB # 980904  
General Counsel  
University of Oregon.

**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

April 2, 2015

RECEIVED

APR 06 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Bennett Prize Fund

Dear Susan:

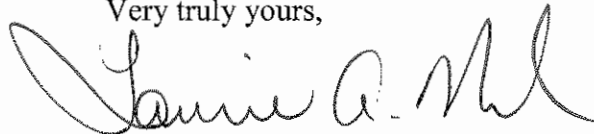
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Bennett Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Political Science Department Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm

Enclosures

cc: Michael Andreasen (w/ encls.)  
William Andrew Marcus (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/o encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



April 2, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Bennett Prize Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Bennett Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Political Science Department Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
William Andrew Marcus (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



GLEAVES  
SWEARINGEN LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 2, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Bennett Prize Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Bennett Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Political Science Department Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.)  
William Andrew Marcus (w/ encls.)  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)



April 2, 2015

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
University of Oregon  
114 Friendly Hall  
1246 University of Oregon  
Eugene, OR 97403-1245

Re: University of Oregon Foundation Termination of Institutional Fund  
Bennett Prize Fund

Dear Dr. Marcus:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Bennett Prize Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Political Science Department Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.)  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)



CERTIFIED A TRUE COPY  
*Jamie A. W.*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Bennett Prize Fund.

- A. In May 1905, Philo Sherman Bennett as Donor made a gift to support the University of Oregon, now known as the "Bennett Prize Fund," as shown in the attached gift documentation (the "Fund Agreement").
- B. Because this gift came through a Will and was received by the University in 1905, we presume the donor is deceased, and that William J. Bryan, the person charged with carrying out the terms of this portion of Mr. Bennett's Will, is also deceased.
- C. The original Fund Agreement, Mr. Bennett's Will, is not available. However, a letter dated June 3, 1941, from J.O. Lindstrom to Dr. Charles O. Howard, a copy of which is attached hereto, contemplated the fund be invested by the college and the annual proceeds used for a prize for the best essay discussing the principles of free government. The letter contains a quote from Article 17 of Mr. Bennett's Will as follows:

I give and bequeath to William J. Bryan, of Lincoln, Nebraska, the sum of Ten Thousand (\$10,000) Dollars in trust, however, to pay to twenty-five colleges or universities to be selected by him, the sum of Four Hundred Dollars (\$400) each. Said sum of Four Hundred Dollars (\$400) to be invested by each college receiving the same and the annual proceeds used for a prize for the best essay discussing the principles of free government."

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$6,113.28. Historically, the practice of the University has been to endow estate gifts, and to name the fund after the donor unless otherwise directed.

The Trustee will terminate the Fund and transfer the remaining assets to the Political Science Department Fund for the general operating purposes of the Political Science Department.

This transfer keeps the funding in the donor's same area of interest and makes the assets fully expendable, as the endowment earnings are insufficient to support an ongoing essay competition and prize.

June 3, 1941

Dr. Charles O. Howard  
School of Law  
University of Oregon

Dear Dr. Howard:

The Bennett Price Fund was established at the University through Article 17 of the Philo Sherman Bennett will, which is as follows:

"I give and bequeath to William J. Bryan, of Lincoln, Nebraska, the sum of Ten Thousand (\$10,000) Dollars in trust, however, to pay to twenty-five colleges or universities to be selected by him, the sum of Four Hundred Dollars (\$400) each. Said sum of Four Hundred Dollars (\$400) to be invested by each college receiving the same and the annual proceeds used for a prize for the best essay discussing the principles of free government."

This \$400 was accepted by the Board of Regents on May 19, 1905. In the past when the income has not been used for prizes we have added it to the principal.

Sincerely yours,

J. O. LINDSTROM,  
Business Manager

Vol. 5 p. 111  
Vol. 6 p. 416

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 2, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

---

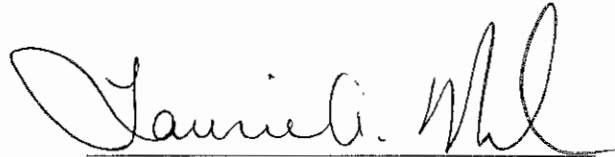
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403-1205

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
University of Oregon  
114 Friendly Hall  
1246 University of Oregon  
Eugene, OR 97403-1245

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 2, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee

**GLEAVES  
SWERINGEN** LLP  
ATTORNEYS AT LAW

April 2, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED

APR 06 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation  
George Rebec Essay Prize in Philosophy Endowment Fund

Dear Susan:

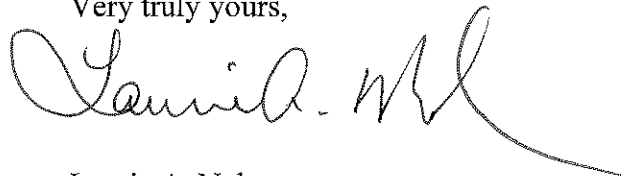
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the George Rebec Essay Prize in Philosophy Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Philosophy Department Fund. The original gift instrument, the letter from H.G. Townsend, was copied incorrectly, but it was likely on onion skin paper and can be read if held up to the light.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:ghm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
William Andrew Marcus (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/o encls.)



April 2, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Institutional Fund Modification  
George Rebec Essay Prize in Philosophy Endowment Fund

Dear Doug:

I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the George Rebec Essay Prize in Philosophy Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Philosophy Department Fund. The original gift instrument, the letter from H.G. Townsend, was copied incorrectly, but it was likely on onion skin paper and can be read if held up to the light.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm

Enclosures

cc: Michael Andreasen (w/ encls.)  
William Andrew Marcus (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



April 2, 2015

William Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
University of Oregon  
114 Friendly Hall  
1246 University of Oregon  
Eugene, OR 97403-1245

Re: University of Oregon Foundation  
George Rebec Essay Prize in Philosophy Endowment Fund

Dear Dr. Marcus:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the George Rebec Essay Prize in Philosophy Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Philosophy Department Fund. The original gift instrument, the letter from H.G. Townsend, was copied incorrectly, but it was likely on onion skin paper and can be read if held up to the light.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)



April 2, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation  
George Rebec Essay Prize in Philosophy Endowment Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the George Rebec Essay Prize in Philosophy Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Philosophy Department Fund. The original gift instrument, the letter from H.G. Townsend, was copied incorrectly, but it was likely on onion skin paper and can be read if held up to the light.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 2, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
William Andrew Marcus (w/ encls.)  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

RECEIVED  
THE COPY  
*David M.*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the George Rebec Essay Prize in Philosophy Endowment Fund.

- A. In August 1939 H. G. Townsend as Donor/Settlor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement"). Further gifts were received in 1940 and beyond from others, including from George Rebec and his estate.
- B. As best we can determine, H. G. Townsend is now deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated the establishment of an "Essay Prize in Philosophy Endowment Fund" [later renamed by H. G. Townsend to honor George Rebec] to support an essay prize in Philosophy to be awarded under terms and conditions determined by the Department of Philosophy at the University of Oregon.

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$3,560.89.

The Trustee will terminate the Fund and transfer the remaining assets to the Philosophy Department Fund (account 20-5644), which is for unrestricted gifts to the department as well as special projects.

The George Rebec Essay Prize in Philosophy Endowment Fund shall be listed as a donor to the Philosophy Department Fund, reflecting the Donor's intent to honor George Rebec.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:



COBY



Wm. H. Coby  
H. H. Coby

(Official Seal)

Wm. H. Coby

The undersigned and hereby certify  
that the above named person is the holder of  
the certificate of deposit for the sum of  
in full the balance of the account of

which was the sum of dollars  
and of cents and so forth of which amount the  
sum of dollars and of cents is the amount  
of the balance of the account of the

the undersigned of which  
amount is the sum of dollars and of cents  
and of cents and so forth of which amount  
the sum of dollars and of cents is the amount  
of the balance of the account of the  
sum of dollars and of cents of which amount  
the sum of dollars and of cents is the amount  
of the balance of the account of the

Wm. H. Coby  
H. H. Coby  
Wm. H. Coby  
H. H. Coby

Wm. H. Coby

CLERK OF THE BOARD OF COMMISSIONERS  
UNIVERSITY OF OREGON

UNIVERSITY OF OREGON  
Eugene, Oregon

Department of Philosophy

November 15, 1939

Mr. J. O. Lindstrom  
Business Manager  
University of Oregon

Dear Mr. Lindstrom:

Dr. Rebs has given the prize for the year 1939 to the  
winner. The department of Philosophy is pleased to have  
the prize for which we are especially grateful. It is  
as the George Rebs Prize in Philosophy.

Very truly yours,  
H. G. ...

H. G. ...

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 2, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

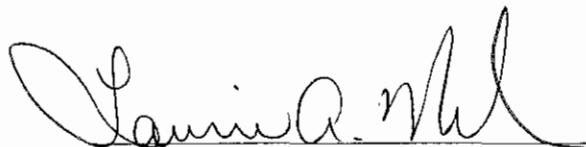
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403-1205

William Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
University of Oregon  
114 Friendly Hall  
1246 University of Oregon  
Eugene, OR 97403-1245

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 2, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

*OK -  
Dunham*

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Ariene Lim (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.) ✓  
Ian T. Richardson (w/ encls.)



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Ariene Lim (w/ encls.)  
Susan Bower (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.)  
Adriene Lim (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Dr. Lim:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm

Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND

CERTIFIED TRUE COPY  
*[Signature]*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Pennell Memorial Library Fund.

- A. Ellen M. Pennell died on February 15, 1941. Through her Last Will and Testament, Dated December 16, 1940, she left a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gifts and established the fund in September 1941.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"Thirteenth, I hereby give and bequeath unto the Librarian of the University of Oregon, to be used by him and his successors as such Librarian, as a permanent fund to be loaned out at the best interest rate obtainable, upon said security, and the interest therefrom invested annually, in the purchase of inspirational books for said University library, preferably books of biography, as are selected by such librarian and his assistants, the sum of FIVE HUNDRED DOLLARS (\$500.00)."  
EQ31/24-7598

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$1,780.45.

The Trustee will terminate the Fund and transfer the remaining assets to the "Library Acquisitions Endowment Fund: for library acquisitions in any format across all disciplines." EQ31-4956

The transfer maintains the use of funds within the Library for acquisitions in perpetuity, with greater spending potential due to economies of scale.

The Pennell Memorial Library Fund shall be listed as a donor to the Library Acquisitions Endowment Fund, reflecting the University intent to honor the donor.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.



E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

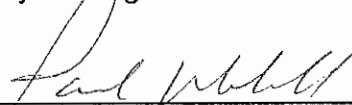
**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

4/21/2015  
Date

WILL FROM WILL OF ELLEN M. PENNELL

WILL DATED DECEMBER 16, 1943

"Thirteenth, I hereby give and bequeath unto the Librarian of the University of Oregon, to be used by him and his successors as such Librarian, as a permanent fund to be loaned out at the best interest rate obtainable, upon good security, and the interest therefrom invested annually, in the purchase of instructional books for said University library, preferably books of biography, as he selected by such Librarian and his assistants, the sum of FIVE THOUSAND DOLLARS (\$5,000.00)."

"Fifteenth, I hereby give, bequeath and devise all the rest, remainder and residue of my property, of every kind and nature, and wherever situated, unto the University of Oregon at Eugene, Oregon, for the purposes and subject to the conditions hereinafter stated. Said sum with its accretions shall be called and known as the E. M. Pennell Memorial Fund. The net income of such fund shall from time to time be used in the payment of the regular tuition fees of students enrolled in the School of Architecture, to be selected from time to

L. L. RAY  
ATTORNEY AT LAW  
437 NINEK BUILDING  
EUGENE, OREGON  
PHONE 172

September 24, 1941

Mr. J. O. Lindstrom  
Business Manager  
University of Oregon

Re: Ellen M. Pennell Estate

Dear Sir:

For your information I enclose herewith a copy of the Last Will and Testament of the late Ellen M. Pennell, also a copy of the order of the County Court of Lane County, Oregon, approving the executor's final account and ordering final settlement of the estate, and copies of the University's receipts to the executor.

You will note that the order and the general receipt contain a statement of the securities which are being delivered by the executor to the University of Oregon, also a statement of the amount of cash delivered and a description of two tracts of real property.

I also enclose herewith a policy of fire insurance in the sum of \$2000.00 issued by the Connecticut Fire Insurance Company on the residence in Eugene, Oregon, on which the premium has been paid to August 18, 1941, and which has been assigned to the University.

As Mrs. Pennell has no relatives in this state, I am also enclosing herewith the conveyance of the niche in which her ashes were deposited, and which was issued by the Portland Cremation Association.

In reference to the Eugene property I have to report as follows: This property is now rented to Mrs. E. J. Lange for \$55.00 per month and the rent is paid to October 15, 1941. However, she notified me under date of September 15th that she would be vacating the property October 15th because of the inadequacy of the plumbing and heating systems. I do not believe she is correct about the heating system. However, it may be that you should consider making some permanent repairs in the plumbing system, and it might be well that you see her with the view of making such repairs as would satisfy her to stay in the house.

Before Mrs. Lange moved into the house it was completely kalsomined, the kitchen was repainted and most of the floors and woodwork revarnished. After Mrs. Lange moved into the house, she painted the woodwork and papered the walls in the front rooms. In order that the house could be made rentable

L. L. RAY

ATTORNEY AT LAW  
427 MINER BUILDING  
EUGENE, OREGON  
PHONE 172

-2-  
J. O. Lindstrom  
9/

it was necessary to spend some money for electrical wiring and outlets and other incidental repairs. Because of these various expenditures, the house is now in fairly good shape except for the basement which is not cemented. The wash trays in the basement are made of wood and leak so that they cannot be used. At the present time, Mrs. Lange is doing her washing at a wash room on some nearby property which she owns. Any new tenant will undoubtedly ask that these wooden trays be replaced with cement trays. I also call your attention to the fact that there is no garage in connection with this property, and that sooner or later a garage should be installed, if possible to arrange for the same. However, the Langes are using a garage on their nearby property and do not need a garage. You will note that the refrigerator and electric stove in this residence are property of the estate and are being turned over to you.

In reference to the matter of taxes on these two tracts of real property, the properties will, of course, now be in the name of the State and exempt from assessment on the next assessment which will be made as of January 1, 1942. There is a question, however, as to whether or not they are not also exempt from taxation for the half year of taxes which will be payable in 1942 under the assessment which was made as of March 1, 1941. My theory of the matter is that this property passed to the exempt owner by the terms of the Will at the time of Mrs. Pennell's death on February 15, 1941, subject only to their release from administration. Therefore, application should be made immediately to the assessors of Multnomah County and Lane County for the removal of these respective properties from the tax rolls based upon the March 1, 1941, assessment. I would, therefore, suggest that you request the attorney-general for an opinion as to whether or not the property under the circumstances should be removed from that roll. If he holds that it should be, then your request to the assessors should be accompanied with a copy of his opinion.

I also enclose herewith a deed to the Multnomah County property, and a certificate of title to the same. I understand that this property is located near Reed College. A transcript of the probate proceedings has been filed in Multnomah County so as to effect the transfer of the title to that property.

I call your attention to the paragraph of the Will in reference to the bequest to the librarian of the University of Oregon. In my judgment this is a bequest to the University itself and should be treated as such. I think, however, that

L L RAY  
ATTORNEY AT LAW  
437 HINCK BUILDING  
EUREKA, OREGON  
PHONE 172

-3-  
J. O. Lindstrom

under the terms of the Will the librarian would, of course, have the selection of the books to be purchased with the income from the fund. In view of the situation, I am suggesting that the receipt for this bequest be signed by both yourself and the librarian.

I also enclose the Chester Shan Student Loan Fund note, which was paid by the estate which is resigned to the University so that you may attempt collection of the same from the original maker, or if unsuccessful in that then one-half thereof from the other co-maker.

Very truly yours,

  
L. L. RAY

LLR:WB

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 22, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 22, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee

**GLEAVES  
SWEARINGEN**<sup>LLP</sup>  
ATTORNEYS AT LAW

April 22, 2015

OK ✓  
JB

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Susan:

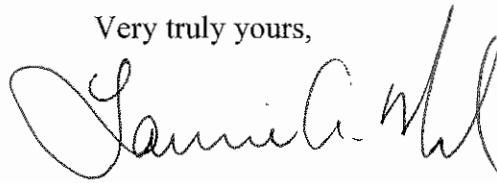
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:ghm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147





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SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm

Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Adriene Lim (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Pennell Memorial Library Fund

Dear Dr. Lim:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Pennell Memorial Library Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm

Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

CERTIFIED TRUE COPY  
*[Signature]*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Pennell Memorial Library Fund.

- A. Ellen M. Pennell died on February 15, 1941. Through her Last Will and Testament, Dated December 16, 1940, she left a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gifts and established the fund in September 1941.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"Thirteenth, I hereby give and bequeath unto the Librarian of the University of Oregon, to be used by him and his successors as such Librarian, as a permanent fund to be loaned out at the best interest rate obtainable, upon said security, and the interest therefrom invested annually, in the purchase of inspirational books for said University library, preferably books of biography, as are selected by such librarian and his assistants, the sum of FIVE HUNDRED DOLLARS (\$500.00)."  
EQ31/24-7598

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$1,780.45.

The Trustee will terminate the Fund and transfer the remaining assets to the "Library Acquisitions Endowment Fund: for library acquisitions in any format across all disciplines." EQ31-4956

The transfer maintains the use of funds within the Library for acquisitions in perpetuity, with greater spending potential due to economies of scale.

The Pennell Memorial Library Fund shall be listed as a donor to the Library Acquisitions Endowment Fund, reflecting the University intent to honor the donor.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

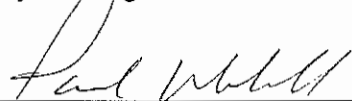
**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

4/24/2015  
Date

RECEIPT FROM WILL OF SELBY E. PENNELL

WILL DATED DECEMBER 16, 1963

"Thirteenth, I hereby give and bequeath unto the Librarian of the University of Oregon, to be used by him and his successors as such Librarian, as a permanent fund to be loaned out at the best interest rate obtainable, upon good security, and the interest therefrom invested annually, in the purchase of incunabular books for said University library, preferably books of biography, as to be selected by such Librarian and his assistants, the sum of FIVE HUNDRED DOLLARS (\$500.00)."

\* \* \* \* \*

"Fifteenth, I hereby give, bequeath and devise all the rest, remainder and residuum of my property, of every kind and nature, and wherever situated, unto the University of Oregon at Eugene, Oregon, but the purposes and subject to the conditions hereinafter stated. Said sum with its accretions shall be called and known as the Selby E. Pennell Memorial Fund. The net income of such fund shall from time to time be used in the payment of the regular tuition fees of students enrolled in the Faculty of Architecture, to be selected from time to

UNIVERSITY OF OREGON  
EUGENE, OREGON  
RECEIVED FROM WILL OF SELBY E. PENNELL  
DECEMBER 16, 1963

L. L. RAY  
ATTORNEY AT LAW  
237 NINE BUILDING  
EUGENE, OREGON  
PHONE 177

September 24, 1941

Mr. J. O. Lindstrom  
Business Manager  
University of Oregon

Re: Ellen M. Pennell Estate

Dear Sir:

For your information I enclose herewith a copy of the Last Will and Testament of the late Ellen M. Pennell, also a copy of the order of the County Court of Lane County, Oregon, approving the executor's final account and ordering final settlement of the estate, and copies of the University's receipts to the executor.

You will note that the order and the general receipt contain a statement of the securities which are being delivered by the executor to the University of Oregon, also a statement of the amount of cash delivered and a description of two tracts of real property.

I also enclose herewith a policy of fire insurance in the sum of \$2000.00 issued by the Connecticut Fire Insurance Company on the residence in Eugene, Oregon, on which the premium has been paid to August 18, 1941, and which has been assigned to the University.

As Mrs. Pennell has no relatives in this state, I am also enclosing herewith the conveyance of the niche in which her ashes were deposited, and which was issued by the Portland Cremation Association.

In reference to the Eugene property I have to report as follows: This property is now rented to Mrs. E. J. Lange for \$35.00 per month and the rent is paid to October 15, 1941. However, she notified me under date of September 15th that she would be vacating the property October 15th because of the inadequacy of the plumbing and heating systems. I do not believe she is correct about the heating system. However, it may be that you should consider making some permanent repairs in the plumbing system, and it might be well that you see her with the view of making such repairs as would satisfy her to stay in the house.

Before Mrs. Lange moved into the house it was completely kalscained, the kitchen was repainted and most of the floors and woodwork revarnished. After Mrs. Lange moved into the house, she painted the woodwork and papered the walls in the front rooms. In order that the house could be made rentable

L. L. RAY

ATTORNEY AT LAW  
437 MINER BUILDING  
EUBENE, OREGON  
PHONE 173

-2-

J. O. Lindstrom

9/

it was necessary to spend some money for electrical wiring and outlets and other incidental repairs. Because of these various expenditures, the house is now in fairly good shape except for the basement which is not cemented. The wash trays in the basement are made of wood and leak so that they cannot be used. At the present time, Mrs. Lange is doing her washing at a wash room on some nearby property which she owns. Any new tenant will undoubtedly ask that these wooden trays be replaced with cement trays. I also call your attention to the fact that there is no garage in connection with this property, and that sooner or later a garage should be installed, if possible to arrange for the same. However, the Langes are using a garage on their nearby property and do not need a garage. You will note that the refrigerator and electric stove in this residence are property of the estate and are being turned over to you.

In reference to the matter of taxes on these two tracts of real property, the properties will, of course, now be in the name of the State and exempt from assessment on the next assessment which will be made as of January 1, 1942. There is a question, however, as to whether or not they are not also exempt from taxation for the half year of taxes which will be payable in 1942 under the assessment which was made as of March 1, 1941. My theory of the matter is that this property passed to the exempt owner by the terms of the Will at the time of Mrs. Pennell's death on February 15, 1941, subject only to their release from administration. Therefore, application should be made immediately to the assessors of Multnomah County and Lane County for the removal of these respective properties from the tax rolls based upon the March 1, 1941, assessment. I would, therefore, suggest that you request the attorney-general for an opinion as to whether or not the property under the circumstances should be removed from that roll. If he holds that it should be, then your request to the assessors should be accompanied with a copy of his opinion.

I also enclose herewith a deed to the Multnomah County property, and a certificate of title to the same. I understand that this property is located near Reed College. A transcript of the probate proceedings has been filed in Multnomah County so as to effect the transfer of the title to that property.

I call your attention to the paragraph of the Will in reference to the bequest to the librarian of the University of Oregon. In my judgment this is a bequest to the University itself and should be treated as such. I think, however, that

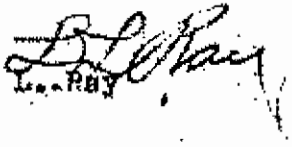
L. L. RAY  
ATTORNEY AT LAW  
437 MINER BUILDING  
EUREKA, OREGON  
PHONE 172

-3-  
J. O. Lindstrom

under the terms of the Will the librarian would, of course, have the selection of the books to be purchased with the income from the fund. In view of the situation, I am suggesting that the receipt for this bequest be signed by both yourself and the librarian.

I also enclose the Chester Shan Student Loan Fund note, which was paid by the estate which is reassigned to the University so that you may attempt collection of the same from the original maker, or if unsuccessful in that then one-half thereof from the other co-maker.

Very truly yours,

  
L. L. RAY

LLR:wg



## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 22, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

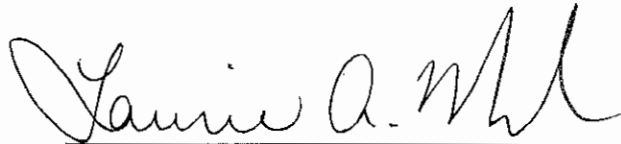
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 22, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

OK ✓  
LJB

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Leach Library Book Endowment

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Leach Library Book Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Library Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Brook W. Muller (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 24 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Leach Library Book Endowment

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Leach Library Book Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Library Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

**RECEIVED**

**APR 24 2015**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Brook W. Muller (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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April 22, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Leach Library Book Endowment

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Leach Library Book Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Library Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Brook W. Muller (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 24 2015

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PORTLAND LEGAL

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ATTORNEYS AT LAW

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April 22, 2015

Brook W. Muller  
Acting Dean  
Architecture and Allied Arts  
105 Lawrence Hall  
5249 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Leach Library Book Endowment

Dear Mr. Muller:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Leach Library Book Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Architecture Library Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 24 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

OFFICES

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS

PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

RECEIVED FROM 2014  
*Camilla Leach*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Leach Library Book Endowment.

- A. In 1923 personal subscriptions were solicited through the University Gift Campaign and collections by the U of O Alumni Holding Company who then transferred the collections to the endowment fund, beginning February 26, 1923, to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gifts and established the fund on February 26, 1923. Because the gift was an aggregate of subscriptions and gifts from multiple parties, the original donors cannot be identified.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"Income from endowment to be used for the purchase of art library books."  
EQ31/24-7638

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$3,101.74.

The Trustee will terminate the Fund and transfer the remaining assets to:

"The Architecture Library Fund: for the benefit of the Architecture and Allied Arts Library at the University of Oregon. Funds may be used to purchase books, visual materials, supplies, equipment, travel, student wages or stipends, furnishings and any other purposes for the general operations of the A&AA Library. Use of funds is determined by the dean or his/her designee, in consultation with A&AA Librarian, A&AA faculty members and department heads/directors." EQ24-1139

Miss Camilla Leach was the first librarian of the A&AA Library. The transfer maintains the use of funds for support of art library acquisitions.

The Leach Library Book Endowment shall be listed as a donor to the Library Acquisitions Endowment Fund, reflecting the University's intent to honor Miss Leach.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20)

years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Brook W. Muller  
Acting Dean  
Architecture and Allied Arts  
105 Lawrence Hall  
5249 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

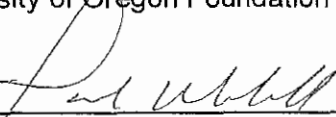
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

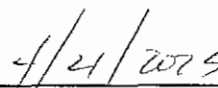
**Trustee:**

University of Oregon Foundation

By: \_\_\_\_\_

  
Paul Weinhold  
President/CEO

\_\_\_\_\_



**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation



50-430-1007

50-205-8007

ENDOWMENT FUNDS

Name of Institution University of Oregon

Name of Fund Leach Library Book Endowment

1. How and When Established:

Personal subscriptions through the University Gift Campaign and donations by the U. of O. Alumni Holding Company, who in turn transferred the collection to the Endowment Fund, beginning February 25, 1929.

2. Administration of Fund:

State of Oregon, Department of Higher Education, acting by and through the State Board of Higher Education.

3. Conditions of Fund and Use of Income:

The cash collections on subscriptions are to be paid to the Endowment Fund by the University Controller for the purchase of art library books.

4. Amount of Property in Fund and Value Thereof:

June 30, 1939, Comptroller's Report shows total cash value of pooled funds, of \$372.06

5. Investment Restrictions:

None.

6. Comptroller's References:

Public Investments, Statement May 1, 1939.  
Report of the Comptroller for the Year Ended June 30, 1939.

OREGON STATE BOARD OF HIGHER EDUCATION

Endowment Fund Group

Donor	<u>Leach Library Book Endowment</u>	Account #	Principal	<u>50-430-1009</u>
Ownership No.	<u>522</u>	Account #	Assets	
Institution	<u>University of Oregon</u>	Account #	Income	<u>50-265-80087</u>

Restrictions and Conditions:

Income from endowment to be used for the purchase of art library books.

General Description:

Personal subscriptions through the University Gift Campaign and collections by the U of O Alumni Holding Company who then transferred the collections to the Endowment Fund, beginning February 26, 1923.

Assets Received\*

<u>Date</u>	<u>Description of Assets</u>	<u>No. of Shares</u>	<u>Total Value</u>	<u>Disposal Date</u>	<u>Disposal Amount</u>
2-26-23	Cash		871.06		

\*Includes cash, non-cash assets, funds held in trust by others.

Search Library Web Pages 

## SPOTLIGHT ON A LEGACY: Treasures of the Architecture & Allied Arts Library

**Celebrating 100 Years of Service: Open House, October 17, 1:00-5:00 p.m.**

A library has been connected with the School of Architecture and Allied Arts since its founding a century ago. Camilla Leach was the first A&AA librarian. She came to Eugene in 1897 to serve as UO's first registrar and one of its first librarians. In 1914, at age 66 (or 76, by some accounts), Miss Leach was transferred from the main library (now Fenton Hall) to the new school of architecture to manage its book and print collection and intermittently serve as secretary. She became an admired colleague during her employment over the next ten years.

"Sometimes Miss Camilla reminded me of an exquisite cameo" who was "classic in her perfection" wrote Ellis F. Lawrence in a moving tribute to the librarian after her death in 1930. A library fund was created in her honor, and in the stacks one can still find bookplates with the text "Camilla Leach Collection of Art Books."



In honor of Miss Camilla Leach, the [Architecture and Allied Arts Library](#) will celebrate the 100th anniversary of the founding of the school with an open house which will feature the many treasures collected by the library over the past ten decades. On display in the library's 3rd floor reading room will be historic **student drawings** dating from 1914, **architectural models** from classes taught by Marion Dean Ross, **rare books** dating from the 16th century, **archival slides**, and **original art** by Maybeck, Mendelsohn, Whidden & Lewis, Albert Doyle, McCosh(es), and others. The library's first floor exhibit cases will feature a selection of **artists' books**.

The A&AA Library continues to thrive as the intellectual heart of the school. We welcome your visit on October 17, 1-5 p.m., to see the legacy of one hundred years of collections and services.

*Illustrations:* Signal Tower, student drawing by Cloethial Woodard (Smith), 1930 (A&AA Library collection).  
Camilla Leach, c. 1890s (Courtesy, UO Special Collections).

Page author: Ed Teague, [ehteague@uoregon.edu](mailto:ehteague@uoregon.edu)

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 22, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

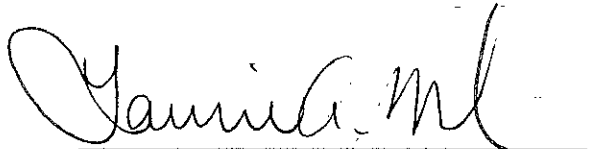
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Brook W. Muller  
Acting Dean  
Architecture and Allied Arts  
105 Lawrence Hall  
5249 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 22, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



April 22, 2015

*✓*  
*52*

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Flora (Campbell) McDonald and Alexander Campbell Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Flora (Campbell) McDonald and Alexander Campbell Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:ghm

Enclosures

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 22, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Flora (Campbell) McDonald and Alexander Campbell Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Flora (Campbell) McDonald and Alexander Campbell Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
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**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



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April 22, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Flora (Campbell) McDonald and Alexander Campbell Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Flora (Campbell) McDonald and Alexander Campbell Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Aдриene Lim (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
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SWEARINGEN** LLP  
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April 22, 2015

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Flora (Campbell) McDonald and Alexander Campbell Fund

Dear Dr. Lim:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Flora (Campbell) McDonald and Alexander Campbell Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Library Acquisitions Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 22, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



CERTIFIED TRUE COPY  
*[Signature]*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Flora (Campbell) MacDonald and Alexander Campbell Fund.

- A. On December 27, 1943, Dr. Ian Campbell and his sister, Mrs. George N. Houck, made a gift in memory of their aunt and uncle, to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the bond purchased for this purpose and established the fund.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"The bond will be inscribed simply, "The University of Oregon" for we wish to make this gift without any limitations whatsoever. The bond may be used in any way and at any time the officers of the University may desire is best. However, in so far as it may be feasible and reasonable, we would like to see the income applied to the purchase of books and /or journals for the University of Oregon Library. In recent correspondence on this matter I have had with Dean Unthank, he mentioned that it is customary for the library to place in items so purchased, a plate indicating the source. If the library cares to do this in the present instance, I would request "Mrs. Flora (Campbell) MacDonald and Alexander Campbell." EQ31/24-7571

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$3,560.89.

The Trustee will terminate the Fund and transfer the remaining assets to the:

"Library Acquisitions Endowment Fund: for library acquisitions in any format across all disciplines." EQ31-4956

The transfer maintains the use of funds within the Library for acquisitions in perpetuity, with greater spending potential due to economies of scale.

The Flora (Campbell) MacDonald and Alexander Campbell Fund shall be listed as a donor to the Library Acquisitions Endowment Fund, reflecting the Donors' intent to honor their aunt and uncle.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20)

years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean and Knight Chair  
UO Libraries  
Knight Library, Room 115-J  
1299 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

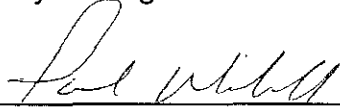
**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

4/21/2015  
Date

EDUCATION FUNDS

Name of Institution University of Oregon

Name of Fund Flora Campbell Gift Fund

1. How and When Established:

Letter from Dr. Ian Campbell to Mr. Earl H. Pallatt and letter to Dr. Hunter from Mr. Pallatt notifying him of the fund. (Letter dated December 27, 1943)

2. Administrator of the Fund:

State of Oregon, Department of Higher Education, acting by and through the State Board of Higher Education.

3. Conditions of Fund and Use of Income:

The fund may be used in any way and at any time the officers of the University may decide is best. However, in so far as it may be feasible and reasonable, we would like to see the income applied to the purchase of books and/or journals for the University of Oregon Library. If it is customary for the library to place in items so purchased, a plate indicating the source, it is suggested that "Mrs. Flora (Campbell) MacDonald and Alexander Campbell" be used.

4. Amount of Property in Fund and Value Thereof:

\$1,000 Series G U. S. Treasury Bond.

5. Investment Restrictions:

None.

6. Documentary References:

Folder "Gifts. Flora Campbell Gift Fund."  
Copy of letter to Chancellor Hunter from Earl H. Pallatt.

Comptroller's Office  
January 13, 1944

## UNIVERSITY OF OREGON

SUCRHS

December 27, 1913

C  
O  
P  
Y

Gift to the University of Oregon of \$1,000 "series G" U. S. Treasury bond from Dr. Ian Campbell and his sister, Mrs. George N. Kouck

Dear Chancellor Hunter:

May I bring to your attention for report to the State Board of Higher Education a gift to the University of Oregon of a \$1,000 "series G" U. S. Treasury bond from Dr. Ian Campbell, Department of Geological Sciences, California Institute of Technology, Pasadena 4, California, and his sister, Mrs. George N. Kouck, 2834 Chishurst Drive, Los Angeles 27, California. The terms of the gift are given in the following quotation from Dr. Campbell's letter:

"The will of my aunt, Mrs. Flora MacDonald (deceased) of Eugene, provided a small trust fund for my uncle Alexander Campbell, and designated my sister (Mrs. Flora Campbell Kouck) and me as residuary heirs of this trust.

"Alexander Campbell passed away some months ago and the estate has just recently been cleared. In distributing the residue of this trust that has come to me, my sister and I felt that a portion should go to the University of Oregon, and particularly to the library, from which my aunt and uncle -- and indeed all members of my family -- have enjoyed many privileges and have derived much pleasure.

"Accordingly we have purchased a \$1,000 "series G" U. S. Treasury bond which will be forwarded directly to the University from the Federal Reserve Bank in San Francisco. The bond will be inscribed simply, "The University of Oregon". For we wish to make this gift without any limitations whatsoever. The bond may be used in any way and at any time the officers of the University may decide is best. However, in so far as it may be feasible and reasonable, we would like to see the income applied to the purchase of books and/or journals for the University of Oregon Library. In recent correspondence on this matter I have had with Dean Guthrie, he mentioned that it is customary for the library to place in items so purchased, a plate indicating the source. If the library cares to do this in the present instance, I would suggest "Mrs. Flora (Campbell) MacDonald and Alexander Campbell."

The bond has just been received in the Business Office and will be listed in the proper gift account. You may be interested in knowing that this gift was due in part to the influence of the Friends of the Library.

Very truly yours,

EARL M. PALLET  
Executive Secretary

APPROVED:

Frederick M. Hunter, Chancellor

COPY

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 22, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

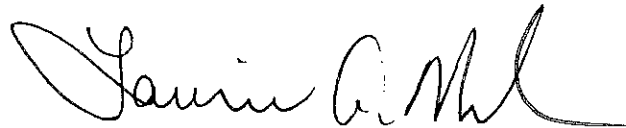
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Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 22, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 23, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Marie Flodberg Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Marie Flodberg Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the John Fielding Ambrose Medical Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 27 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 23, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Marie Flodberg Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Marie Flodberg Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the John Fielding Ambrose Medical Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Susan Bower (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



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SWEARINGEN** LLP  
ATTORNEYS AT LAW

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 23, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Marie Flodberg Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Marie Flodberg Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the John Fielding Ambrose Medical Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosure

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
W. Andrew Marcus (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 23, 2015

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Marie Flodberg Fund

Dear Dr. Marcus:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Marie Flodberg Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the John Fielding Ambrose Medical Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 23, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:ghm  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*Jennifer Mc*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Marie Flodberg Fund.

- A. In her Last Will and Testament, Marie Flodberg as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund in November, 1979. Because the gift came through a Will, we presume the donor is deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, stated

"I give, devise and bequeath all of my property and estate to the University of Oregon, and suggest to said beneficiary that the moneys and/or other property distributed to it from my estate be used by its Department of Ophthalmology for research on diseases of the eye." EQ31/22-7655

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$1,289.64

The Trustee will terminate the Fund and transfer the remaining assets to the  
"John Fielding Ambrose Medical Scholarship Fund: Scholarship to deserving students in attendance at the University of Oregon who are enrolled in pre-med."  
EQ26-4330

The University no longer has a Department of Ophthalmology, however, the transfer maintains the use of funds in the same general field of study.

The Marie Flodberg Fund shall be listed as a donor to the John Fielding Ambrose Medical Scholarship Fund, reflecting the Donor's intent to support medical education.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

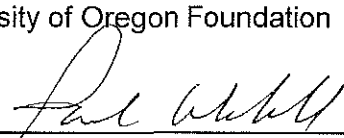
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By: \_\_\_\_\_

  
Paul Weinhold  
President/CEO

4/17/2019  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

50-430-3043

# Last Will and Testament

OF

MARIE FLODBERG

11-26-77

I, Marie Flodberg, of Troy, Idaho, being of sound and disposing mind and memory, and being fully aware of the uncertainty of life and the certainty of death, do ordain and declare this to be my last will and testament and do revoke all wills and codicils heretofore made by me.

I direct my Executor, as soon as possible after my death, to pay out of my estate all of my just debts and obligations, incident to my last illness and burial.

I declare that I am a widow; and that I have no children.

I have three (3) sisters whose names are Emma Anna Rohlk and Elizabeth Thode; that I have intentionally to provide for my said sisters and their issue in this will; that it is my intention that all of my property and estate be distributed under Paragraph Fourth of this will.

FOURTH: I give, devise and bequeath all of my property and estate to the University of Oregon, and suggest to said beneficiary that the moneys and/or other property distributed to it from my estate be used by its Department of Opthamology for research on diseases of the eye.

FIFTH: I name and appoint Raymond Soderstrom, of Troy,



**OREGON STATE BOARD OF HIGHER EDUCATION**  
Endowment Fund Group

Donor or Acct.	<u>Flodberg, Marie</u>	Account # Principal	<u>50-430-3043</u>
Ownership No.	<u>570</u>	Account # Assets	<u>                    </u>
Institution	<u>University of Oregon</u>	Account # Income	<u>50-270-8189</u>

Restrictions, Conditions and General Description:

WILL states "I give, devise and bequeath all of my property and estate to the University of Oregon, and suggest to said beneficiary that the moneys and/or other property distributed to it from my estate be used by its Department of Ophthalmology for research on diseases of the eye."

Student to be preferably a pre-med student.

The use of the fund was determined by Council for the State System of Higher Education due to the language pertaining to the Dept of Ophthalmology being precatory in nature, rather than mandatory, and that we have no outside evidence to assist us in resolving ambiguities.

Assets Received (Includes Cash, non-cash assets, funds held in trust by others)

Date	Description of Assets	No. of Shares	Total Value	Disposal Date	Disposal Amount
11-79	?		228.00		
11-24-79					

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 23, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

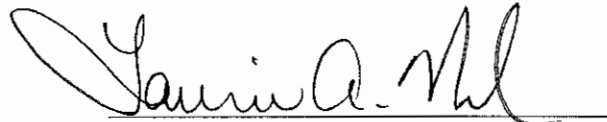
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 23, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 21, 2015

OK [initials]

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Roland Bradley Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Roland Bradley Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 21, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:ghm  
Enclosures  
cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 23 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 21, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Roland Bradley Scholarship Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Roland Bradley Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 21, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Roger Thompson (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 23 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
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SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 21, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Roland Bradley Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Roland Bradley Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 21, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.) ✓  
Susan Bower (w/ encls.) ✓  
Roger Thompson (w/ encls.)  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

RECEIVED

APR 23 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 21, 2015

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Roland Bradley Scholarship Fund

Dear Mr. Thompson:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Roland Bradley Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the General University Scholarship Endowment Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 21, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

RECEIVED

APR 23 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

RECEIVED THE UNIVERSITY OF OREGON  
*James M. Hill*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Roland Bradley Scholarship Fund.

- A. In his Last Will and Testament signed August 27<sup>th</sup>, 1981, Roland S. Bradley as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund. Because the gift came through a Will, we presume the donor is deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, stated:

"I further give and devise, out of the balance received from said real estate contract, the sum of Ten Thousand (\$10,000.00) Dollars to the UNIVERSITY OF OREGON SCHOLARSHIP FUND...to be used by said institutions to establish scholarships for worthy students, in the discretion of their scholarship committees." EQ35/26-7561

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$23,142.02.

The Trustee will terminate the Fund and transfer the remaining assets to:

"The General University Scholarship Endowment Fund: To be used by the Office of Student Financial Aid for general University of Oregon scholarships." EQ32/26-6364

The transfer maintains the Donor's emphasis on general use for scholarships.

The Roland Bradley Scholarship Fund shall be listed as a donor to the General University Scholarship Endowment Fund, reflecting the University's intent to honor Roland Bradley.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By: Paul Weinhold  
Paul Weinhold  
President/CEO

4/16/2019  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

50-432-3022  
50-270-8191  
8512-9249  
8512-92492

Last Will and Testament

OF

ROLAND S. BRADLEY

I, ROLAND S. BRADLEY, a resident of Multnomah County, Oregon, do hereby declare the following to be my Last Will and Testament, and I hereby revoke all other Wills heretofore made by me.

FIRST: I declare that I am a single man and I have never been married. I have a niece, namely: MRS. E. J. (MARION) HARRINGTON, who resides at 1002 Grand, Everett, Washington 98201.

SECOND: I declare that I have sold my home at 356 SW Hamilton, Portland, Oregon, on contract. Of the balance due on the contract to be received, I give and bequeath the sum of Forty-Five Thousand (\$45,000.00) Dollars to the SHRINERS HOSPITAL FOR CRIPPLED CHILDREN, at Portland, Oregon, for their general uses and purposes.

THIRD: I further give and devise, out of the balance received from said real estate contract, the sum of Ten Thousand (\$10,000.00) Dollars to the UNIVERSITY OF OREGON SCHOLARSHIP FUND, and the sum of Ten Thousand (\$10,000.00) Dollars to the UNIVERSITY OF WASHINGTON SCHOLARSHIP FUND, to be used by said institutions to establish scholarships for worthy students, in

I ... Last Will and Testament of Roland S. Bradley



the discretion of their scholarship committees.

FOURTH: I give and devise unto my niece, MRS. E. J. HARRINGTON, my love and affection and the sum of One Thousand (\$1,000.00) Dollars.

FIFTH: I give and devise all of the rest, residue and remainder of my estate and property to the following institutions, in the percentages set opposite their names:

a.) To MARCH OF DIMES - Twenty-Five (25%)

Percent;

b.) To MASTER SEAL SOCIETY FOR CRIPPLED CHILDREN AND ADULTS OF OREGON - Twenty-Five (25%)

Percent;

c.) To SALVATION ARMY - Fifty (50%) Percent.

SIXTH: I hereby nominate and appoint ALEXANDER SCHNEIDER as Personal Representative of my estate, and direct that no bond be required of him, as Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, my Last Will and Testament, this 27th day of August, 1981.

Roland S. Bradley  
Roland S. Bradley

The foregoing written instrument, consisting of three sheets of typewritten paper, including the following page, was

2 ... Last Will and Testament of ROLAND S. BRADLEY

on the 27<sup>th</sup> day of August, 1981, signed, sealed and declared  
by ROLAND S. BRADLEY, as and for his Last Will and Testament,  
in the presence of each of the undersigned, who, at his request  
and in his presence and in the presence of each other, have  
signed our names hereto as subscribing witnesses.

Wanda DeLuca Residing at 3310 N. S. 36<sup>th</sup> Ave  
Portland, Or 97212

Dwain DeLuca Residing at 2915 SW Ridge Dr.  
Portland, Or 97219

3 ... Last Will and Testament of Roland S. Bradley

CODICIL TO  
LAST WILL AND TESTAMENT  
OF  
ROLAND S. BRADLEY

---

I, ROLAND S. BRADLEY, residing in Multnomah County, Oregon, declare the following to be a Codicil to my Last Will and Testament.

WHEREAS in my last Will and Testament, executed and published by me on August 27, 1981, I said in Paragraph FIRST that I had a niece, namely: MRS. E.J. (MARION) HARRINGTON, and in Paragraph FOURTH I devised unto her the sum of One Thousand (\$1,000.00) Dollars.

My niece is now deceased and I therefore delete Paragraph FOURTH of my Last Will and Testament and direct that the sum of One Thousand (\$1,000.00) Dollars heretofore devised to her shall lapse and become part of the residue of my estate.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, a Codicil to my Last Will and Testament, this 16<sup>th</sup> day of November 1981.

  
Roland S. Bradley

The foregoing written instrument, consisting of two sheets  
Page 1...Codicil to Last Will and Testament of ROLAND S. BRADLEY

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 21, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

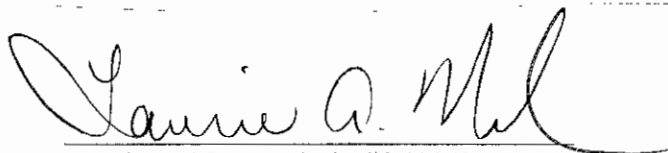
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Roger Thompson  
Vice President  
Enrollment Management  
463G Oregon Hall  
1203 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 21, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee

**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

April 20, 2015

✓ *SB*

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Albert Lee and Amelia De Ferris Fund

Dear Susan:

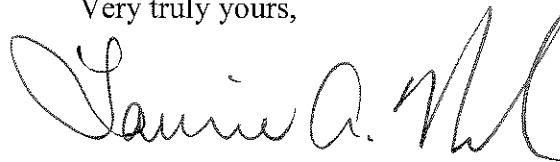
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Albert Lee and Amelia De Ferris Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the College of Education Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 20, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:ghm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Randy Kamphaus (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 22 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 20, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Albert Lee and Amelia De Ferris Fund

Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Albert Lee and Amelia De Ferris Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the College of Education Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 20, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Randy Kamphaus (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

RECEIVED

APR 22 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



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April 20, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Albert Lee and Amelia De Ferris Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Albert Lee and Amelia De Ferris Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the College of Education Scholarship Fund.

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Laurie A. Nelson  
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Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
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April 20, 2015

Randy Kamphaus  
Dean  
College of Education  
107 Lokey Education Building  
1215 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Albert Lee and Amelia De Ferris Fund

Dear Dean Kamphaus:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Albert Lee and Amelia De Ferris Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the College of Education Scholarship Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 20, 2015.

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Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
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EUGENE OREGON 97440-1147



**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*[Signature]*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Albert Lee and Amelia De Ferris Fund.

- A. In her Last Will and Testament signed February 23, 1981, Amelia E. de Ferris as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund. Because the gift came through a Will, we presume the donor is deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, stated

"To the UNIVERSITY OF OREGON to be used by the Dean of Women on behalf of the PAN HELLENIC CLUB of the University for the welfare and education of students of said University who are attending with the purpose and plan of engaging in the teaching profession; said fund to be known as "THE ALBERT LEE and AMELIA DE FERRIS FUND," the sum of \$5,000." EQ31/20-7659

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$12,603.42.

The Trustee will terminate the Fund and transfer the remaining assets to the "College of Education Scholarship Fund: to be used for student scholarships and financial awards." EQ26-5769

The transfer maintains the use of funds in the same department and maintains the Donor's emphasis on scholarships.

The Albert Lee and Amelia De Ferris Fund shall be listed as a donor to the College of Education Scholarship Fund, reflecting the Donor's intent to honor Albert Lee and Amelia de Ferris.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

RECEIVED  
APR 22 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Randy Kamphaus  
Dean  
College of Education  
107 Lokey Education Building  
1215 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

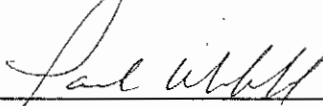
**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

G. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

4/16/2014  
Date

## **Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

WILL  
OF  
AMELIA E. DE FERRIS

I, AMELIA E. DE FERRIS, a resident of the County of Los Angeles, State of California, declare this to be my Will and revoke all prior Wills and Codicils made by me.

I

DECLARATIONS

1.01. I declare that I am a widow having been married to ALBERT DE FERRIS, who is now deceased. I have no children living or deceased.

1.02. I declare that it is my intention to dispose of all property I am entitled to dispose of by Will.

II

BEQUESTS

1.01. I give and bequeath the following sums to the following named individuals and institutions:

(a) To MARY LOUISE BURNS, the sum of \$5,000.00.

(b) To GLADYS THOMAS, the sum of \$5,000.00, and any oil paintings done by her which I may own at the time of my death;

(c) To THIRD CHURCH OF CHRIST, SCIENTIST, LOS ANGELES, CALIFORNIA, the sum of \$5,000.00;

(d) To the UNIVERSITY OF SOUTHERN CALIFORNIA, to be placed in the DEAN OF WOMEN DISCRETIONARY FUND, COLLEGIATE PAN-HELLENIC ASSOCIATION, for use and distribution for the welfare and education of students of direct Spanish descent at said University; said fund to be known as "THE ALBERT LEE and AMELIA DE FERRIS FUND," the sum of \$5,000.00.

(e) To the UNIVERSITY OF OREGON to be used by the Dean of Women on behalf of the PAN HELLENIC CLUB of the University for the welfare and education of students of said University who are attending with the purpose and plan of engaging in the teaching profession; said fund to be known as "THE ALBERT LEE and AMELIA DE FERRIS FUND," the sum of \$5,000.00.

2.02. Should any beneficiary designated under Section 2.01 (a) through (e) inclusive fail to survive me then the bequest to the beneficiary shall lapse and the property thereof shall become a part of the residue of my estate.

III

RESIDUE

3.01. I give, devise and bequeath all of the rest, residue and remainder of my estate, of whatsoever kind and character and whatsoever situated to THE FIRST CHURCH OF CHRIST, SCIENTIST, IN BOSTON, MASSACHUSETTS.

IV

MISCELLANEOUS PROVISIONS

4.01. Except as otherwise provided in this Will, I have intentionally and with full knowledge omitted to provide for my heirs.

4.02. If any devisee or legatee or legal heir of mine, or person claiming under any of them, shall contest this Will or attack or seek to impair or invalidate any of its provisions, I specifically disinherit each such person and all legacies, bequests, devises and interests given under this Will to such person shall be forfeited and shall augment proportionately the shares of my estate going to such of my devisees and legatees as shall not have participated in such acts. If all my devisees, legatees and beneficiaries, shall participate in such proceedings, I give, devise and bequeath the whole of my estate to my heirs at law according to the laws of suc-

cession of the State of California then in force, excluding all contestants and all persons conspiring with or voluntarily assisting them.

4.03. Except as I have otherwise expressly provided in connection with any taxable transfer which I may have made in my lifetime, I direct that all estate and inheritance taxes occasioned or payable by reason of my death, whether attributable to properties subject to probate administration or to outside transfers, shall be paid out of the residue of my estate disposed of by this Will as an expense of administration and without apportionment, deduction or reimbursement therefor, and without adjustment among the residuary beneficiaries.

4.04. No interest shall be paid on any legacy given under this Will or any codicil to it.

4.05. If any provision of this Will is unenforceable, the remaining provisions shall nevertheless be carried into effect.

V

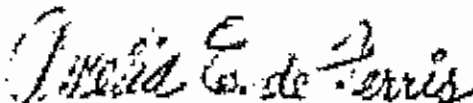
EXECUTRIX/EXECUTOR

5.01. I appoint as Executrix of this Will, DONNA BALLENGER, to serve without bond. In the event she should be or become unable or unwilling to serve or to complete service, then I appoint as Executor of this Will, BANK OF AMERICA, a national banking association.

5.02. I authorize my Executrix/Executor to sell or lease property of my estate subject to such Order of Court as may be required by law.

5.03. I authorize my Executrix/Executor to invest and reinvest surplus monies of my probate estate in such manner as my Executrix/Executor shall deem proper, subject to such Order of Court as may be required by law.

The foregoing instrument is subscribed by me on the 23 day of February, 1981, at La Habra, California.

  
Anelis E. De Ferris



The Testatrix, AMELIA E. DE FERRIS, on the date last above written declared to us that the above instrument consisting of six (6) pages, including this page, is her Will, and requested us to act as witnesses to it. Each of us at her request now signs as a witness in the presence of the Testatrix and in the presence of each other. Each of us observed the signing by the Testatrix and the signing by each other. Each of us knows that each signature appearing hereon is a true signature of the person who signed.

We declare under penalty of perjury that the foregoing is true and correct.

*[Signature]*

Residing at:

*21 Century Club Dr.*  
*San Antonio, Tex.*

*Peggy Ford*  
*000*

Residing at:

*9904 Newcomb*  
*Wichita, Kan.*

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 20, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

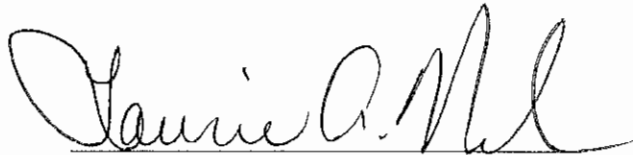
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Randy Kamphaus  
Dean  
College of Education  
107 Lokey Education Building  
1215 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 20, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee

 **GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

✓ 3P  
April 20, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Warner Law School Endowment Fund

Dear Susan:

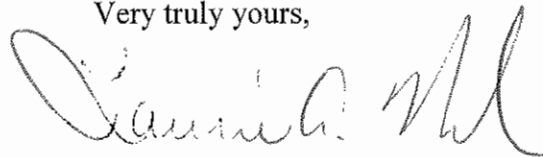
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Warner Law School Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Oregon Law Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 20, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Michael Moffitt (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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April 20, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Warner Law School Endowment Fund

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[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm

Enclosures

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Michael Moffitt (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

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April 20, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Warner Law School Endowment Fund

Dear Mr. Andreasen:

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Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.)  
Michael Moffitt (w/ encls.)  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

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(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 20, 2015

Michael Moffitt  
Dean of Law School  
Philip H. Knight Chair  
105E Knight Law Center  
1221 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Warner Law School Endowment Fund

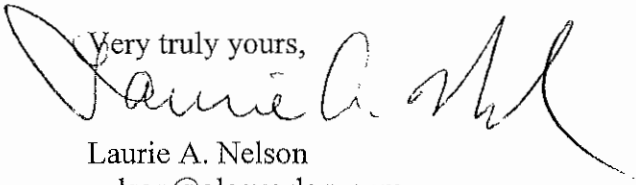
Dear Dean Moffitt:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Warner Law School Endowment Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Oregon Law Fund.

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

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**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Warner Law School Endowment Fund.

- A. Gertrude Warner and Sam Bass Warner made a gift of bonds on May 26, 1926 to support the University, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University sold the bonds and established the fund on April 29, 1938. Because almost 90 years have passed since the gift was made, we presume the donors are deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, stated

"It is understood with the donors that these bonds, both principal and interest, shall be held, used and disposed of subject to the special orders of the Dean of the Law School." EQ31/20-7622

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$7,424.03.

The Trustee will terminate the Fund and transfer the remaining assets to the "Oregon Law Fund: To support the general purposes of the Law School and activities incident thereto of students, staff and guests." EQ20-1180

The Warner Law School Endowment Fund shall be listed as a donor to the Oregon Law Fund, reflecting the Donor's intent to support the Law School.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Michael Moffitt  
Dean of Law School  
Philip H. Knight Chair  
105E Knight Law Center  
1221 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

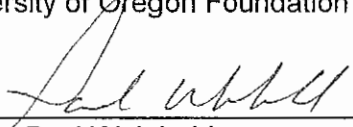
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

G. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

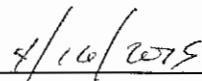
**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

Date

  
\_\_\_\_\_  
4/16/2019



**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

## ENDOWMENT FUNDS

Name of Institution University of Oregon

Name of Fund Warner Law School Endowment

### 1. How and When Established:

Gift of DeWitt F. Warner and Eun Ross Warner, accepted by the University on May 26, 1926.

### 2. Administrator of Fund:

State of Oregon, Department of Higher Education, acting by and through the State Board of Higher Education.

### 3. Conditions of Fund and Use of Interest:

"It is understood with the donors that these funds, both principal and interest, shall be held, used and disposed of subject to the special orders of the State of the Law School."

### 4. Amount of Property in Fund and Value Thereof:

Entire fund (owed to State of Oregon) placed in Loan Fund Committee on May 1, 1938. Now guaranteed by the Loan Fund Committee to pay interest thereon per annum payable semi-annually commencing July 1, 1938 guaranteed repayment upon order being called for the entire principal of \$2,075.00

### 5. Investment Restrictions:

On September 25, 1935, Dean Morse of the University of Oregon Law School authorized J. O. Lindstrom and Washington E. A. Beck to do any necessary investing for this fund. On September 8, 1936, Dean Morse and J. O. Lindstrom recommended that these funds be invested in good bonds and that when if the funds be invested in stock, whether in or out of state, be preferred stock.

### 6. Necessary References:

Folder - "Gifts, Warner Law School Endowment"  
Letter from Dean Wayne L. Morse to Mr. Orville Lindstrom dated September 23, 1936.  
Letter from Mr. J. O. Lindstrom to Mr. E. A. Beck dated October 7, 1936.  
Letter from Mr. E. A. Beck to Mr. J. O. Lindstrom dated May 2, 1938.  
Folder - "Investments, Statement May 1, 1938"

Controller's Office  
April 17, 1940

OREGON STATE BOARD OF HIGHER EDUCATION

Endowment Fund Group

Donor Warner, Gertrude P & Sam Bass Warner Account # Principal 50-436-1007  
 Ownership No. 520 Account # Assets  
 Institution University of Oregon Account # Income 50-260-8011

Restrictions and Conditions:

Bond principal and interest to be used and disposed of subject to the specific orders of the Dean of the Law School.

General Description:

Bonds received for establishment of Warner Law School Endowment Fund.

Bonds sold and money to be used for student loan fund at 4% interest. Approved by Dean of Law School.

Loan repaid in November 1941 and money to participate in pooled endowment funds.

Assets Received\*

Date	Description of Assets	No of Shares	Total Value	Disposal Date	Disposal Amount
1926	2 Public Utility Bonds called and			10-1936	\$2,000
1936	Reinvested in Oregon Normal School Bonds				
4-29-38	Bonds Sold and money turned over to		2,085	4-29-38	
11-3-41	University Student Loan Fund Committee. Loan repaid. Approval received to invest funds to participate in pooled endowment funds.				

\*Includes cash, non-cash assets, funds held in trust by others.

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 20, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

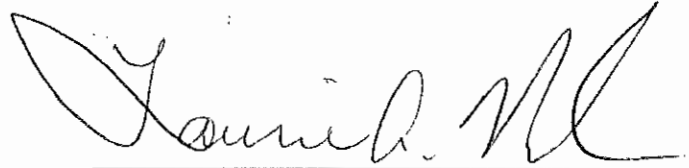
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Michael Moffitt  
Dean of Law School  
Philip H. Knight Chair  
105E Knight Law Center  
1221 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 20, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 9, 2015

RECEIVED  
APR 13 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
John Watson Vogan Spanish Essay Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Watson Vogan Spanish Essay Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Romance Languages Gift Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 9, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



GLEAVES  
SWEARINGEN LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 9, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
John Watson Vogan Spanish Essay Fund

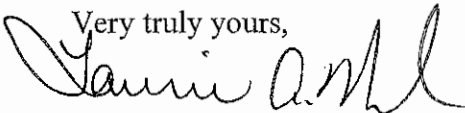
Dear Doug:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Watson Vogan Spanish Essay Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Romance Languages Gift Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 9, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,  


Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Susan Bower (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)



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April 9, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
John Watson Vogan Spanish Essay Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Watson Vogan Spanish Essay Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Romance Languages Gift Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 9, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm

Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
W. Andrew Marcus (w/ encls.)  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



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SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 9, 2015

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
John Watson Vogan Spanish Essay Fund

Dear Dr. Marcus:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the John Watson Vogan Spanish Essay Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the Romance Languages Gift Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 9, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*[Signature]*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the John Watson Vogan Spanish Essay Fund.

- A. In August of 1948 Mrs. Grace Dawson Vogan, as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The original Fund Agreement, a copy of which is attached hereto, stated:

"To be used as a permanent endowment fund, the income from the fund to be used as a prize or prizes to be awarded to the student or students submitting the best essay or essays written in the Spanish language on a subject or choice of subjects prepared by a committee of Spanish professors appointed by the Head of the Department of Foreign Languages at the University of Oregon. The selection of the prize essay will be made by the above committee and the award itself will be made publicly at such time during the school year when other scholarships or wards of a similar nature are recognized."

In September of 1948 she added:

"if there should be any change in the organization of your program, and if a Department of Spanish or a Department of Romance Languages should be created, I should expect the head of such department to assume the responsibilities of administering the fund." EQ 32/26-7621

- C. Mrs. Vogan died in November 1967.
- D. The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$3,560.89. As an endowment, this amount does not generate sufficient funds annually to support an essay competition.

The Trustee will terminate the Fund and transfer the remaining assets to the

"Romance Languages Gift Fund: In support of French, Spanish, Italian & Portuguese Language Programs." EQ 20-4892

The transfer maintains the use of funds in the same department, the emphasis on Spanish and Romance languages, and still allows for use for essay prizes.

The John Watson Vogan Spanish Essay Fund shall be listed as a donor to the Romance Languages Gift Fund, reflecting the Donor's intent to honor John Watson Vogan.

E. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

F. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

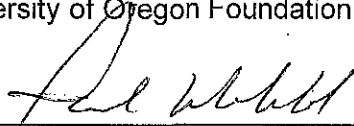
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201


G. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

  
\_\_\_\_\_  
Date

August 26, 1948

Enclosed: Gift of \$1,000 from Mrs. Grace Jensen Yogan to be  
used to the General University's endowment for the purpose of creating  
a permanent trust fund to be called "The John W. Yogan Spanish  
Essay Fund."

Dear Chancellor Packard:

Mr. Arden Yogan, Director of the Yogan Spanish Essay Fund, Oregon State  
Language Department has transmitted to me a check for \$1,000 to be added to the  
endowment for the purpose of creating a trust fund to be called "The John W. Yogan  
Yogan Spanish Essay Fund."

The annual income from this fund will be used as follows: 50% to be used as a  
prize or prizes to be awarded to the student or students submitting  
the best essay or essays written in Spanish on a subject or subjects  
or choice of subjects prescribed by a committee of Spanish professors  
appointed by the Head of the Department of Spanish at Oregon State  
University of Oregon. The committee shall be composed of three members  
by the above committee and the committee shall be authorized to make publicly  
at such time during the year as it may deem proper the names of the winners  
of a similar nature are suggested.

Mrs. Yogan's address is: 1111 1/2 S. Commercial, Portland,

Oregon.

This gift is being reported to the Board of Trustees and  
recognized by the State Board of Higher Education.

Yours very truly,

/s/ H. E. Mendenhall

H. E. Mendenhall  
President

Approved: 8/27/48

W. L. Yogan

W. L. Yogan

UNITED STATES

Department of Justice  
Federal Bureau of Investigation  
Washington, D. C. 20535

April 15, 1964

Mr. J. Edgar Hoover  
Director  
Federal Bureau of Investigation  
Washington, D. C. 20535

Dear Mr. Hoover:

I am writing to you regarding the information received from the [redacted] concerning the activities of the [redacted] in the [redacted] area. The information indicates that the [redacted] has been active in the [redacted] area and has been in contact with the [redacted] in the [redacted] area. The information also indicates that the [redacted] has been active in the [redacted] area and has been in contact with the [redacted] in the [redacted] area.

Very truly yours,

Special Agent in Charge

[Redacted Name]

[Redacted Title]

[Redacted Address]

[Redacted City]

Special Agent in Charge  
Federal Bureau of Investigation  
Washington, D. C. 20535

Very truly yours,

September 1, 1948

Mr. H. E. Newton  
President, University of Oregon  
Eugene, Oregon

Dear Sir:

I wish to add to my original statement which accompanied the check to be used for establishing "The John Watson Yogan Spanish Essay Fund," that if there should be any change in the organization of your program, and if a Department of Spanish or a Department of Romance Languages should be created, I should expect the head of such department to assume the responsibility of administering the fund.

Sincerely yours,

John Watson Yogan  
(Mrs. J. W. Yogan)

2014 N. W. Glisan St.  
Portland, Oregon

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 9, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

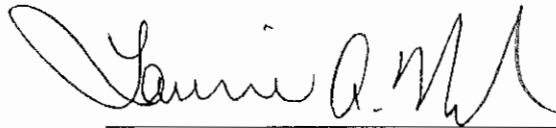
Michael Andreasen  
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114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 9, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee

**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

April 8, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
Victor H. Todd Scholarship Fund

Dear Susan:

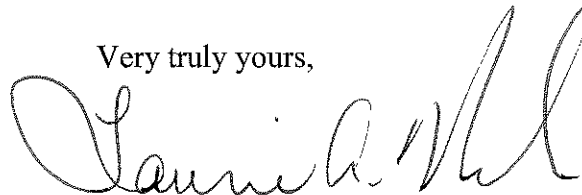
On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Victor H. Todd Scholarship Fund.

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Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 8, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,



Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Doug Park (w/ encls.)  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

RECEIVED  
APR 10 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

April 8, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Victor H. Todd Scholarship Fund

Dear Doug:

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN/gdm  
Enclosures

cc: Michael Andreasen (w/ encls.)  
W. Andrew Marcus (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
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**MAILING ADDRESS**  
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April 8, 2015

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Victor H. Todd Scholarship Fund

Dear Mr. Andreasen:

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Very truly yours,

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
W. Andrew Marcus (w/ encls.)  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

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April 8, 2015

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Victor H. Todd Scholarship Fund

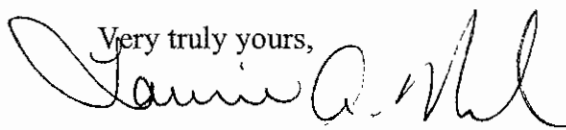
Dear Dr. Marcus:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Victor H. Todd Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the fund will be terminated and the net assets will be transferred to the East Asian Languages and Literature Fund.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from April 8, 2015.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,  


Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm

Enclosures

cc: Michael Andreasen (w/ encls.)  
Doug Park (w/ encls.)  
Susan Bower (w/ encls.) ✓  
Erika Funk (w/ encls.)  
Ian Richardson (w/ encls.)

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EUGENE OREGON 97440-1147

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

CERTIFIED TRUE COPY  
*James M. McDonald*

As of October 1, 2014, the University of Oregon ("University") conveyed and transferred certain privately-funded accounts to the University of Oregon Foundation ("Foundation" or "Trustee") to become the Trustee of those accounts. Along with the funds, the University of Oregon sent whatever limited documentation it had on these historic funds. Upon review of these funds and following discussions with the beneficiaries, it became evident that some would be most appropriately managed by combining with other similar funds, since they are both old (over 20 years) and small (less than \$25,000).

Towards that end, the following information is provided for your review regarding the Victor H. Todd Scholarship Fund.

- A. In her Last Will and Testament signed September 17, 1976, Vera Todd McDonald as Donor made a gift to support the University of Oregon, as shown in the attached gift documentation (the "Fund Agreement").
- B. The University received the gift and established the fund on January 16, 1979. Because the gift came through a Will, we presume the donor is deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, stated

"I give and devise to the Victor H. Todd Scholarship Fund in the field of Asiatic Studies at the University of Oregon, the sum of Three Thousand Dollars (\$3,000.00)." EQ35/26-7674 and EQ35/26-7619

The spendable cash available as of October 1, 2014 is \$0. The Fund's endowment as of October 1, 2014 is \$15,846.68.

The Trustee will terminate the Fund and transfer the remaining assets to the "East Asian Languages and Literature Fund: shall be used in support of the East Asian Languages and Literature Department. Fund will be used to provide instructional support, travel, special events, seminars and scholarships, when sufficient funding is received." EQ20-4605

The transfer maintains the use of funds in the same department, maintains the Donor's emphasis on Asiatic studies, and still allows for use for scholarships.

The Victor H. Todd Scholarship Fund shall be listed as a donor to the East Asian Languages and Literature Fund, reflecting the Donor's intent to honor Victor H. Todd.

- D. Pursuant to ORS § 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

With a copy to:

Douglas Park  
Interim General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403-1226

**Office of the Attorney General:**

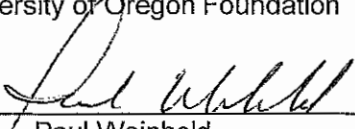
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

G. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

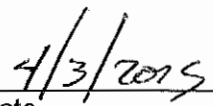
**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO

Date

  
\_\_\_\_\_  
Date

50-432-30-2

LAST WILL AND TESTAMENT

of

VERA TODD McDONALD

I, VERA TODD McDONALD, a resident of the State of Oregon, do make, publish and declare this to be my last Will and Testament, hereby revoking all Wills and codicils heretofore made by me.

I.

I declare that I am the wife of A. C. McDONALD. That I was born April 30, 1886 and my Social Security Number is 542-52-4652. That I was married to A. C. McDONALD on November 29, 1959 in Palo Alto, California. That there have been no children as issue of this marriage.

II.

I direct my Personal Representative to pay from my estate all inheritance, estate, transfer and succession taxes, as well as all my just debts, expenses of last illness, funeral and final interment, and the expenses of administration of my estate. I direct that all such taxes be paid without apportionment thereof and without withholding or collecting any part thereof from any beneficiary under my Will, or under any life insurance of mine which may be subject to such tax, it being my intention that all such taxes shall be paid from my estate as an expense of administration.

III.

I direct that no person named in this Will shall be deemed to have survived me unless that person is living on the 30th day after the date of my death.

V.T.M.

IV.

I give and devise to my husband, A. C. McDONALD my home property which is located at 41 West 25th Street, Eugene, Lane County, Oregon, if he survives me. If my said husband does not survive me this gift shall lapse, and the same shall become a part of the residue of my estate.

The provisions made in this paragraph for my husband shall be in lieu of any statutory rights in and to my estate to which my husband otherwise would be entitled and I hereby request that he accept this same in lieu of any other interest he may have in my estate.

V.

I give and devise to my sister, RONA T. McBRAY, all of my clothing, jewelry, books, pictures, articles of personal use or diversion, silverware, china, linens, household goods, furniture, appliances and all of my other articles of personal or domestic use or ornament and any insurance on them. I request that she distribute the same to herself and to other persons in accordance with a certain memorandum of instructions which I shall leave for her. I request that my Personal Representative, hereinafter named, apply to the Court for authority to make distribution thereof to her in advance of the final closing of my estate and as soon as may be practical under the circumstances.

VI.

I give and devise to the UNIVERSITY OF MICHIGAN for the specific use of the D. J. Todd Scholarship Fund in Engineering, the sum of One Thousand Dollars (\$1,000.00).

1 1 1 1 1

V. J. M.

VII.

I give and devise to the VICTOR H. TODD Scholarship Fund in the field of Asiatic Studies at the UNIVERSITY OF OREGON, the sum of Three Thousand Dollars (\$3,000.00).

VIII.

I give and devise to the UNITARIAN CHURCH OF EUGENE AND LAKE ODENSE, OREGON, One Thousand Dollars (\$1,000.00).

IX.

I give and devise to the following persons, if they survive me, the following sums:

- (a) To my sister, IRMA T. MERRYAN, Five Thousand Dollars (\$5,000.00).
- (b) To my grand niece, ANNICK TODD, Three Thousand Dollars (\$3,000.00).
- (c) To my nephew, DAVID TODD, Ten Thousand Dollars (\$10,000.00).
- (d) To my nephew, PHILIP TODD, Three Thousand Dollars (\$3,000.00).
- (e) To my nephew, PAUL TODD, Three Thousand Dollars (\$3,000.00).
- (f) To my husband's granddaughter, SHELLA McDONALD, One Thousand Dollars (\$1,000.00).
- (g) To my husband's grandson, GARY McDONALD, One Thousand Dollars (\$1,000.00).

If any of the persons named in this paragraph IX shall not have survived me, the gift made herein to that person shall lapse and the same shall become part of the residue of my estate.

If my estate available for distribution prior to payment of the gifts set forth in this paragraph is less than the amount necessary therefore, after payment of all fees, expenses, claims, debts, taxes and any other costs,

V. T. M.

then each gift made in the paragraph shall abate proportionately.

X.

I give and devise the residue of my estate to JAMES P. TODD, DORIS TODD BROWN, ELINOR TODD CHRISTENSEN, HENRIETT TODD and WALTER THEODORE TODD if they shall survive me.

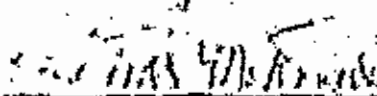
In the event that any of said persons named in this paragraph shall not have survived me, and shall have left issue surviving him or her, then I direct that the share of such deceased person for whom I have provided herein shall pass to such issue of the deceased person by right of representation.

Provided however, that if any of said persons named in this paragraph so predeceasing me shall die without issue surviving him or her, then the gift made herein to that person shall lapse and the same shall become part of the residue of my estate.

XI.

I nominate, constitute and appoint my husband's son BRUCE McDONALD now of Lorane, Oregon, as the Personal Representative of my estate, to serve without bond. In the event of his inability or refusal to act as such, then and in that event, I nominate and appoint THE FIRST NATIONAL BANK OF OREGON.

IN WITNESS WHEREOF, I have signed and do declare this instrument to be my Last Will and Testament this 11 day of September, 1976.

  
Vera Todd McDonald



THE FOREGOING Will was signed by VERA TODD MCDONALD, the Testator, in my presence and I in her presence and at her request, have hereunto signed my name as a witness, this 17<sup>th</sup> day of September 1976.

Frank S. Brown

RESIDING AT: EUGENE, OREGON.

James J. [unclear]

RESIDING AT: EUGENE, OREGON.

OREGON STATE BOARD OF HIGHER EDUCATION

Endowment Fund Group

Donor	<u>Victor H. Todd Scholarship Fund</u>	Account # Principal	<u>50-432-3002</u>
	<u>(Vers Todd McDonald)</u>		
Ownership No.	<u>565</u>	Account # Assets	<u></u>
Institution	<u>University of Oregon</u>	Account # Income	<u>50-270-8008</u>

Restrictions and Conditions:

Scholarship Fund in field of Asiatic Studies at UO.

General Description:

Bequest from proceeds of last will and testament of Vers Todd McDonald dated 9-17-76. Account set up 1-16-79.

Assets Received\*

Date	Description of Assets	No of Shares	Total Value	Disposal Date	Disposal Amount
1-16-79	CASH		3,000		

\*Includes cash, non-cash assets, funds held in trust by others.

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on April 8, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

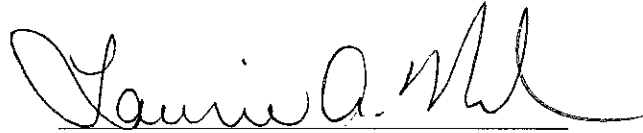
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

W. Andrew Marcus  
Interim Dean  
College of Arts and Sciences  
114 Friendly Hall  
1245 University of Oregon  
Eugene, OR 97403

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 8, 2015.



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee

**AGREEMENT MODIFYING INSTITUTIONAL FUND**

RECEIVED

SEP 16 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**PARTIES:**

University of Oregon Foundation (A.K.A. University of Oregon Development Fund) (the "Foundation")

Jill Hartz, Executive Director, Jordan Schnitzer Museum of Art, University of Oregon

Michael C. Andreasen, Vice President, University Advancement, University of Oregon

**RECITALS:**

A. The Parties desire to modify the Dow-Kerns Oriental Art Institutional Fund, established by the Last Will and Testament of Merlin Gordon Dow, Dated September 16, 1985 (the "Institutional Fund"), and managed by the Oregon State Board of Higher Education, Endowment Fund Group, for the benefit of the University of Oregon ("University").

B. Newly enacted ORS 352.025, authorizes public universities to have independent institutional governing boards; and as provided in ORS 352.054, the University's Board of Trustees manages the affairs of the University.

C. In September of 2014, the Oregon State Board of Higher Education transferred responsibility of the management of donor gifts to the University. On behalf of the University, the Foundation shall manage and distribute all of the transferred gifts, according to the institutional funds' agreements ("Transferred Gifts").

D. The University allowed the Foundation to copy records that pertained to the Transferred Gifts.

E. Many of the historical records that established the Transferred Gifts are incomplete despite the Parties' best efforts to locate and decipher them.

F. On October 1, 2014, the University transferred to the Foundation, the moneys that accompanied the Transferred Gifts' agreements.

G. The Institutional Fund is one of the Transferred Gifts. A copy of the documentation is attached hereto as Exhibit A.

H. The Parties desire to modify this particular Institutional Fund Agreement.

I. The Parties and the Oregon Attorney General constitute all persons and entities whose signatures are required for this Agreement to be effective pursuant to ORS Chapter 128.

J. ORS 128.328(3) authorizes a court to modify an impracticable, impossible to achieve or wasteful charitable purpose, if the modification is consistent with the donor's expressed

charitable purposes. The modification in this matter promotes the donor's intent by expanding the purpose to no longer restrict the donation to a particular, non-existent, physical structure, while still focusing use of the funds to the donor's area of charitable interest, oriental art.

**AGREEMENT:**

NOW, THEREFORE, in consideration of the foregoing recitals that are by this reference expressly made a part hereof, and in consideration of the terms hereinafter contained, the Parties agree as follows:

1. Modification of Institutional Fund

On the Effective Date, the Institutional Fund shall be modified as set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

2. Effective Date

This Agreement shall be effective on the date that all Parties and the Oregon Attorney General have each signed this Agreement and, if required by law, this Agreement has been approved by the Circuit Court of the State of Oregon for Lane County.

3. Number, Gender and Captions

As used herein, the singular shall include the plural and the plural the singular, as the context requires. The masculine and neuter shall each include the masculine, feminine and neuter, as the context requires. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Agreement.

4. Original Agreement

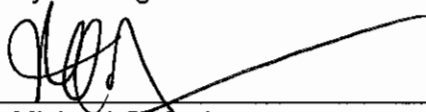
The Institutional Fund, as amended, and each term and provision thereof shall remain in full force and effect, except as herein modified, amended or restated.

5. Entire Agreement

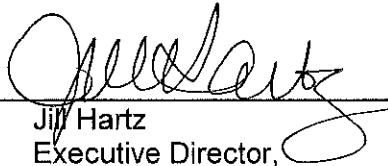
This Agreement and the exhibit hereto constitute the final written expression of all terms of the Institutional Fund and when read together they constitute the complete and exclusive statement of those terms.

IN WITNESS WHEREOF, each of the undersigned has executed this Agreement on the date set opposite their respective signatures below.

University of Oregon

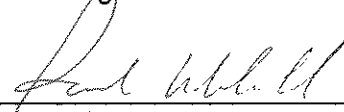
By:   
Michael C. Andreasen  
Vice President, University Advancement

4-8-15  
Date

  
\_\_\_\_\_  
Jill Hartz  
Executive Director,  
Jordan Schnitzer Museum of Art

4-6-18  
\_\_\_\_\_  
Date

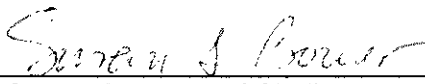
University of Oregon Foundation

By:   
\_\_\_\_\_  
Paul Weinhold  
President/CEO

4/12/2018  
\_\_\_\_\_  
Date

ORS 128 (and, to the extent applicable, ORS 130) provides that, in certain instances, in order for an agreement modifying charitable funds held in trust subject to the enforcement or supervisory powers of the state or the Attorney General under ORS 128.610 to 128.750 to be effective, the Attorney General for the State of Oregon must consent to the agreement. The Institutional Fund is an agreement that may be subject to that requirement. The Attorney General hereby consents to the foregoing Agreement Modifying Institutional Fund.

ATTORNEY GENERAL

By:   
\_\_\_\_\_  
Susan A. Bower, OSB #960960  
Office of the Attorney General  
State of Oregon

3-30-15  
\_\_\_\_\_  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

DOW

5589

Exhibit A



12/06/95

Endowment Summary

Page 32

00

Dow-Kerns Oriental Art

TRUE Endowment Number: 5589

UNITS: 4,684.00 VALUE 6/30/95: 82,697.79

FNS ACCT: 50-430-1022

CHT:

FOND:

ORG:

PRDG:

ACTY:

NOTES: Request to the Oriental Warner wing of the OO Art Museum in honor  
of Maude Kerns

Exhibit A

ROSE, ROSS & DYER  
ATTORNEYS AT LAW  
8801 WILSON BOULEVARD, SUITE 400  
SANTA MONICA, CALIFORNIA 90408  
(310) 370-0481 / 310-7717

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Attorneys for BILLY REDUS, Executor

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

In re the Matter of the Estate of )	Case No. P 703,660
MERLIN GORDON DOW, )	FIRST AND FINAL ACCOUNT AND
aka MERLIN G. DOW, )	REPORT OF EXECUTOR AND
and MERLIN DOW, )	PETITION FOR ITS SETTLEMENT,
Deceased )	ALLOWANCE OF STATUTORY
)	EXECUTOR'S COMMISSIONS AND
)	ATTORNEYS' FEES AND
)	COMPENSATION FOR EXTRAORDINARY
)	SERVICES RENDERED AND
)	FINAL DISTRIBUTION UNDER WILL
)	<u>HEARING</u>
)	Date: June 27, 1986
)	Time: 9:15 a.m.
)	Place: Department 11

NOW COMES Billy Redus, as the Executor of the formally executed and attested or witnessed "Last Will and Testament of Merlin Gordon Dow" dated September 16, 1985, and Estate of Merlin Gordon Dow, also known as Merlin G. Dow and Merlin Dow, Deceased, hereinafter referred to as the Petitioner, and presents and renders to the Court his First and Final Account and Report together with his Petition for Its Settlement, Allowance of Statutory Executor's Commissions and Attorneys' Fees and Compensation for Extraordinary Services Rendered and Final Distribution Under Will; and respectfully alleges and shows that:

Exhibit A

1 due or payable by the decedent and/or the estate.

2 10. Summary of Account. The Petitioner, as Executor  
3 of the decedent's Will and estate in the above entitled formal  
4 probate administration proceedings, is chargeable with and is en-  
5 titled to the credits set forth in the following Summary of  
6 Account and otherwise shown and itemized in the accompanying at-  
7 tached supporting schedules which are incorporated herein by  
8 reference.

9 SUMMARY OF ACCOUNT

10 CHARGES

11	Amount of "Inventory and Appraisalment"	\$587,486.72
12	Receipts During Accounting Period Other than Principal/Capital Assets (Schedule "A")	14,507.68
13	Other Charges During Accounting Period (Schedule "B")	<u>21,245.26</u>
14	Total Charges	\$623,241.66

15 CREDITS

16	Disbursements During Accounting Period (Schedule "C")	\$ 16,950.94
17	Other Credits During Accounting Period (Schedule "D")	13,179.20
18	Assets and/or Property of the Estate on Hand (Schedule "E")	<u>593,111.52</u>
19	Total Credits	\$623,241.66

20 11. Character of Estate Property. The whole of the  
21 decedent's estate is the decedent's separate property.

22 12. Disposition by Decedent's Will. According to the  
23 third paragraph of the terms, conditions and/or provisions of the  
24 formally executed and attested or witnessed "Last Will and Testa-  
25 ment of Merlin Gordon Dow" dated September 16, 1985, the decedent  
26 left all of his "property and estate of whatever kind, nature,  
27 character and/or description, whether real, personal, or mixed,  
28 and wheresoever situated" to be divided among those named benefi-  
ciaries, devisees and/or legatees, i.e., specifically, five per-

1 cent (5%) thereof to Lester and Blanche Stearns, or the survivor  
2 thereof, five percent (5%) thereof to Corrine A. Winter and ten  
3 percent (10%) thereof, each, to Mary Masury, James F. Neel, Helen  
4 Newbury, Edwin Noack, Joan Penfield, Billy Radus, Victor Seine,  
5 Dean Urquhart, [REDACTED]

7 13. Beneficiaries, Devisees, Legatees and Heirs-at-Law.

8 The name(s), last known resident address(es), relationship(s) to  
9 the decedent, age(s) or date(s) of birth, and percentage(s) or  
10 value of the respective interest(s) or distributive share(s) of  
11 the decedent's property and/or estate to which each of the benefi-  
12 ciaries, legatees and/or devisees named under the terms, condi-  
13 tions and/or provisions of the decedent's formally executed and  
14 attested or witnessed "Last Will and Testament" dated September  
15 16, 1985, admitted to probate by Order of this Court dated January  
16 2, 1986, on file in these formal probate administration proceed-  
17 ings and incorporated herein by reference, are as follows:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	<u>DATE OF BIRTH</u>	<u>INTEREST</u>
Lester C. Stearns	Uncle		Five percent
Blanche Stearns 606 Irving, S.W. Wadena, Minnesota 56482	Aunt		(5%)
Corrine A. Winter 745 Seventeenth Street Santa Monica, California 90403	Stranger	January 28, 1904	Five percent (5%)
Mary Masury Huntington Shorecliffs 207 Beach Boulevard, Space 86 Huntington Beach, California 92648	Stranger	July 2, 1912	Ten percent (10%)
James F. Neel 1822 Courtney Terrace Los Angeles, California 90045	Stranger	September 1, 1919	Ten percent (10%)
Helen Newbury 10800 Hesby Avenue, No. 15 North Hollywood, California 91604	Stranger	October 15, 1920	Ten percent (10%)

Exhibit A

1	Edwin Hoack 1061 Dalebrook Drive Alexandria, Virginia 22308	Stranger		Ten percent (10%)
2				
3	Joan Penfield 1822 Courtney Terrace Los Angeles, California 90046	Stranger	May 18, 1905	Ten percent (10%)
4				
5	Billy Redus (also known as William R. Redus) 1716 Courtney Avenue Los Angeles, California 90046	Stranger	June 13, 1917	Ten percent (10%)
6				
7	Victor Seine 1824 Courtney Avenue Los Angeles, California 90046	Stranger	June 11, 1910	Ten percent (10%)
8				
9	Dean Urquhart 400 South Hauser Boulevard, No. 12-G Los Angeles, California 90036	Stranger	February 21, 1908	Ten percent (10%)
10	[REDACTED]			
11	[REDACTED]			
12	[REDACTED]			

13 14. Statutory Compensation.

14 A. Executor's Commissions. The commissions pro-  
 15 vided by law under Section 901 of the California Probate Code for  
 16 the Petitioner's ordinary services rendered in connection with the  
 17 administration of this decedent's estate as the Executor of the  
 18 decedent's Will and estate in the sum of Thirteen Thousand Three  
 19 Hundred Fifty-One Dollars and Twenty-Four Cents (\$13,351.24),  
 20 which has not been paid. The Petitioner should be allowed and  
 21 credited with the sum of Thirteen Thousand Three Hundred Fifty-One  
 22 Dollars and Twenty-Four Cents (\$13,351.24), in discharge of the  
 23 statutory commissions for those ordinary services which he has  
 24 rendered in connection with the administration of this decedent's  
 25 estate as the Executor of the decedent's Will and estate.

26 B. Attorneys' Fees. ROSS, ROSS & DYER, ATTORNEYS AT  
 27 Law, of the firm of Ross, Ross & Dyer, Attorneys at Law, has ren-  
 28 dered all ordinary legal services to the Petitioner, as the Exe-

1 conditions and/or provisions of the formally executed and attested  
2 or witnessed "Last Will and Testament of Merlin Gordon Dow" dated  
3 September 16, 1985, admitted to probate by Order of this Court  
4 dated January 2, 1986, on file in these formal probate administra-  
5 tion proceedings and incorporated herein by reference, "(A)ll of  
6 [the decedent's] property and estate of whatever kind, nature,  
7 character and/or description, whether real, personal, or mixed,  
8 and wheresoever located and/or situated," to be divided among  
9 those named beneficiaries, devisees and/or legatees, i.e., spe-  
10 cifically, five percent (5%) thereof to Lester and Blanche  
11 Stearns, or the survivor thereof, five percent (5%) thereof to  
12 Corrine A. Winter and [REDACTED], each, to Mary  
13 Masury, James P. Neel, Helen Newbury, Edwin Noack, Joan Penfield,  
14 Billy Redus, Victor Seine, Dean Urquhart, [REDACTED]

15 [REDACTED]  
16 (7) For such other and further order as the Court may  
17 consider proper.

18 DATED: June 6, 86

19  
20 Billy Redus  
21 BILLY REDUS  
22 Petitioner and Executor of the  
23 Estate of Merlin Gordon Dow,  
24 aka Merlin G. Dow,  
25 and Merlin Dow, Deceased

24 ROSS, ROSS & DYER  
25 Attorneys at Law  
26 By: ROBERT A. ROSS  
27 ROBERT A. ROSS  
28 Attorney for Petitioner/Executor

Exhibit A

ATTORNEY OR PARTY WITHOUT ATTORNEY Name and Address <b>ROSS, ROSS &amp; DYER</b> Attorneys at Law 7001 Wilshire Boulevard, Suite 409 Santa Monica, California 90403		TELEPHONE NO (213) 829-7717 870-0451	FOR COURT USE ONLY  50-430-1022 50-265-6903
AGENCY FOR SERVICE <b>BILLY REDOS, Executor</b>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
STREET ADDRESS <b>111 North Hill Street</b>			
CITY AND ZIP CODE <b>Los Angeles, California 90012</b>			
BRANCH NAME <b>(Central District)</b>			
ESTATE OF DECEASED <b>MERLIN GORDON DOW,</b> <b>aka MERLIN G. DOW,</b> <b>and MERLIN DOW,</b>		DECEDENT	
<b>NOTICE OF HEARING</b> <b>(Probate)</b>		CASE NUMBER <b>P 703,660</b>	

This notice is required by law. This notice does not require you to appear in court, but you may attend the hearing if you wish. If you are a person interested in the estate, you may serve upon the executor or administrator, or upon the attorney for the executor or administrator, and file with the court with proof of service, a written request stating that you desire special notice of the filing of an inventory and appraisement of estate assets or of the petitions or accounts mentioned in sections 1200 and 1200.5 of the California Probate Code.

1. NOTICE is given that power: **BILLY REDOS**  
 representative capacity of said: **Executor**

has filed (specify): **"FIRST AND FINAL ACCOUNT AND REPORT OF EXECUTOR AND PETITION FOR ITS SETTLEMENT, ALLOWANCE OF STATUTORY EXECUTOR'S COMMISSIONS AND ATTORNEYS' FEE AND COMPENSATION FOR EXTRAORDINARY SERVICES RENDERED AND FINAL DISTRIBUTION UNDER WILL"**

reference to which is made for further particulars.

2. A HEARING on the matter will be held as follows:

Date: **June 27, 1986** Time: **9:15 a.m.** Dept: **11** Rm: \_\_\_\_\_  
 Address of court:  shown above  to: \_\_\_\_\_

..... **ROBERT A. ROSS**  Attorney or Party **ROBERT A. ROSS**  
 (TYPE OR PRINT NAME) (SIGNATURE)

Date: **June 6, 1986**  Clerk by \_\_\_\_\_ Dep: \_\_\_\_\_

3. This notice was mailed on (date): **June 6, 1986** at (place): **Santa Monica**, California

(Continued on reverse)  
**NOTICE OF HEARING**  
**(Probate)**

**Exhibit A**

SEN 1242-10

OREGON STATE BOARD OF HIGHER EDUCATION  
Endowment Fund Group

Donor or Acct. Dow, Merlin Gordon Account # Principal 50-430-1022  
 Ownership No. 589 Account # Assets \_\_\_\_\_  
 Institution University of Oregon Account # Income 50-265-6903

Restrictions, Conditions and General Description:

From the report of executor of the estate of Merlin G. Dow:

"...total value of ... assets ... \$587,488.72...ten percent (10%) thereof to ... the Oriental Warner Wing of the University of Oregon Art Museum (Hayde Kerns Memorial Fund)."

Assets Received (Includes cash, non-cash assets, funds held in trust by others)

Date	Description of Assets	No. of Shares	Total Value	Disposal Date	Disposal Amount
11-7-75	Cash		\$5000		





**Modification of Fund Agreement**

**Dow-Kerns Oriental Art Fund** (Account 31/23-7669)

**Modification of Investment and Purpose**

Whereas in 1985 the Oregon State Board of Higher Education received funds from the estate of Merlin G. Dow to support "the Oriental Warner Wing of the University of Oregon Art Museum (Maude Kerns Memorial Fund)"; and

Whereas in September 2014, due to the restructuring of the administration of the University of Oregon, the Oregon State Board of Higher Education transferred responsibility for administering these funds to the University, which sent the funds to the Foundation to manage on behalf of the donors for the benefit of the University; and

Whereas at the time of original receipt it was the practice of the Oregon State Board of Higher Education to endow estate gifts, whether or not the donor directly specified this desire in their bequest; and

Whereas in the most recent renovation of the Jordan Schnitzer Museum of Art (formerly known as the University of Oregon Art Museum) the Warner wing was eliminated; and

Whereas in order to acquire museum-quality Asian art, the Museum needs access to more funds at one time than the endowment would generate on an annual basis; and

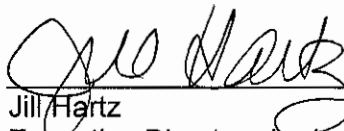
Whereas this makes the original donor intent impractical and impossible to achieve;

Therefore it is the Parties' intent and agreement that the Foundation shall modify the fund:

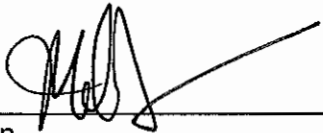
*To be fully expendable, not endowed;*

and for the purpose to become as follows:

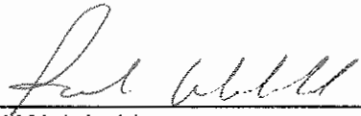
*To support the Jordan Schnitzer Museum of Art, with preference for supporting Asian art.*

Signature:   
Jill Hartz  
Executive Director, Jordan Schnitzer Museum of Art  
University of Oregon

4-6-15  
Date

Signature:   
Michael Andreasen  
Vice President, University Development  
University of Oregon

4-8-15  
Date

Signature:   
Paul Weinhold  
President/CEO  
University of Oregon Foundation

4/12/2015  
Date

**Exhibit B**



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

September 14, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, Suite 410  
Portland, OR 97201

Re: University of Oregon Foundation  
Dow-Kerns Oriental Art Institutional Fund

Dear Susan:

I am pleased to report that Judge Holland signed the General Judgment for Modification of Institutional Fund on September 9, 2015, in the Dow-Kerns Oriental Art Institutional Fund modification case. I am enclosing a conformed copy of that General Judgment for your records. Also enclosed is a fully executed original of the Agreement Modifying Institutional Fund.

Thank you for your assistance in this matter.

Very truly yours,

Laurie A. Nelson

LAN:kw  
Enclosure

cc: Wendy Laing (w/ encls.)  
Doug Park (w/ encls.)  
Ian T. Richardson (w/ encls.)

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**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

15PB01715

In the Matter of the Dow-Kerns Oriental Art  
Institutional Fund

Case No. ~~145PB01715~~

GENERAL JUDGMENT FOR  
MODIFICATION OF  
INSTITUTIONAL FUND

University of Oregon Foundation,  
Petitioner.

This matter having come before the court on the Petition of Petitioner University of Oregon Foundation, an Oregon nonprofit corporation, by and through its President and Chief Executive Officer, Paul Weinhold, for the modification of the Dow-Kerns Oriental Art Institutional Fund, and it appearing to the court from the records and files herein that:

1.

Service was made and perfected by regular mail to the persons entitled to notice as follows:

Name	Date
Susan A. Bower, Assistant Attorney General, State of Oregon	April 21, 2015
Douglas Y.S. Park, General Counsel, University of Oregon	April 21, 2015

2.

Notice as required by Oregon law has been waived by all persons entitled thereto.

3.

Venue is properly in this court and no other court in this state has acquired jurisdiction in

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SEP 16 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

1 this matter.

2 4.

3 Petitioner has obtained the consent of the Attorney General to the modification as  
4 required by Oregon law. The Consent and Waiver of Assistant Attorney General Susan A.  
5 Bower is filed herewith.

6 5.

7 Petitioner has obtained consent to the modification from Douglas Y.S. Park, General  
8 Counsel for the University of Oregon, beneficiary.

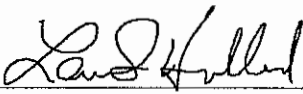
9 6.

10 ORS 128.328(3) authorizes a court to modify a fund purpose or restriction "in a manner  
11 consistent with the charitable purposes expressed in the gift instrument" if the original charitable  
12 purpose is impossible to achieve.

13 NOW, THEREFORE, it is hereby adjudged that a general judgment is entered as follows:

14 The Dow-Kerns Oriental Art Institutional Fund shall be modified as set forth in Exhibit B  
15 of Exhibit 1 attached to the Petition filed herein.

16 DATED this \_\_\_\_ day of Signed: 9/9/2015 04:24 PM, 2015.

17  
18  
19   
20 \_\_\_\_\_  
21 Circuit Court Judge

22 PETITIONER  
23 University of Oregon Foundation  
24 1720 E 13<sup>th</sup> Ave., Suite 410  
25 Eugene, Oregon 97403-1905

26 ATTORNEYS FOR PETITIONER  
Laurie A. Nelson, OSB # 074478  
Gleaves Swearingen LLP  
P.O. Box 1147  
Eugene, Oregon 97440-1147  
(541) 686-8833  
(541) 345-2034 (Fax)  
email: [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

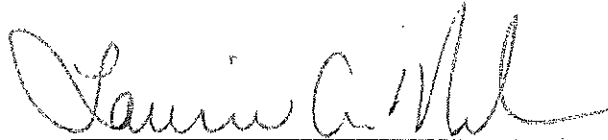
**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **GENERAL JUDGMENT FOR MODIFICATION OF INSTITUTIONAL FUND** on the following persons on April 21, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 21, 2015.

A handwritten signature in black ink, appearing to read "Laurie A. Nelson", written over a horizontal line.

Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

September 14, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

RECEIVED  
SEP 16 2015

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation  
Dow-Kerns Oriental Art Institutional Fund

Dear Doug:

I am pleased to report that Judge Holland signed the General Judgment for Modification of Institutional Fund on September 9, 2015, in the Dow-Kerns Oriental Art Institutional Fund modification case. I am enclosing a conformed copy of that General Judgment for your records.

Very truly yours,

Laurie A. Nelson

LAN:kw  
Enclosures

---

cc: Wendy Laing (w/ encls.)  
Susan Bower (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



March 25, 2015

*Stimulus  
modified  
3-30-15*

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation  
Dow-Kerns Oriental Art Institutional Fund

Dear Susan:

I am enclosing for your review a proposed Agreement Modifying Institutional Fund in the Dow-Kerns Oriental Art Institutional Fund.

As you may be aware, last fall the Oregon State Board of Higher Education transferred management of certain donor gifts benefitting the University of Oregon to the University. The University is, in turn, transferring management to the Foundation where appropriate. The Dow-Kerns fund is one of those transferred funds that are new to the Foundation. The Foundation has reviewed the documents regarding this Fund, and has determined that a modification is necessary because the original purpose has become impossible to achieve.

The original purpose of the gift by Mr. Dow was apparently to benefit the Oriental Warner Wing of the University of Oregon Art Museum, now called the Jordan Schnitzer Museum of Art, in honor of Maude Kerns. However, as you can see from the attached documents, someone had highlighted the purpose language in the original documents, meaning that the language was obscured when the documents were copied or scanned. Internal documents show the purpose, so we have attached those for your information.

The Warner Wing of the Museum was eliminated in the Museum's most recent remodel, and in the view of the Foundation, the closest approximation to Mr. Dow's original intent is to use the funds to acquire more Asian art for display in the Museum. In addition to the purpose change, the funds must be fully expendable to be used in this manner.

We are submitting the Agreement for your signature prior to routing it for other signatures to be sure that we have the AG's consent prior to proceeding. If the Agreement meets with your approval, please sign where indicated and return the three originals to us in the enclosed envelope. Once everyone else has signed, we will send

**RECEIVED**  
**MAR 27 2015**  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

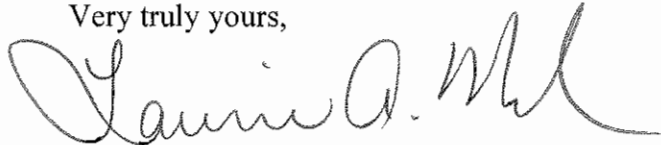


Ms. Susan Bower  
March 25, 2015  
Page - 2

you a fully executed copy for your files. We will then submit the modification paperwork to the Lane County Circuit Court for approval and send you the usual packet of court modification documents.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laurie A. Nelson". The signature is fluid and extends to the right.

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

LAN:gdm  
Enclosures

cc: Hilary Hefferlin (via email w/ encls.)  
Ian Richardson (via email w/ encls.)

## AGREEMENT MODIFYING INSTITUTIONAL FUND

### PARTIES:

University of Oregon Foundation (A.K.A. University of Oregon Development Fund) (the "Foundation")

Jill Hartz, Executive Director, Jordan Schnitzer Museum of Art, University of Oregon

Michael C. Andreasen, Vice President, University Advancement, University of Oregon

### RECITALS:

A. The Parties desire to modify the Dow-Kerns Oriental Art Institutional Fund, established by the Last Will and Testament of Merlin Gordon Dow, Dated September 16, 1985 (the "Institutional Fund"), and managed by the Oregon State Board of Higher Education, Endowment Fund Group, for the benefit of the University of Oregon ("University").

B. Newly enacted ORS 352.025, authorizes public universities to have independent institutional governing boards; and as provided in ORS 352.054, the University's Board of Trustees manages the affairs of the University.

C. In September of 2014, the Oregon State Board of Higher Education transferred responsibility of the management of donor gifts to the University. On behalf of the University, the Foundation shall manage and distribute all of the transferred gifts, according to the institutional funds' agreements ("Transferred Gifts").

D. The University allowed the Foundation to copy records that pertained to the Transferred Gifts.

E. Many of the historical records that established the Transferred Gifts are incomplete despite the Parties' best efforts to locate and decipher them.

F. On October 1, 2014, the University transferred to the Foundation, the moneys that accompanied the Transferred Gifts' agreements.

G. The Institutional Fund is one of the Transferred Gifts. A copy of the documentation is attached hereto as Exhibit A.

H. The Parties desire to modify this particular Institutional Fund Agreement.

I. The Parties and the Oregon Attorney General constitute all persons and entities whose signatures are required for this Agreement to be effective pursuant to ORS Chapter 128.

J. ORS 128.328(3) authorizes a court to modify an impracticable, impossible to achieve or wasteful charitable purpose, if the modification is consistent with the donor's expressed

\_\_\_\_\_  
Jill Hartz  
Executive Director,  
Jordan Schnitzer Museum of Art

\_\_\_\_\_  
Date

University of Oregon Foundation

By: \_\_\_\_\_  
Paul Weinhold  
President/CEO

\_\_\_\_\_  
Date

ORS 128 (and, to the extent applicable, ORS 130) provides that, in certain instances, in order for an agreement modifying charitable funds held in trust subject to the enforcement or supervisory powers of the state or the Attorney General under ORS 128.610 to 128.750 to be effective, the Attorney General for the State of Oregon must consent to the agreement. The Institutional Fund is an agreement that may be subject to that requirement. The Attorney General hereby consents to the foregoing Agreement Modifying Institutional Fund.

ATTORNEY GENERAL

By: Susan A. Bower  
Susan A. Bower, OSB #960960  
Office of the Attorney General  
State of Oregon

3-30-15  
Date



DOW

5589

Exhibit A

ROSE ROSS & DYER  
ATTORNEYS AT LAW  
8981 WILSONS BOULEVARD, SUITE 400  
SANTA MONICA, CALIFORNIA 90408  
(818) 476-0481 / 488-7717

Attorneys for BILLY REDUS, Executor

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

In re the Matter of the Estate of )	Case No. P 703,660
MERLIN GORDON DOW, )	FIRST AND FINAL ACCOUNT AND
aka MERLIN G. DOW, )	REPORT OF EXECUTOR AND
and MERLIN DOW, )	PETITION FOR ITS SETTLEMENT,
Deceased )	ALLOWANCE OF STATUTORY
)	EXECUTOR'S COMMISSIONS AND
)	ATTORNEYS' FEES AND
)	COMPENSATION FOR EXTRAORDINARY
)	SERVICES RENDERED AND
)	FINAL DISTRIBUTION UNDER WILL
)	<u>HEARING</u>
)	Date: June 27, 1986
)	Time: 9:15 a.m.
)	Place: Department II

NOW COMES Billy Redus, as the Executor of the formally executed and attested or witnessed "Last Will and Testament of Merlin Gordon Dow" dated September 16, 1985, and Estate of Merlin Gordon Dow, also known as Merlin G. Dow and Merlin Dow, Deceased, hereinafter referred to as the Petitioner, and presents and renders to the Court his First and Final Account and Report together with his Petition for Its Settlement, Allowance of Statutory Executor's Commissions and Attorneys' Fees and Compensation for Extraordinary Services Rendered and Final Distribution Under Will; and respectfully alleges and shows that:

Exhibit A

1 cent (5%) thereof to Lester and Blanche Stearns, or the survivor  
2 thereof, five percent (5%) thereof to Corrine A. Winter and ten  
3 percent (10%) thereof, each, to Mary Masury, James F. Neel, Helen  
4 Newbury, Edwin Noack, Joan Penfield, Billy Radus, Victor Swine,  
5 Dean Urquhart, [REDACTED]

6 [REDACTED]  
7 13. Beneficiaries, Devisees, Legatees and Heirs-at-Law.

8 The name(s), last known resident address(es), relationship(s) to  
9 the decedent, age(s) or date(s) of birth, and percentage(s) or  
10 value of the respective interest(s) or distributive share(s) of  
11 the decedent's property and/or estate to which each of the benefi-  
12 ciaries, legatees and/or devisees named under the terms, condi-  
13 tions and/or provisions of the decedent's formally executed and  
14 attested or witnessed "Last Will and Testament" dated September  
15 16, 1985, admitted to probate by Order of this Court dated January  
16 2, 1986, on file in these formal probate administration proceed-  
17 ings and incorporated herein by reference, are as follows:

18	<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	<u>DATE OF BIRTH</u>	<u>INTEREST</u>
19	Lester C. Stearns	Uncle		Five percent
20	Blanche Stearns 606 Irving, S.W. Madina, Minnesota 55482	Aunt		(5%)
21	Corrine A. Winter 745 Seventeenth Street	Stranger	January 28, 1904	Five percent
22	Santa Monica, California 90401			(5%)
23	Mary Masury Huntington Shorecliffs 207 Beach Boulevard, Space 86	Stranger	July 2, 1912	Ten percent
24	Huntington Beach, California 92648			(10%)
25	James F. Neel 1822 Courtney Terrace	Stranger	September 1, 1919	Ten percent
26	Los Angeles, California 90045			(10%)
27	Helen Newbury 10800 Nosby Avenue, No. 15	Stranger	October 15, 1920	Ten percent
28	North Hollywood, California 91604			(10%)

1 conditions and/or provisions of the formally executed and attested  
2 or witnessed "Last Will and Testament of Merlin Gordon Dow" dated  
3 September 16, 1985, admitted to probate by Order of this Court  
4 dated January 2, 1986, on file in these formal probate administra-  
5 tion proceedings and incorporated herein by reference, "(A)ll of  
6 (the decedent's) property and estate of whatever kind, nature,  
7 character and/or description, whether real, personal, or mixed,  
8 and wheresoever located and/or situated," to be divided among  
9 those named beneficiaries, devisees and/or legatees, i.e., spe-  
10 cifically, five percent (5%) thereof to Lester and Blanche  
11 Stearns, or the survivor thereof, five percent (5%) thereof to  
12 Corrine A. Winter and [REDACTED], each, to Mary  
13 Masury, James F. Neel, Helen Newbury, Edwin Noack, Joan Penfield,  
14 Billy Redus, Victor Seine, Dean Urquhart, [REDACTED]

15 [REDACTED]  
16 (7) For such other and further order as the Court may  
17 consider proper.

18 DATED: June 6, 86

19  
20 Billy Redus  
21 BILLY REDUS  
22 Petitioner and Executor of the  
23 Estate of Merlin Gordon Dow,  
24 aka Merlin G. Dow,  
25 and Merlin Dow, Deceased

24 ROSS, ROSS & DYER  
25 Attorneys at Law  
26 By: ROBERT A. ROSS  
27 ROBERT A. ROSS  
28 Attorney for Petitioner/Executor

Exhibit A

OREGON STATE BOARD OF HIGHER EDUCATION  
Endowment Fund Group

Donor or Acct. Dow, Merlin Gordon Account # Principal 50-430-1022  
 Ownership No. 589 Account # Assets \_\_\_\_\_  
 Institution University of Oregon Account # Income 50-265-6903

Restrictions, Conditions and General Description:

From the report of executor of the estate of Merlin G. Dow:

"...total value of ... assets ... \$587,488.72...ten percent (10%) thereof to ... the Oriental Warner Wing of the University of Oregon Art Museum (Maude Kerns Memorial Fund)."

Assets Received (Includes cash, non-cash assets, funds held in trust by others)

Date	Description of Assets	No. of Shares	Total Value	Disposal Date	Disposal Amount
11-1-75	Cash		\$5,000		



Signature: \_\_\_\_\_  
Michael Andreasen  
Vice President, University Development  
University of Oregon

\_\_\_\_\_  
Date

Signature: \_\_\_\_\_  
Paul Weinhold  
President/CEO  
University of Oregon Foundation

\_\_\_\_\_  
Date

**Exhibit B**

1  
2  
3  
4 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
5 FOR LANE COUNTY

6 In the Matter of the Dow-Kerns Oriental Art  
7 Institutional Fund

Case No. 145PB01715

8 University of Oregon Foundation,  
9 Petitioner.

ACCEPTANCE OF SERVICE  
(Attorney General)

10 I, Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
11 Enforcement Division, Charitable Activities, do hereby accept personal and legal service of a  
12 true copy of the Petition for Modification of Institutional Fund and Notice of Filing of Petition  
13 for Modification of Institutional Fund filed in the above-entitled matter, certified to be such by  
14 Laurie A. Nelson, lawyer for Petitioner.  
15

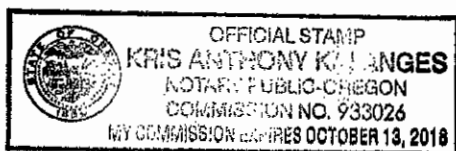
16 DATED this 23<sup>rd</sup> day of April, 2015.

17 Susan A. Bower  
18 SUSAN A. BOWER OSB # 960960  
Assistant Attorney General for the State of Oregon

19 STATE OF OREGON )  
20 ) ss:  
21 County of Multnomah )

22 On this 23 day of April, 2015, the foregoing instrument was personally  
23 acknowledged before me by Susan A. Bower, Assistant Attorney General, State of Oregon.

24 Kris A. Kelanges  
Notary Public for Oregon  
25 My commission expires: 10/13/2018



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5 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
6 FOR LANE COUNTY

7  
8 In the Matter of the Dow-Kerns Oriental Art  
Institutional Fund


Case No. 145PB01715

9  
10 University of Oregon Foundation,  
Petitioner.

CONSENT AND WAIVER  
OF ATTORNEY GENERAL

11 I, Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
12 Enforcement Division, Charitable Activities, have read the Petition for Modification of  
13 Institutional Fund herein. I approve the contents thereof, waive receipt of any required statutory  
14 notice and the right to object to the modification, and consent to the immediate entry of a  
15 judgment as requested in the Petition.  
16

17 DATED this 23rd day of April, 2015.

18  
19   
20 Susan A. Bower OSB# 960960  
Assistant Attorney General for the State of Oregon



GLEAVES  
SWEARINGEN LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

April 21, 2015

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation  
Dow-Kerns Oriental Art Institutional Fund

Dear Doug:

I am enclosing for your review the Petition for Modification of Institutional Fund and accompanying documents in the Dow-Kerns Oriental Art Institutional Fund.

If the documents meet with your approval, please sign the Acceptance of Service and Consent and Waiver where indicated and return them to us in the enclosed envelope. If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosures

cc: Erika Funk (via email w/ encls.)  
Susan Bower (w/ encls.) ✓  
Ian Richardson (via email w/ encls.)

RECEIVED  
APR 23 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147

CERTIFIED TRUE COPY  
*[Handwritten Signature]*

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the Dow-Kerns Oriental Art  
Institutional Fund

Case No. 15 PB01715

University of Oregon Foundation,  
Petitioner.

PETITION FOR MODIFICATION OF  
INSTITUTIONAL FUND  
Fees determined by ORS 21.135(1), (2)(h); ORS  
128.328(3)

UNIVERSITY OF OREGON FOUNDATION, an Oregon nonprofit corporation, by and  
through its President and Chief Executive Officer, Paul Weinhold, petitioner, represents to and  
petitions the court as follows:

1. Attorney General Consent. Notice to the Attorney General's Office with an  
opportunity to be heard is required by ORS 128.328. Petitioner has received the Attorney  
General's consent to the modification (see page 2 of Exhibit 1) and will seek a signed Consent  
for filing in this proceeding.

2. Venue. Venue for this matter lies in Lane County because the institutional  
fund is administered in Lane County, Oregon.

3. Historical Background of Fund. In 1985, the Oregon State Board of  
Education ("Board") received funds from the estate of Merlin G. Dow to support "the Oriental

1 Warner Wing of the University of Oregon Art Museum (Maude Kerns Memorial Fund).” The  
2 University of Oregon Art Museum is now known as the Jordan Schnitzer Museum of Art  
3 (“Museum”). At the time the funds were received by the Board, the practice was to endow gifts  
4 from estates, whether or not the donor expressed that intent in the gift language. (See Exhibits A  
5 and B, attached hereto and incorporated herein).

6 In the fall of 2014, the Board transferred responsibility of managing certain funds,  
7 including the institutional fund herein, to the University of Oregon. The University of Oregon  
8 subsequently delivered the fund to the University of Oregon Foundation (“Foundation”) for  
9 management. (See Exhibit B).

10 4. Reason for Modification. In the last remodel of the Museum, the Warner  
11 Wing of the Museum was eliminated. Thus, the donor’s original charitable purpose is no longer  
12 possible to achieve. The original gift language (to the best of the Foundation’s ability to  
13 determine, based on the documentation received) did not contain donor language expressing an  
14 intent to treat the gift as an endowment.

15 The Foundation wishes to modify the charitable purpose and the endowment restriction.  
16 Consistent with the donor’s original charitable purpose, the Foundation would use the currently-  
17 expendable funds to acquire new Asian art for the Museum. Retaining the endowment  
18 restriction would not generate sufficient funds on an annual basis to make such acquisitions.

19 5. Statutory Basis for Modification (UPMIFA). ORS 128.328(3) authorizes a court  
20 to modify a fund purpose or restriction “in a manner consistent with the charitable purposes  
21 expressed in the gift instrument” if the original charitable purpose is impossible to achieve.

22 ///

24 ///

26 ///

1 WHEREFORE, petitioner prays for a general judgment approving the modification of the  
2 institutional fund as set forth in Exhibit B of Exhibit 1, attached hereto and incorporated herein.

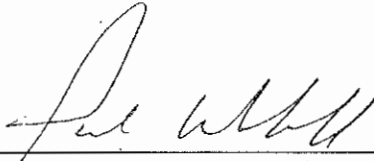
3  
4 Dated this 14<sup>th</sup> day of April, 2015.

5  
6 

7 University of Oregon Foundation  
8 By: Paul Weinhold  
9 President and Chief Executive Officer  
10 Petitioner

11 **I, PAUL WEINHOLD, HEREBY DECLARE THAT THE ABOVE STATEMENT  
12 IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I  
13 UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT  
14 TO PENALTY FOR PERJURY.**

15 Dated: April 14<sup>th</sup>, 2015.

16 

17 University of Oregon Foundation  
18 By: Paul Weinhold  
19 President and Chief Executive Officer  
20 Petitioner

21 PETITIONER  
22 University of Oregon Foundation  
23 1720 E 13<sup>th</sup> Ave., Suite 410  
24 Eugene, OR 97403-1905

25 ATTORNEYS FOR PETITIONER  
26 Laurie A. Nelson, OSB # 074478  
Gleaves Swearingen LLP  
P.O. Box 1147  
Eugene, Oregon 97440-1147  
(541) 686-8833  
(541) 345-2034 (Fax)  
Email: nelson@gleaveslaw.com

## AGREEMENT MODIFYING INSTITUTIONAL FUND

### PARTIES:

University of Oregon Foundation (A.K.A. University of Oregon Development Fund) (the "Foundation")

Jill Hartz, Executive Director, Jordan Schnitzer Museum of Art, University of Oregon

Michael C. Andreasen, Vice President, University Advancement, University of Oregon

### RECITALS:

A. The Parties desire to modify the Dow-Kerns Oriental Art Institutional Fund, established by the Last Will and Testament of Merlin Gordon Dow, Dated September 16, 1985 (the "Institutional Fund"), and managed by the Oregon State Board of Higher Education, Endowment Fund Group, for the benefit of the University of Oregon ("University").

B. Newly enacted ORS 352.025, authorizes public universities to have independent institutional governing boards; and as provided in ORS 352.054, the University's Board of Trustees manages the affairs of the University.

C. In September of 2014, the Oregon State Board of Higher Education transferred responsibility of the management of donor gifts to the University. On behalf of the University, the Foundation shall manage and distribute all of the transferred gifts, according to the institutional funds' agreements ("Transferred Gifts").

D. The University allowed the Foundation to copy records that pertained to the Transferred Gifts.

E. Many of the historical records that established the Transferred Gifts are incomplete despite the Parties' best efforts to locate and decipher them.

F. On October 1, 2014, the University transferred to the Foundation, the moneys that accompanied the Transferred Gifts' agreements.

G. The Institutional Fund is one of the Transferred Gifts. A copy of the documentation is attached hereto as Exhibit A.

H. The Parties desire to modify this particular Institutional Fund Agreement.

I. The Parties and the Oregon Attorney General constitute all persons and entities whose signatures are required for this Agreement to be effective pursuant to ORS Chapter 128.

J. ORS 128.328(3) authorizes a court to modify an impracticable, impossible to achieve or wasteful charitable purpose, if the modification is consistent with the donor's expressed



charitable purposes. The modification in this matter promotes the donor's intent by expanding the purpose to no longer restrict the donation to a particular, non-existent, physical structure, while still focusing use of the funds to the donor's area of charitable interest, oriental art.

**AGREEMENT:**

NOW, THEREFORE, in consideration of the foregoing recitals that are by this reference expressly made a part hereof, and in consideration of the terms hereinafter contained, the Parties agree as follows:

1. Modification of Institutional Fund

On the Effective Date, the Institutional Fund shall be modified as set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

2. Effective Date

This Agreement shall be effective on the date that all Parties and the Oregon Attorney General have each signed this Agreement and, if required by law, this Agreement has been approved by the Circuit Court of the State of Oregon for Lane County.

3. Number, Gender and Captions

As used herein, the singular shall include the plural and the plural the singular, as the context requires. The masculine and neuter shall each include the masculine, feminine and neuter, as the context requires. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Agreement.

4. Original Agreement

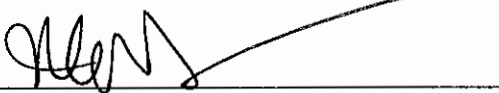
The Institutional Fund, as amended, and each term and provision thereof shall remain in full force and effect, except as herein modified, amended or restated.

5. Entire Agreement

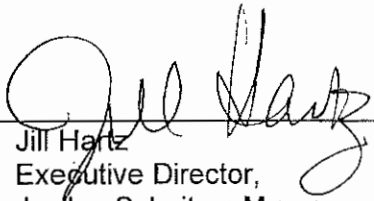
This Agreement and the exhibit hereto constitute the final written expression of all terms of the Institutional Fund and when read together they constitute the complete and exclusive statement of those terms.

IN WITNESS WHEREOF, each of the undersigned has executed this Agreement on the date set opposite their respective signatures below.

University of Oregon

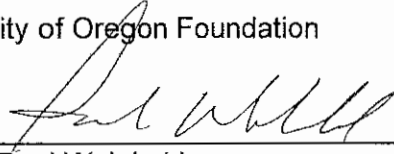
By:   
Michael C. Andreasen  
Vice President, University Advancement

4-8-15  
Date

  
\_\_\_\_\_  
Jill Hartz  
Executive Director,  
Jordan Schnitzer Museum of Art

4-6-15  
Date

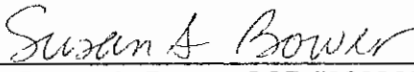
University of Oregon Foundation

By:   
\_\_\_\_\_  
Paul Weinhold  
President/CEO

4/12/2015  
Date

ORS 128 (and, to the extent applicable, ORS 130) provides that, in certain instances, in order for an agreement modifying charitable funds held in trust subject to the enforcement or supervisory powers of the state or the Attorney General under ORS 128.610 to 128.750 to be effective, the Attorney General for the State of Oregon must consent to the agreement. The Institutional Fund is an agreement that may be subject to that requirement. The Attorney General hereby consents to the foregoing Agreement Modifying Institutional Fund.

ATTORNEY GENERAL

By:   
\_\_\_\_\_  
Susan A. Bower, OSB #960960  
Office of the Attorney General  
State of Oregon

3-30-15  
Date

**Note to file:**

In September 2014 the University of Oregon asked the UO Foundation to manage certain private gifts made directly to the University. As part of this, the following records were given for recording with the Foundation, then returned to the University.

For some funds, the University received and expended the funds, so all the Foundation received were the records for archival purposes.

In the case of 120 funds, the Foundation received money October 1, 2014 to manage on behalf of the donors for the benefit of the University.

Every effort has been made to accurately capture as much data as possible. Unfortunately, the quality of some historical records is extremely poor, and for others, the University was only able to supply their documentation, nothing from the donor.

Those responsible for the project:

- Karen Levear, UO
- Erika Funk, UO Foundation
- Jay Namyet, UO Foundation

DOW

5589

Exhibit A

12/06/95

Endowment Summary

Page 32

00

Dow-Kerns Oriental Art

TRUE Endowment Number: 5589

UNITS: 4,684.00 VALUE 6/30/95: 82,637.79

FNS ACCT: 50-436-1022

CHT:

FUND:

ORG:

PRDG:

ACTY:

NOTES: Request to the Oriental Warner wing of the OO Art Museum in honor  
of Maude Kerns

Exhibit A

ROSE ROSS & DYER  
ATTORNEYS AT LAW  
8801 WILSON BOULEVARD, SUITE 400  
SANTA MONICA, CALIFORNIA 90408  
(310) 470-0481 / 688-7717

Attorneys for BILLY REDUS, Executor

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

In re the Matter of the Estate of )	Case No. P 703,660
MERLIN GORDON DOW, )	FIRST AND FINAL ACCOUNT AND
aka MERLIN G. DOW, )	REPORT OF EXECUTOR AND
and MERLIN DOW, )	PETITION FOR ITS SETTLEMENT,
Deceased )	ALLOWANCE OF STATUTORY
)	EXECUTOR'S COMMISSIONS AND
)	ATTORNEYS' FEES AND
)	COMPENSATION FOR EXTRAORDINARY
)	SERVICES RENDERED AND
)	FINAL DISTRIBUTION UNDER WILL
)	<u>HEARING</u>
)	Date: June 27, 1986
)	Time: 9:15 a.m.
)	Place: Department 11

NOW COMES Billy Redus, as the Executor of the formally executed and attested or witnessed "Last Will and Testament of Merlin Gordon Dow" dated September 16, 1985, and Estate of Merlin Gordon Dow, also known as Merlin G. Dow and Merlin Dow, Deceased, hereinafter referred to as the Petitioner, and presents and renders to the Court his First and Final Account and Report together with his Petition for Its Settlement, Allowance of Statutory Executor's Commissions and Attorneys' Fees and Compensation for Extraordinary Services Rendered and Final Distribution Under Will; and respectfully alleges and shows that:

Exhibit A

1 due or payable by the decedent and/or the estate.

2 10. Summary of Account. The Petitioner, as Executor  
3 of the decedent's Will and estate in the above entitled formal  
4 probate administration proceedings, is chargeable with and is en-  
5 titled to the credits set forth in the following Summary of  
6 Account and otherwise shown and itemized in the accompanying at-  
7 tached supporting schedules which are incorporated herein by  
8 reference.

9 SUMMARY OF ACCOUNT

10 CHARGES

11	Amount of "Inventory and Appraisalment"	\$587,486.72
12	Receipts During Accounting Period Other than Principal/Capital Assets (Schedule "A")	14,507.68
13	Other Charges During Accounting Period (Schedule "B")	<u>21,245.26</u>
14	Total Charges	\$623,241.66

15 CREDITS

16	Disbursements During Accounting Period (Schedule "C")	\$ 16,950.94
17	Other Credits During Accounting Period (Schedule "D")	13,179.20
18	Assets and/or Property of the Estate on Hand (Schedule "E")	<u>593,111.52</u>
19	Total Credits	\$623,241.66

20 11. Character of Estate Property. The whole of the  
decedent's estate is the decedent's separate property.

21 12. Disposition by Decedent's Will. According to the  
22 Third paragraph of the terms, conditions and/or provisions of the  
23 formally executed and attested or witnessed "Last Will and Testa-  
24 ment of Merlin Gordon Dow" dated September 16, 1985, the decedent  
25 left all of his "property and estate of whatever kind, nature,  
26 character and/or description, whether real, personal, or mixed,  
27 and wheresoever situated" to be divided among those named benefi-  
28 ciaries, devisees and/or legatees, i.e., specifically, five per-

1 cent (5%) thereof to Lester and Blanche Stearns, or the survivor  
2 thereof, five percent (5%) thereof to Corrine A. Winter and ten  
3 percent (10%) thereof, each, to Mary Masury, James F. Neel, Helen  
4 Newbury, Edwin Noack, Joan Penfield, Billy Redus, Victor Seine,  
5 Dean Urquhart, [REDACTED]

7 13. Beneficiaries, Devisees, Legatees and Heirs-at-Law.

8 The name(s), last known resident address(es), relationship(s) to  
9 the decedent, age(s) or date(s) of birth, and percentage(s) or  
10 value of the respective interest(s) or distributive share(s) of  
11 the decedent's property and/or estate to which each of the benefi-  
12 ciaries, legatees and/or devisees named under the terms, condi-  
13 tions and/or provisions of the decedent's formally executed and  
14 attested or witnessed "Last Will and Testament" dated September  
15 16, 1985, admitted to probate by Order of this Court dated January  
16 2, 1986, on file in these formal probate administration proceed-  
17 ings and incorporated herein by reference, are as follows:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	<u>DATE OF BIRTH</u>	<u>INTEREST</u>
Lester C. Stearns	Uncle		Five percent
Blanche Stearns 506 Irving, S.W. Madina, Minnesota 56482	Aunt		(5%)
Corrine A. Winter 745 Seventeenth Street Santa Monica, California 90401	Stranger	January 28, 1904	Five percent (5%)
Mary Masury Huntington Shorecliffs 207 Beach Boulevard, Space 86 Huntington Beach, California 92648	Stranger	July 2, 1912	Ten percent (10%)
James F. Neel 1822 Courtney Terrace Los Angeles, California 90045	Stranger	September 1, 1919	Ten percent (10%)
Helen Newbury 10800 Hosby Avenue, No. 13 North Hollywood, California 91604	Stranger	October 15, 1920	Ten percent (10%)



1	Edwin Noack 1061 Dalebrook Drive Alexandria, Virginia 22308	Stranger		Ten percent (10%)
2				
3	Joan Penfield 1822 Courtney Terrace Los Angeles, California 90046	Stranger	May 18, 1905	Ten percent (10%)
4				
5	Billy Redus (also known as William R. Redus) 1716 Courtney Avenue Los Angeles, California 90046	Stranger	June 13, 1917	Ten percent (10%)
6				
7	Victor Seife 1824 Courtney Avenue Los Angeles, California 90046	Stranger	June 11, 1910	Ten percent (10%)
8				
9	Dean Urquhart 400 South Hauser Boulevard, No. 12-G Los Angeles, California 90036	Stranger	February 21, 1908	Ten percent (10%)
10	[REDACTED]			
11	[REDACTED]			
12	[REDACTED]			

13           14. Statutory Compensation.

14                   A. Executor's Commissions. The commissions pro-  
15 vided by law under Section 901 of the California Probate Code for  
16 the Petitioner's ordinary services rendered in connection with the  
17 administration of this decedent's estate as the Executor of the  
18 decedent's Will and estate in the sum of Thirteen Thousand Three  
19 Hundred Fifty-One Dollars and Twenty-Four Cents (\$13,351.24),  
20 which has not been paid. The Petitioner should be allowed and  
21 credited with the sum of Thirteen Thousand Three Hundred Fifty-One  
22 Dollars and Twenty-Four Cents (\$13,351.24), in discharge of the  
23 statutory commissions for those ordinary services which he has  
24 rendered in connection with the administration of this decedent's  
25 estate as the Executor of the decedent's Will and estate.

26                   B. Attorney's Fees. Robert A. Ross, Attorney at  
27 Law, of the firm of Ross, Ross & Dyer, Attorneys at Law, has ren-  
28 dered all ordinary legal services to the Petitioner, as the Exe-

1 conditions and/or provisions of the formally executed and attested  
2 or witnessed "Last Will and Testament of Merlin Gordon Dow" dated  
3 September 16, 1985, admitted to probate by Order of this Court  
4 dated January 2, 1986, on file in these formal probate administra-  
5 tion proceedings and incorporated herein by reference, "(All of  
6 [the decedent's] property and estate of whatever kind, nature,  
7 character and/or description, whether real, personal, or mixed,  
8 and wheresoever located and/or situated," to be divided among  
9 those named beneficiaries, devisees and/or legatees, i.e., spe-  
10 cifically, five percent (5%) thereof to Lester and Blanche  
11 Stearns, or the survivor thereof, five percent (5%) thereof to  
12 Corrine A. Winter and [REDACTED], each, to Mary  
13 Masury, James F. Neel, Helen Newbury, Edwin Noack, Joan Penfield,  
14 Billy Redus, Victor Seine, Dean Urquhart, [REDACTED]

15 [REDACTED]  
16 (7) For such other and further order as the Court may  
17 consider proper.

18 DATED: June 6, 86

19  
20 Billy Redus  
21 BILLY REDUS  
22 Petitioner and Executor of the  
23 Estate of Merlin Gordon Dow,  
24 aka Merlin G. Dow,  
25 and Merlin Dow, Deceased

24 ROSS, ROSS & DYER  
25 Attorneys at Law  
26 By: ROBERT A. ROSS  
27 ROBERT A. ROSS  
28 Attorney for Petitioner/Executor

Exhibit A

ATTORNEY OR PARTY WITHOUT ATTORNEY Name and Address <b>ROSS, ROSS &amp; DYER</b> Attorneys at Law 2002 Wilshire Boulevard, Suite 409 Santa Monica, California 90403		TELEPHONE NO (213) 829-7717 870-0451	FOR COURT USE ONLY  50-430-1022 50-265-6903
PROBATE FOR DECEASED: <b>BILLY REDDS, Executor</b>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
STREET ADDRESS: 111 North Hill Street			
MAILING ADDRESS:			
CITY AND ZIP CODE: Los Angeles, California 90012			
BRANCH NAME: (Central District)			
ESTATE OF DECEASED: <b>MERLIN GORDON DOW,</b> aka <b>MERLIN G. DOW,</b> and <b>MERLIN DOW,</b>		DECEDENT	
NOTICE OF HEARING (Probate)		CASE NUMBER P 703,660	

This notice is required by law. This notice does not require you to appear in court, but you may attend the hearing if you wish. If you are a person interested in the estate, you may serve upon the executor or administrator, or upon the attorney for the executor or administrator, and file with the court with proof of service, a written request stating that you desire special notice of the filing of an inventory and appraisal of estate assets or of the petitions or accounts mentioned in sections 1200 and 1200.5 of the California Probate Code.

1. NOTICE is given that named: **BILLY REDDS**

representative capacity, if any: **Executor**

has filed (specify):

"FIRST AND FINAL ACCOUNT AND REPORT OF EXECUTOR AND PETITION FOR ITS SETTLEMENT, ALLOWANCE OF STATUTORY EXECUTOR'S COMMISSIONS AND ATTORNEY'S FEE AND COMPENSATION FOR EXTRAORDINARY SERVICES RENDERED AND FINAL DISTRIBUTION UNDER WILL"

reference to which is made for further particulars.

2. A HEARING on the matter will be held as follows:

Date: June 27, 1986 Time: 9:15 a.m. Dept: 11 Pm:  
 Address of court:  shown above  is:

**ROBERT A. ROSS**  
 (TYPE OR PRINT NAME)

Attorney or Party

**ROBERT A. ROSS**  
 (SIGNATURE)

Date: June 6, 1986

Clerk by \_\_\_\_\_, Dep

3. This notice was mailed on (date): June 6, 1986 at (place): Santa Monica, Calif

(Continued on reverse)

NOTICE OF HEARING  
 (Probate)

Exhibit A

STANDARD

OREGON STATE BOARD OF HIGHER EDUCATION  
Endowment Fund Group

Donor or Acct. Dow, Merlin Gordon Account # Principal 50-430-1022  
 Ownership No. 589 Account # Assets  
 Institution University of Oregon Account # Income 50-265-6903

Restrictions, Conditions and General Description:

From the report of executor of the estate of Merlin G. Dow:

"...total value of ... assets ... \$587,488.72...ten percent (10%) thereof to ... the Oriental Warner Wing of the University of Oregon Art Museum (Hayde Kerns Memorial Fund)."

Assets Received (Includes cash, non-cash assets, funds held in trust by others)

Date	Description of Assets	No. of Shares	Total Value	Disposal Date	Disposal Amount
11-1-75	Cash		\$5000		



UNIVERSITY OF OREGON  
FOUNDATION

### Modification of Fund Agreement

**Dow-Kerns Oriental Art Fund** (Account 31/23-7669)

#### Modification of Investment and Purpose

Whereas in 1985 the Oregon State Board of Higher Education received funds from the estate of Merlin G. Dow to support "the Oriental Warner Wing of the University of Oregon Art Museum (Maude Kerns Memorial Fund)"; and

Whereas in September 2014, due to the restructuring of the administration of the University of Oregon, the Oregon State Board of Higher Education transferred responsibility for administering these funds to the University, which sent the funds to the Foundation to manage on behalf of the donors for the benefit of the University; and

Whereas at the time of original receipt it was the practice of the Oregon State Board of Higher Education to endow estate gifts, whether or not the donor directly specified this desire in their bequest; and

Whereas in the most recent renovation of the Jordan Schnitzer Museum of Art (formerly known as the University of Oregon Art Museum) the Warner wing was eliminated; and

Whereas in order to acquire museum-quality Asian art, the Museum needs access to more funds at one time than the endowment would generate on an annual basis; and

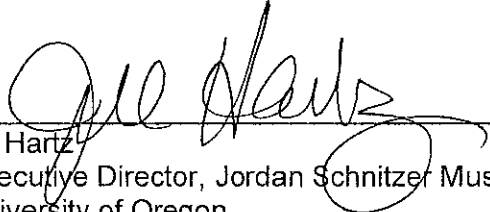
Whereas this makes the original donor intent impractical and impossible to achieve;

Therefore it is the Parties' intent and agreement that the Foundation shall modify the fund:

*To be fully expendable, not endowed;*


and for the purpose to become as follows:

*To support the Jordan Schnitzer Museum of Art, with preference for supporting Asian art.*

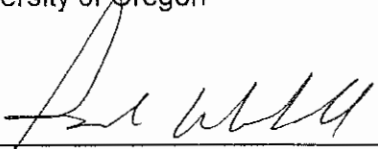
Signature:   
Jill Hartz  
Executive Director, Jordan Schnitzer Museum of Art  
University of Oregon

4-6-15  
Date

**Exhibit B**

Signature:   
Michael Andreasen  
Vice President, University Development  
University of Oregon

4-8-15  
Date

Signature:   
Paul Weinhold  
President/CEO  
University of Oregon Foundation

4/12/2015  
Date

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **PETITION FOR MODIFICATION OF INSTITUTIONAL FUND** on the following persons on April 21, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 20, 2015.

/s/ Laurie A. Nelson  
Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner

CERTIFIED TRUE COPY  
*[Handwritten Signature]*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the Dow-Kerns Oriental Art  
Institutional Fund

Case No. 145PB01715

GENERAL JUDGMENT FOR  
MODIFICATION OF  
INSTITUTIONAL FUND

University of Oregon Foundation,  
Petitioner.

This matter having come before the court on the Petition of Petitioner University of Oregon Foundation, an Oregon nonprofit corporation, by and through its President and Chief Executive Officer, Paul Weinhold, for the modification of the Dow-Kerns Oriental Art Institutional Fund, and it appearing to the court from the records and files herein that:

1.

Service was made and perfected by regular mail to the persons entitled to notice as follows:

Name	Date
Susan A. Bower, Assistant Attorney General, State of Oregon	April 21, 2015
Douglas Y.S. Park, General Counsel, University of Oregon	April 21, 2015

2.

Notice as required by Oregon law has been waived by all persons entitled thereto.

3.

Venue is properly in this court and no other court in this state has acquired jurisdiction in



1 this matter.

2 4.

3 Petitioner has obtained the consent of the Attorney General to the modification as  
4 required by Oregon law. The Consent and Waiver of Assistant Attorney General Susan A.  
5 Bower is filed herewith.

6 5.

7 Petitioner has obtained consent to the modification from Douglas Y.S. Park, General  
8 Counsel for the University of Oregon, beneficiary.

9 6.

10 ORS 128.328(3) authorizes a court to modify a fund purpose or restriction “in a manner  
11 consistent with the charitable purposes expressed in the gift instrument” if the original charitable  
12 purpose is impossible to achieve.

13 NOW, THEREFORE, it is hereby adjudged that a general judgment is entered as follows:

14 The Dow-Kerns Oriental Art Institutional Fund shall be modified as set forth in Exhibit B  
15 of Exhibit 1 attached to the Petition filed herein.

16 DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

17 \_\_\_\_\_  
18 Circuit Court Judge

19 PETITIONER  
20 University of Oregon Foundation  
21 1720 E 13<sup>th</sup> Ave., Suite 410  
22 Eugene, Oregon 97403-1905

23 ATTORNEYS FOR PETITIONER  
24 Laurie A. Nelson, OSB # 074478  
25 Gleaves Swearingen LLP  
26 P.O. Box 1147  
Eugene, Oregon 97440-1147  
(541) 686-8833  
(541) 345-2034 (Fax)  
email: [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

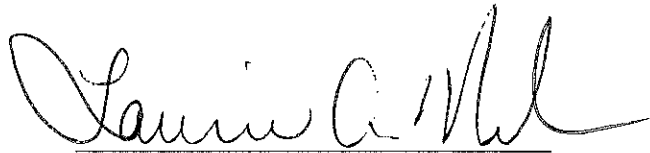
**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **GENERAL JUDGMENT FOR MODIFICATION OF INSTITUTIONAL FUND** on the following persons on April 21, 2015, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: April 21, 2015.

A handwritten signature in black ink, appearing to read "Laurie A. Nelson", written in a cursive style.

Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner

CERTIFIED TRUE COPY  
*[Handwritten Signature]*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LANE

In the Matter of the Dow-Kerns Oriental Art  
Institutional Fund,  
  
University of Oregon Foundation,  
Petitioner.

Case No. 145PB01715

NOTICE OF FILING OF PETITION  
FOR MODIFICATION OF  
INSTITUTIONAL FUND

To: Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil Enforcement Division, Charitable Activities, and Douglas Y.S. Park, General Counsel for the University of Oregon.

You are hereby notified that the attached document was filed by the undersigned in the above entitled court on the 20<sup>th</sup> day of April, 2015. Unless you file objections to the petition within 60 days after that date, the petition will be granted and the resulting judgment will be binding on all persons interested.

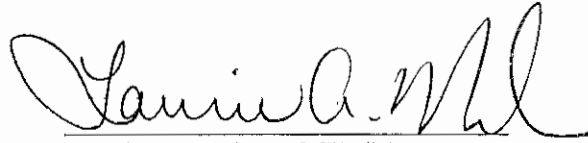
If you file objections within the 60 day period, the court will fix a time and place for a hearing. At least 10 days before the date of that hearing, you must serve a copy of your

///

///

1 objections and give notice of the time and place of the hearing to all persons interested.

2 DATED this 21st day of April, 2015.

3 

4 Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner

5 PETITIONER  
6 University of Oregon Foundation  
7 1720 E 13<sup>th</sup> Ave., Suite 410  
8 Eugene, OR 97403-1905

9 ATTORNEY FOR PETITIONER  
10 Laurie A. Nelson  
11 OSB # 074478  
12 Gleaves Swearingen LLP  
13 975 Oak Street, Suite 800  
14 Eugene, OR 97401  
15 541-345-2034 (fax no.)  
16 [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

CERTIFIED TRUE COPY  
*Jamie A. Miller*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of Dow-Kerns Oriental Art  
Institutional Fund,

Case No. 145PB01715

AFFIDAVIT OF MAILING NOTICE  
OF FILING OF PETITION FOR  
MODIFICATION OF INSTITUTIONAL  
FUND

University of Oregon Foundation,  
Petitioner.

STATE OF OREGON            )  
  ) ss.  
County of Lane                )

I, Laurie A. Nelson, an attorney with the law firm of Gleaves Swearingen LLP, attorneys  
for the Petitioner, being first duly sworn, depose and say:

Notice of Filing of Petition for Modification of Institutional Fund, a copy of which  
Notice is attached hereto, was mailed on April 21, 2015, being not less than 60 days before the  
time fixed for filing objections, to each of the following persons entitled to notice at their last  
known address:

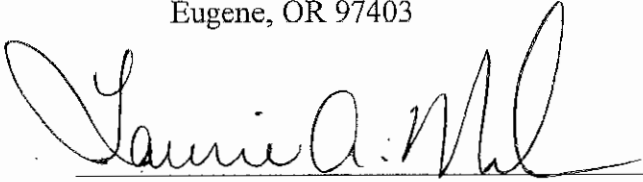
Susan A. Bower  
Assistant Attorney General  
State of Oregon

Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

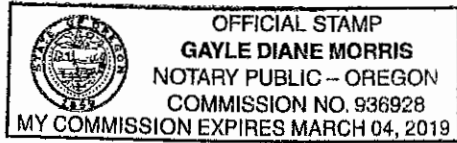
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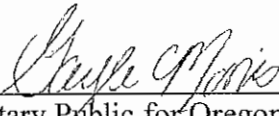
1 Douglas Y.S. Park  
2 General Counsel  
3 University of Oregon

Office of General Counsel  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

4   
5 \_\_\_\_\_  
6 Laurie A. Nelson

7 Subscribed and sworn to before me this 21<sup>st</sup> day of April, 2015.



  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 3/4/19



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the Dow-Kerns Oriental Art  
Institutional Fund

Case No. 145PB01715

ACCEPTANCE OF SERVICE  
(General Counsel)

University of Oregon Foundation,  
Petitioner.

I, Douglas Y.S. Park, General Counsel, University of Oregon, do hereby accept personal and legal service of a true copy of the Petition for Modification of Institutional Fund and Notice of Filing of Petition for Modification of Institutional Fund filed in the above-entitled matter, certified to be such by Laurie A. Nelson, lawyer for Petitioner.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Douglas Y.S. Park, OSB #980904  
General Counsel  
University of Oregon

STATE OF OREGON            )  
  ) ss:  
County of Lane                )

On this \_\_\_\_ day of \_\_\_\_\_, 2015, the foregoing instrument was personally acknowledged before me by Douglas Y.S. Park, General Counsel, University of Oregon.

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

1  
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4  
5 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
6 FOR LANE COUNTY  
7

8 In the Matter of Dow-Kerns Oriental Art  
9 Institutional Fund,  
10 University of Oregon Foundation,  
11 Petitioner.

Case No. 145PB01715

12 CONSENT AND WAIVER  
13 OF GENERAL COUNSEL

14 I, Douglas Y.S. Park, General Counsel, University of Oregon, have read the Petition for  
15 Modification of Institutional Fund herein. I approve the contents thereof, waive receipt of any  
16 required statutory notice and the right to object to the modification, and consent to the immediate  
17 entry of a judgment as requested in the Petition.

18 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

19 \_\_\_\_\_  
20 Douglas Y.S. Park, OSB # 980904  
21 General Counsel  
22 University of Oregon  
23  
24  
25  
26





April 21, 2015

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation  
Dow-Kerns Oriental Art Institutional Fund

Dear Susan:

I am enclosing for your review the Petition for Modification of Institutional Fund and accompanying documents in the Dow-Kerns Oriental Art Institutional Fund.

If the documents meet with your approval, please sign the Acceptance of Service and Consent and Waiver where indicated and return them to us in the enclosed envelope. If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:gdm  
Enclosures

cc: Erika Funk (via email w/ encls.)  
Doug Park (w/ encls.)  
Ian Richardson (via email w/ encls.)

RECEIVED  
APR 23 2015  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

February 29, 2016

RECEIVED

MAR 02 2016

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, Suite 410  
Portland, OR 97201

Re: University of Oregon Foundation  
David N. and Janice E. Rianda Charitable Remainder Unitrust

Dear Susan:

I am pleased to report that Judge Holland signed the General Judgment for Modification of Charitable Remainder Unitrust on February 26, 2016, in the David N. and Janice E. Rianda Charitable Remainder Unitrust modification case. I am enclosing a copy of that General Judgment for your records.

Very truly yours,

Laurie A. Nelson

LAN:kw  
Enclosure

cc: Wendy Laing (w/o encls.)  
Ian T. Richardson(w/o encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**  
PO Box 1147  
EUGENE OREGON 97440-1147

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the David N. and Janice E.  
Rianda Charitable Remainder Unitrust

Case No. 16PB00599

GENERAL JUDGMENT FOR  
MODIFICATION OF CHARITABLE  
REMAINDER UNITRUST

University of Oregon Foundation,  
Petitioner.

This matter having come before the court on the Petition of Petitioner University of Oregon Foundation, an Oregon nonprofit corporation, by and through its President and Chief Executive Officer, Paul Weinhold, for the modification of the David N. and Janice E. Rianda Charitable Remainder Unitrust, and it appearing to the court from the records and files herein that:

1.

Service was made and perfected by regular mail to the persons entitled to notice as follows:

<u>Name</u>	<u>Date</u>
Susan A. Bower, Assistant Attorney General, State of Oregon	February 1, 2016

1 Douglas Y.S. Park, General Counsel, University of Oregon

February 1, 2016

2 David N. Rianda

February 1, 2016

3  
4 2.

5 Notice as required by Oregon law has been waived by all persons entitled  
6 thereto.

7  
8  
9 3.

10 Venue is properly in this court and no other court in this state has acquired  
11 jurisdiction in this matter.

12  
13 4.

14 Petitioner has obtained the consent of the Attorney General to the modification  
15 as required by Oregon law. The Consent and Waiver of Assistant Attorney General  
16 Susan A. Bower is filed herewith.

17  
18  
19 5.

20 Petitioner has obtained consent to the modification from Douglas Y.S. Park,  
21 General Counsel for the University of Oregon, beneficiary, and from David N. Rianda,  
22 surviving Donor.

23  
24  
25 6.

26 Pursuant to ORS 130.210(1)(c), the court may apply cy pres to modify a trust by

1 directing that the trust property be applied or distributed in a manner consistent with the  
2 settlor's charitable purposes, if a particular charitable purpose of a trust becomes  
3 impossible to achieve.

4 NOW, THEREFORE, it is hereby adjudged that a general judgment is entered as  
5 follows:

6 The David N. and Janice E. Rianda Charitable Remainder Unitrust shall be  
7 modified as set forth in the Petition filed herein.  
8  
9  
10

Signed: 2/26/2016 01:38 PM



Lauren S. Holland, Circuit Court Judge

11  
12  
13  
14  
15  
16 PETITIONER  
University of Oregon Foundation  
17 1720 E 13<sup>th</sup> Ave., Suite 410  
Eugene, Oregon 97403-1905

ATTORNEYS FOR PETITIONER  
Laurie A. Nelson, OSB # 074478  
Gleaves Swearingen LLP  
P.O. Box 1147  
Eugene, Oregon 97440-1147  
(541) 686-8833  
(541) 345-2034 (Fax)  
email: [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

**CERTIFICATE OF SERVICE**

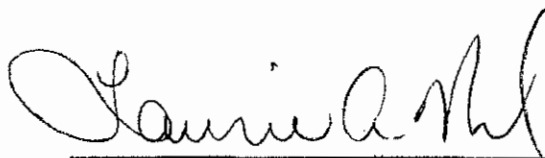
I hereby certify that I served the foregoing General Judgment for Modification of Charitable Remainder Unitrust on the following persons on February 1, 2016, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

David N. Rianda  
c/o Mike Ritchey, Director  
Donor Relations  
University of Oregon  
1720 E. 13<sup>th</sup>, Suite 310  
Eugene, OR 97403-2253

DATED: February 1, 2016.



Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner

1  
2  
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
4 FOR LANE COUNTY  
5

6 In the Matter of the David N. and Janice E.  
7 Rianda Charitable Remainder Unitrust

Case No. 16PB00599

8 ACCEPTANCE OF SERVICE  
9 (Attorney General)

10 University of Oregon Foundation,  
11 Petitioner.

12 I, Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
13 Enforcement Division, Charitable Activities, do hereby accept personal and legal service  
14 of a true copy of the Petition for Modification of Charitable Remainder Unitrust and  
15 Notice of Filing of Petition for Modification of Charitable Remainder Unitrust filed in the  
16 above-entitled matter, certified to be such by Laurie A. Nelson, lawyer for Petitioner.

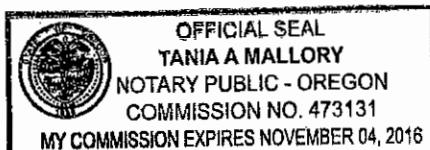
17 DATED this 3rd day of February, 2016.

18 *Susan A. Bower*

19 SUSAN A. BOWER OSB # 960960  
20 Assistant Attorney General for the  
21 State of Oregon

22 STATE OF OREGON )  
23 ) ss:  
24 County of Multnomah )

25 On this 3 day of February, 2016, the foregoing instrument was personally  
26 acknowledged before me by Susan A. Bower, Assistant Attorney General, State of  
Oregon.



27 *Tania A. Mallory*  
28 Notary Public for Oregon  
29 My commission expires: 11-4-16

30 Page 1 - Acceptance of Service  
(Attorney General)

GLEAVES SWEARINGEN LLP  
P. O. Box 1147  
975 Oak Street, Suite 800  
Eugene, OR 97440 • (541) 686-8833

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5 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
6 FOR LANE COUNTY  
7

8 In the Matter of the David N. and Janice E.  
9 Rianda Charitable Remainder Unitrust


Case No. 16PB00599

10 University of Oregon Foundation,  
11 Petitioner.

12 CONSENT AND WAIVER  
13 OF ATTORNEY GENERAL

14 I, Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
15 Enforcement Division, Charitable Activities, have read the Petition for Modification of  
16 Charitable Remainder Unitrust herein. I approve the contents thereof, waive receipt of  
17 any required statutory notice and the right to object to the modification, and consent to  
18 the immediate entry of a judgment as requested in the Petition.

19 DATED this 3rd day of February, 2016.

20   
21 \_\_\_\_\_  
22 Susan A. Bower OSB# 960960  
23 Assistant Attorney General for the  
24 State of Oregon  
25  
26



CERTIFIED A TRUE CO.  
*Laura M.*

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7 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
8 FOR THE COUNTY OF LANE

9 In the Matter of the David N. and Janice E.  
10 Rianda Charitable Remainder Unitrust,  
11 University of Oregon Foundation,  
12 Petitioner.

Case No. 16PB00599

NOTICE OF FILING OF PETITION  
FOR MODIFICATION OF  
CHARITABLE REMAINDER  
UNITRUST

13 To: Susan A. Bower, Assistant Attorney General for the State of Oregon, Civil  
14 Enforcement Division, Charitable Activities, David N. Rianda, Donor, and Douglas Y.S. Park,  
15 General Counsel for the University of Oregon.  
16

17 You are hereby notified that the attached document was filed by the undersigned in the  
18 above entitled court on the 1st day of February, 2016. Unless you file objections to the petition  
19 within 60 days after that date, the petition will be granted and the resulting judgment will be  
20 binding on all persons interested.

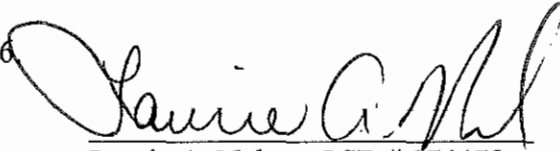
21 If you file objections within the 60 day period, the court will fix a time and place for a  
22 hearing. At least 10 days before the date of that hearing, you must serve a copy of your  
23

24 ///

25  
26 ///

1 objections and give notice of the time and place of the hearing to all persons interested.

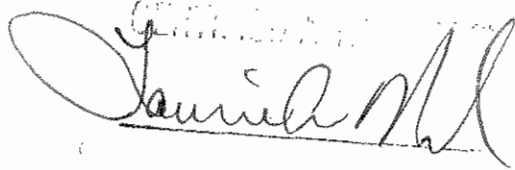
2 DATED this 1st day of February, 2016



3  
4 Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner

5 PETITIONER  
6 University of Oregon Foundation  
7 1720 E 13<sup>th</sup> Ave., Suite 410  
8 Eugene, OR 97403-1905

9 ATTORNEY FOR PETITIONER  
10 Laurie A. Nelson  
11 OSB # 074478  
12 Gleaves Swearingen LLP  
13 975 Oak Street, Suite 800  
14 Eugene, OR 97401  
15 541-345-2034 (fax no.)  
16 [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)



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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the David N. and Janice E.  
Rianda Charitable Remainder Unitrust

Case No. 16 PB00599

University of Oregon Foundation,  
Petitioner.

PETITION FOR MODIFICATION OF  
CHARITABLE REMAINDER  
UNITRUST  
Fees determined by ORS 21.135(1), (2)(h);  
ORS 128.328(3)

UNIVERSITY OF OREGON FOUNDATION, an Oregon nonprofit corporation, by  
and through its President and Chief Executive Officer, Paul Weinhold, petitioner,  
represents to and petitions the court as follows:

1. Attorney General Consent. Consent of the Attorney General's Office to  
modification of a charitable trust is required by ORS 130.040(3) and 130.200. Petitioner  
will seek a signed Consent for filing in this proceeding.

2. Venue. Venue for this matter lies in Lane County because the Charitable  
Remainder Unitrust is administered in Lane County, Oregon.

3. Historical Background of Fund. On September 30, 1997, David N. and  
Janice E. Rianda, as Donors, and University of Oregon Foundation, Trustee, entered  
into the David N. and Janice E. Rianda Charitable Remainder Unitrust (the "CRUT"), a

1 copy of which is attached hereto and incorporated herein as Exhibit A (Donor address  
2 redacted for privacy). The CRUT was funded with assets valued at \$50,000. The  
3 purpose intended for the charitable remainder interest in the CRUT was to create an  
4 endowed professorship as follows:

5  
6 "6.1 Upon the death of the survivor of the Donors, the Trustee shall  
7 distribute the then principal and income of the unitrust, other than any  
8 amount due to the Donors or the survivor of them, to the UNIVERSITY OF  
9 OREGON FOUNDATION to be used for the following purpose: *to*  
10 *establish the David and Janice Rianda Visiting Professional in Ethics*  
11 *Fund for the School of Journalism at the University of Oregon*  
12 pursuant to a separate Endowment Fund Agreement entered into by the  
13 parties contemporaneously with this Agreement."

14 (Emphasis added).

15 On November 21, 2006, Donors elected to renounce a portion of their income  
16 interest in the CRUT. Agreement Renouncing Unitrust Income Interest is attached  
17 hereto and incorporated herein as Exhibit B. Donor Janice E. Rianda later passed  
18 away. Copy of obituary published in The Oregonian, October 31, 2012, is attached  
19 hereto and incorporated herein as Exhibit C. Donor Janice E. Rianda was a graduate of  
20 the University of Oregon with a degree in journalism.

21 4. Reason for Modification. Insufficient funds exist in the CRUT to fulfill the  
22 purpose of creating an endowed professorship, as Donors originally intended.  
23 Therefore, surviving Donor David N. Rianda has requested that the CRUT be modified  
24 to change the purpose of the fund from an endowed professorship to a scholarship fund  
25 for journalism majors, and to support The Janice E. Rianda Award.

26 Surviving Donor has entered into a separate Gift Agreement, independently from  
this proceeding, to create "The Janice E. and David N. Rianda Scholarship (Fund)," a

1 currently expendable scholarship fund in the School of Journalism & Communication,  
2 which includes provision for The Janice E. Rianda Award (as a whole referred to herein  
3 as the "new fund"). Copy of draft Gift Agreement attached hereto and incorporated  
4 herein as Exhibit D (Donor address redacted for privacy).

5 Upon receipt of funds from the CRUT, contingent on receipt of a favorable ruling  
6 from the court in this matter, sufficient funds will exist in the new fund for the new fund  
7 to be converted from a currently expendable fund into an endowed fund. CRUT funds  
8 will not be used in satisfying surviving Donor's separate pledge in the Gift Agreement  
9 (Exhibit D).

10 Therefore, petitioner requests that the CRUT be modified by removing Section  
11 6.1 of the CRUT and replacing it as follows:

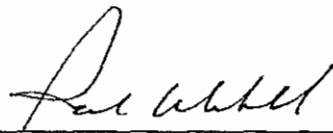
12 "6.1 Upon the death of the survivor of the Donors, the Trustee shall  
13 distribute the then principal and income of the unitrust, other than any  
14 amount due to the Donors or the survivor of them, to the UNIVERSITY OF  
15 OREGON FOUNDATION to be used for the following purpose: to  
16 establish The Janice E. and David N. Rianda Scholarship (Fund) for the  
benefit of the University of Oregon, School of Journalism &  
Communication pursuant to a separate Gift Agreement."

17 5. Statutory Basis for Modification. Pursuant to ORS 130.210(1)(c), the  
18 court may apply cy pres to modify a trust by directing that the trust property be applied  
19 or distributed in a manner consistent with the settlor's charitable purposes, if a particular  
20 charitable purpose of a trust becomes impossible to achieve. Here, the charitable  
21 purpose of creating an endowed professorship is impossible to achieve because the  
22 fund contains insufficient funds to achieve that purpose. Modification is consistent with  
23 surviving Donor's charitable purposes as expressed in the new Gift Agreement, and is  
24 consistent with deceased Donor's charitable purposes in that it retains use of the  
25 charitable gift within the School of Journalism for furtherance of the journalism  
26

1 professional degree program. Additionally, the Donors' names will remain attached to  
2 the new fund, honoring both Donors and especially Donor Janice E. Rianda's  
3 participation in the University's School of Journalism and in the profession as a whole.

4 WHEREFORE, petitioner prays for a general judgment approving the  
5 modification of the Charitable Remainder Unitrust as set forth herein.

6  
7 Dated this 11<sup>th</sup> day of January, 2016.

8  
9 

10 University of Oregon Foundation  
11 By: Paul Weinhold  
12 President and Chief Executive Officer  
13 Petitioner

14 I, PAUL WEINHOLD, HEREBY DECLARE THAT THE ABOVE STATEMENT IS  
15 TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I  
16 UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT  
17 TO PENALTY FOR PERJURY.

18  
19 Dated: January 11<sup>th</sup>, 2016.

20  
21 

22 University of Oregon Foundation  
23 By: Paul Weinhold  
24 President and Chief Executive Officer  
25 Petitioner

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P.O. Box 1147  
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**CHARITABLE REMAINDER UNITRUST****DAVID N. AND JANICE E. RIANDA**

~~AGREEMENT~~ made this 30th day of September, 1997, David N. Rianda and Janice E. Rianda, residing at ~~\_\_\_\_\_~~ (hereinafter called the "Donors"), and the UNIVERSITY OF OREGON FOUNDATION, an Oregon nonprofit corporation, located at Eugene, Oregon, (hereinafter called the "Trustee") for the purpose of creating a charitable remainder unitrust (within the meaning of Rev. Proc. 90-30, 1990-1 C.B. 534, and §664(d)(2)) of the Internal Revenue Code of 1986, as amended (the "Code") for the lifetime benefit of Donors. The trust created by this Agreement shall be known as the "David N. and Janice E. Rianda Charitable Remainder Unitrust."

**SECTION 1. TRANSFER OF PROPERTY.**

The Donors transfer and deliver to the Trustee the property described in the annexed Schedule "A". This property and all receipts of every kind shall be managed and invested by the Trustee as a single fund (hereinafter called the "unitrust").

**SECTION 2. TRUST PAYMENTS.**

During the lifetimes of the Donors, the Trustee shall pay (in cash, in kind or partly in each) to them jointly, and then to the survivor for life, in each taxable year of the unitrust a unitrust amount equal to five percent (5%) of the net fair market value of the trust assets valued as of the first day of each taxable year of the unitrust (decreased as provided in Section 3 in the case where the taxable year is a short taxable year or is the taxable year in which the survivor of the Donors dies and increased as provided in Section 4 in the case where there are additional contributions in the taxable year). The unitrust amount shall be paid at least annually, (with the first installment to be as of the last day of the month of December, 1997) from income and, to the extent income is insufficient, from principal. Any income of the unitrust for a taxable year in excess of the unitrust amount shall be added to principal. Notwithstanding any existing or hereafter enacted state law, no amount other than the unitrust amount may be paid to or for the use of any person other than an organization described in each of §170(b)(1)(A), §170(c), §2055(a) and §2522(a) of the Code. However, an amount shall not be deemed to be paid to or for the use of any person other than an organization described in the aforesaid Code sections if the amount is transferred for full and adequate consideration.

**SECTION 3. TAXABLE YEARS.**

The first taxable year of the unitrust begins with the date of this Agreement and shall end on December 31, 1997. Subsequent taxable years shall be on a calendar year basis. In the case of a taxable year which is for a period of less than 12 months (other than the taxable year in which the survivor of the Donors dies), the unitrust amount which must be distributed under Section 2 shall be such amount multiplied by a fraction the numerator of which is the number of days in the taxable year of the unitrust and the denominator of which is 365 (366 if February 29 is a day included in the numerator). In the case of the taxable year in which the survivor of the Donors dies, the unitrust amount which must be distributed under Section 2 shall be such amount multiplied by a fraction the numerator of which is the number of days in the period beginning on the first day of such taxable year and ending on the date of death of the survivor of the Donors and the denominator of which is 365 (366 if February 29 is a day included in the numerator).

DAVID N. AND JANICE E. RIANDA  
CHARITABLE REMAINDER UNITRUST - 1

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Notwithstanding the foregoing, the obligation of the Trustee to pay the unitrust amount shall terminate with the regular quarterly installment next preceding the death of the survivor of the Donors.

#### SECTION 4. ADDITIONAL CONTRIBUTIONS.

The Donors and others may, from time to time, add property acceptable to the Trustee to the unitrust.

- 4.1 If any additional contributions are made to the unitrust after the initial contribution set forth in Schedule "A," the unitrust amount for the taxable year in which the assets are added to the trust shall be five percent (5%) of the sum of (a) the net fair market value of the trust assets (excluding the assets so added and any income from, or appreciation on, such assets), and (b) that proportion of the value of the assets so added that was excluded under (a) which the number of days in the period which begins with the date of contribution and ends with the earlier of the last day of the taxable year or the death of the survivor of the Donors bears to the number of days in the period which begins on the first day of such taxable year and ends with the earlier of the last day in such taxable year or the death of the survivor of the donors. The assets so added shall be valued at the time of contribution.
- 4.2 If any additional contribution is made by Will, the obligation to pay the unitrust amount with respect to such additional contribution shall commence with the date of death of the person under whose Will the additional contribution is made, but payment of such unitrust amount may be deferred from such date of death to the end of the taxable year of the unitrust in which occurs the complete funding of the additional contribution. Within a reasonable period after such time, the Trustee shall pay, in the case of an underpayment, or shall receive from the Donors or the survivor of them, as the case may be, in the case of an overpayment, the difference between any unitrust amounts actually paid to the Donors, or the survivor of them, as the case may be, plus interest, compounded annually, computed for any period at the rate of interest that the federal income tax regulations (Treasury Regulations) under Section 664 of the Code prescribe for the trust for such computation for such period, and the unitrust amounts payable, determined under the method described in §1.664-1(a)(5)(ii) of the Treasury Regulations. Any payments required to be made because of an underpayment shall be paid to the person (or his/her estate) who received the underpayment. Any repayments required to be made because of an overpayment shall be repaid by the person (or his/her estate) who received the overpayment.

#### SECTION 5. DETERMINATION OF NET FAIR MARKET VALUE.

- 5.1 If the net fair market value of the unitrust assets is incorrectly determined by the Trustee for any taxable year, then within a reasonable period after the final determination of the correct value, the Trustee shall pay to the Donors or the survivor of them in the case of an undervaluation or shall receive from the Donors or the survivor of them in the case of an overvaluation an amount equal to the difference between the unitrust amount properly payable and the unitrust amount actually paid. Any payments required to be made because of an undervaluation shall be paid to the person (or his/her estate) who received the underpayment. Any repayments required to be made because of an overvaluation shall be repaid by the person (or his/her estate) who received the overpayment.

DAVID N. AND JANICE H. RIANDA  
CHARITABLE REMAINDER UNITRUST-2

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- 5.2 In computing the net fair market value of the unitrust assets there shall be taken into account all assets and liabilities without regard to whether particular items are taken into account in determining the income of the unitrust. All determinations of the unitrust's net fair market value shall be in accordance with generally accepted fiduciary accounting principles and any United States Treasury requirements governing charitable remainder unitrusts. In any conflict Treasury requirements shall prevail over generally accepted fiduciary accounting principles and any inconsistent provisions of this Agreement.

**SECTION 6. DISTRIBUTION ON DEATH OF DONOR.**

- 6.1 Upon the death of the survivor of the Donors, the Trustee shall distribute the then principal and income of the unitrust, other than any amount due to the Donors or the survivor of them, to the UNIVERSITY OF OREGON FOUNDATION to be used for the following purpose: ~~to establish the David and Janice Rianda Visiting Professional in Ethics Fund for the School of Journalism at the University of Oregon pursuant to a separate Endowment Fund Agreement entered into by the parties contemporaneously with this Agreement.~~

- 6.2 Notwithstanding any of the foregoing provisions of this Agreement:

6.2.1 David N. Rianda hereby expressly reserves the power, exercisable only by his Will, to revoke and terminate the survivorship payments for Janice E. Rianda from his interest in the joint property in the unitrust. If he effectively exercises his testamentary power:

- (a) Trustee shall upon his death distribute one-half of the then income and principal of the unitrust, other than any amounts due to the Donors, to the UNIVERSITY OF OREGON FOUNDATION for the purposes set forth in Section 6.1;
- (b) Trustee's obligation to make payments to him shall cease with the payment next preceding his death and one-half of any accruals for the period beginning with the payment date next preceding his death and ending with the date of his death shall on his death be paid to the UNIVERSITY OF OREGON FOUNDATION for the purposes set forth in Section 6.1; and
- (c) Trustee shall thereafter pay to Janice E. Rianda for her life the unitrust amounts in each taxable year of the trust described in Section 2.

6.2.2 Janice E. Rianda hereby expressly reserves the power, exercisable only by her Will, to revoke and terminate the survivorship payments for David N. Rianda from her interest in the joint property in the unitrust. If she effectively exercises her testamentary power:

- (a) Trustee shall upon her death distribute one-half of the then income and principal of the unitrust, other than any amounts due to the Donors, to the UNIVERSITY OF OREGON FOUNDATION for the purposes set forth in Section 6.1;

DAVID N. AND JANICE E. RIANDA  
CHARITABLE REMAINDER UNITRUST - 3

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- (b) Trustee's obligation to make payments to her shall cease with the payment next preceding her death and one-half of any accruals for the period beginning with the payment date next preceding her death and ending with the date of her death shall on her death be paid to the UNIVERSITY OF OREGON FOUNDATION for the purposes as set forth in Section 6.1; and
- (c) Trustee shall thereafter pay to David N. Rianda for his life the unitrust amounts in each taxable year of the trust described in Section 2.

6.2.3 In the case of any distributions in kind to the UNIVERSITY OF OREGON FOUNDATION, the adjusted basis of the property distributed shall be fairly representative of the adjusted basis of the property available for distribution on the date of distribution.

- 6.3 If the UNIVERSITY OF OREGON FOUNDATION is not an organization described in each of §170(b)(1)(A), §170(c), §2055(a) and §2522(a) of the Code at the time when any principal or income of the unitrust is to be distributed to it, the Trustee shall distribute such principal or income to one or more organizations then so described as the Trustee shall select in its sole discretion and in such shares as it shall determine.

#### SECTION 7. TRUSTEE'S POWERS.

In addition to the powers conferred upon it by law, the Trustee is authorized to:

- 7.1 Retain the property described in Schedule "A," or may sell the property, invest and reinvest the unitrust in any kind of property, without diversification as to kind or amount and without regard to the limitations imposed by law on investments, except that it may not invest in assets which do not have an objective, ascertainable market value, such as real estate or stock in a closely held corporation. Nothing in this Agreement shall be construed to restrict the Trustee from investing the unitrust assets in a manner which could result in the annual realization of a reasonable amount of income or gain from the sale or disposition of trust assets.
- 7.2 Sell, exchange or otherwise dispose of any unitrust asset at either public or private sale, for cash or on credit; to exchange any such property and to grant options for the purchase thereof without any limitation on the period of any such option.
- 7.3 Consent to and participate in, or to oppose, any foreclosure, liquidation or plan of reorganization, consolidation, merger, combination or other similar plan and to consent to any contract, lease, mortgage, purchase, sale or other action by any other corporation pursuant to such plan.
- 7.4 Deposit any unitrust asset with any protective, reorganizational or similar committee, to delegate discretionary power thereto, to pay part of its expenses and compensation and any assessments levied with respect to such asset.
- 7.5 Exercise all conversion, subscription, voting and other rights of whatsoever nature pertaining to any such unitrust asset and to grant proxies, discretionary or otherwise, with respect thereto.

DAVID N. AND JANICE E. RIANDA  
CHARITABLE REMAINDER UNITRUST - 4

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- 7.6 Extend the time of payment of any obligation held hereunder and to compromise, settle or submit to arbitration or to release any claim in favor of or against any unitrust asset.
- 7.7 Register and hold any unitrust asset in the name of a nominee and the liability of the Trustee shall be neither increased nor decreased thereby.
- 7.8 Contract with independent investment advisors, investment counsel or managers and to pay reasonable and customary fees in connection with any such contract.
- 7.9 For investment purposes, commingle the unitrust assets with the assets of other charitable remainder trusts managed by the Trustee or with the general investment assets of the University of Oregon Foundation.
- 7.10 Do all such acts, take all such proceedings and exercise all such rights and privileges, although not hereinbefore specifically mentioned with respect to any unitrust asset as if the absolute owner thereof and in connection therewith to make, execute and deliver any instruments and to enter into any covenants or agreements binding the unitrust; provided that the Trustee shall take no such action as shall violate the provisions of Code Section 664 and the regulations thereunder.

#### SECTION 8. TRUSTEE COMPENSATION; BOND.

The Trustee shall not receive compensation for services rendered under this Agreement, although a reasonable fee may be charged by and paid to the Trustee or its designee to cover the cost of direct and indirect administrative expenses incurred on behalf of the Unitrust, which fees shall be charged in a manner consistent with the Trustee's policy generally applicable to similar Charitable Remainder Trusts. No bond or other security shall be required of the Trustee in any jurisdiction.

#### SECTION 9. TAX BENEFITS/PROHIBITED TRANSACTIONS.

In creating this unitrust, Donors intend to obtain the full benefit of any income, gift and estate tax charitable contribution deductions to which they (and their estates) may be entitled under the Code and for the unitrust to qualify as a charitable remainder unitrust under Section 664 of the Code and the regulations thereunder. Accordingly, this unitrust shall be interpreted, valued, managed, invested, administered and in all other respects governed consistent with the Donors' intent. Without limiting the generality of the foregoing, the Trustee is prohibited (except for the payment of the unitrust amount to the Donors and the survivor of them) from engaging in any act of self-dealing as defined in §4941(d) of the Code, from retaining any excess business holdings as defined in §4943(c) of the Code which would subject the unitrust to tax under §4943 of the Code, from making any investments which would subject the unitrust to tax under §4944 of the Code, and from making any taxable expenditures as defined in §4945(d) of the Code. If §4942 of the Code is deemed applicable to the unitrust by reason of §508(e) of the Code or otherwise, the Trustee shall make distributions at such time and in such manner as not to subject the unitrust to tax under §4942 of the Code.

#### SECTION 10. MISCELLANEOUS.

- 10.1 No federal estate taxes, state death taxes or any other estate, death or inheritance taxes ("death taxes") with respect to the unitrust shall be allocated to or be recoverable from the unitrust. The Donors impose an obligation on their respective estates to pay any death taxes from sources other than the unitrust and agree to so provide in their respective Wills or in another way. This provision

DAVID N. AND JANICE E. RIANDA  
CHARITABLE REMAINDER UNITRUST-5

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may be enforced by the UNIVERSITY OF OREGON FOUNDATION, in its capacity as trustee or charitable remainderman, or by each Donor, acting alone or together.

- 10.2 Each Donor has provided for the payment of any death taxes from sources other than the unitrust. Nevertheless, if for any reason, the unitrust becomes liable for death taxes on the death of the first of the Donors to die, the interest of the surviving Donor in the one-half interest of the deceased Donor shall take effect only if the surviving Donor furnishes the funds for payment of any death taxes for which the unitrust may be liable. If the survivor fails to furnish those funds, it shall be deemed for all purposes of this Agreement that the first of the Donors to die exercised the right in his or her Will described in Section 6.2.
- 10.3 This Agreement is irrevocable.
- 10.4 The Trustee shall have the power to amend this Agreement for the sole purpose of complying with the requirements of Section 664 of the Code and Treasury Regulation §§1.664-1 and 1.664-3.
- 10.5 This Agreement is made pursuant to, and shall be interpreted in accordance with, the laws of the State of Oregon. However, in any conflict with Section 664 of the Code, the regulations thereunder or any other existing or hereafter promulgated legislative or Treasury requirements for the qualification of the unitrust and for the Donors obtaining the full benefit of any income, gift and estate tax charitable deductions to which they (and their respective estates) may be entitled, Section 664 of the Code, the regulations thereunder and the legislative and Treasury requirements shall govern.
- 10.6 The section headings in this Agreement are included herein for convenience of reference only and shall not constitute part of this Agreement for any other purpose.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date first above written.

UNIVERSITY OF OREGON FOUNDATION,  
an Oregon nonprofit corporation

By: *John Fisher*  
Title: Executive Director

TRUSTEE

*David N. Rianda*  
David N. Rianda

*Janice E. Rianda*  
Janice E. Rianda

DONORS

DAVID N. AND JANICE E. RIANDA  
CHARITABLE REMAINDER UNITRUST - 6

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SCHEDULE "A"

CHARITABLE REMAINDER UNTRUST  
DAVID N. AND JANICE E. RIANDA

179 shares Wells Fargo valued at \$49,717.25

Cash (Check #0112) in the amount of 282.75  
\$50,000.00

DAVID N. AND JANICE E. RIANDA  
CHARITABLE REMAINDER UNTRUST - 7

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**AGREEMENT RENOUNCING UNITRUST INCOME INTEREST**

**AMONG:**                    DAVID N. RIANDA AND JANICE E. RIANDA ("Donors")

**AND:**                        UNIVERSITY OF OREGON FOUNDATION, an Oregon nonprofit corporation ("Trustee")

**EFFECTIVE DATE:**      November 21, 2006.

**RECITALS:**

- A. By Charitable Remainder Unitrust Agreement dated September 30, 1997 between Donors and Trustee ("Unitrust Agreement"), Donors created a charitable remainder unitrust ("Unitrust"), under the terms and provisions of which they retained for themselves the right to payment of the unitrust amount to them jointly and then to the survivor for life and, upon the death of the survivor of the Donors, the then trust assets of the Unitrust were to be paid to the University of Oregon Foundation, ("Charitable Beneficiary") for certain charitable purposes ("Designated Purposes").
- B. As of the Effective Date of this Agreement, Donors desire, for no consideration, to irrevocably terminate their rights to receive payments of any further Unitrust amounts from an amount equal to 1.5% of the value of the Unitrust's assets, and by doing so accelerate the remainder interest of the Charitable Beneficiary as to 1.5% of the Unitrust assets and make an immediate gift of such assets to the Charitable Beneficiary.
- C. The Donors, the Trustee and the Charitable Beneficiary desire to confirm the merger and termination of the Unitrust as to the 1.5% undivided interest, so that the 1.5% of the Unitrust assets will be distributed to the Charitable Beneficiary, to be used for the Designated Purposes.

**AGREEMENT:**

NOW THEREFORE, in consideration of the foregoing recitals, which are by reference incorporated herein, and the terms, covenants and conditions hereinafter set forth the parties hereto agree as follows:

1. Donors hereby irrevocably renounce any and all rights to receive payments of any further unitrust amounts from an amount equal to 1.5% of the value of the Unitrust's assets as of the Effective Date and do hereby assign, transfer and make an immediate gift of an amount equal to 1.5% of the value of the Unitrust's assets for the Designated Purposes. It is the intention of Donors that, by reason of this assignment and gift, each shall have no further right, title, or interest in 1.5% of the value of the Unitrust's assets.

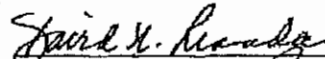
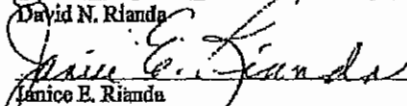
DAVID N. AND JANICE E. RIANDA  
AGREEMENT RENOUNCING UNITRUST INCOME INTEREST - 1

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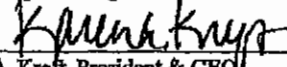
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2. The parties agree to and acknowledge the merger and termination of a 1.5% undivided interest in the Unitrust, and the immediate distribution from the Unitrust to the Charitable Beneficiary of 1.5% of the Unitrust's assets, such assets to be used for the Designated Purposes.

3. The parties agree that the Unitrust amount payable under the terms of the Unitrust Agreement to the Donors for the year 2006 shall be adjusted to reflect the distribution to the Charitable Beneficiary by utilizing a methodology similar to that required for additional contributions as set forth in Internal Revenue Code Regulation Section 1.664-3(b).

  
David N. Rianda  
  
Janice E. Rianda  
"Donor"

UNIVERSITY OF OREGON FOUNDATION,  
an Oregon nonprofit corporation

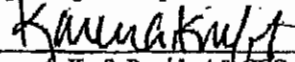
By:   
Karen A. Krefl, President & CEO  
"Trustee"

ACCEPTANCE

UNIVERSITY OF OREGON FOUNDATION, an Oregon nonprofit corporation, as the Charitable Beneficiary referenced above, hereby acknowledges receipt of and accepts the foregoing gift and assignment.

DATED the 21 day of November, 2006.

UNIVERSITY OF OREGON FOUNDATION,  
an Oregon nonprofit corporation

By:   
Karen A. Krefl, President & CEO

DAVID N. AND JANICE E. RIANDA  
AGREEMENT RENOUNCING UNITRUST INCOME INTEREST - 2

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Janice Evelyn Rianda 238266



Rianda, Janice Evelyn 73 Sept. 30, 1939 Oct. 27, 2012 Janice Evelyn Rianda, 73, entered into God's hands on Saturday, Oct. 27, 2012 following a brief illness. Born on Sept. 30, 1939, in Tillamook, Jan was the second daughter of Walt and Ruth Kautto. Following graduation from Tillamook High School (where she was named outstanding thespian, newspaper editor and honor student) in 1957, she entered the University of Oregon and graduated in 1961 with a degree in Journalism. She was a member of Delta Zeta sorority and the U of O women's journalism honorary and served on the staff of the U of O's Emerald (student newspaper). She was a life member of the University of Oregon Alumni Association, and with her husband, established the David and Janice Rianda Visiting Professional in Ethics Fund and were members of the U of O Presidents' Associates. Jan's exceptional skills in writing, editing and public relations were greatly appreciated and supported by a number of nonprofit organizations including University of Oregon News Bureau (senior staff writer), University of Wisconsin, Milwaukee, News Bureau and locally with Tolstoy Foundation (refugee resettlement), YMCA Portland corporate office (marketing and communications), Nickelsen Clark Advertising (public relations), Dental Aid for Children in Washington County (public relations and fundraising) and Volunteer Works (recruitment coordinator and PR specialist). She served as a columnist for the Woodstock Independent News and was a respected freelance writer and editor. Her writing interests were rivaled by her voracious appetite for reading, her keen interest in politics, ethics in journalism and the media, as well as her love of singing. For more than 25 years, she was an active member of a reading group, The Coven, and the vocal group, The Noteables. Jan also served in key volunteer leadership positions with community organizations including OASIS (board chair), Young Audiences (president), Women in Communications (vice president) and St. Rose of Lima Choir (soprano) among others. Surviving is her husband of 49 years, David Rianda; two children, son, Christopher Rianda (Heidi) and daughter, Jill Rianda; and two much loved grandchildren, Luca and Lili Rianda; Jan's siblings include Pat Andersen (Bob), John Kautto (Judy), Carla Kelly, Christie Gelfe and Paige McMillen (Gary); and her brother-in-law, Leland Rianda (Nancy); she also leaves 14 nieces and nephews, their spouses and children. Funeral mass will be held at 11 a.m. Friday, Nov. 2, at St. Rose of Lima Catholic Church, 2727 NE 54th Ave., Portland. Visitation will be Thursday, Nov. 1, from 3 to 7 p.m. at the Rose City Mortuary, 5625 N.E. Fremont St., Portland. Interment will be with immediate family members at the Mortuary. Gifts in her memory may be made to organizations of the donors' choice.

Published in The Oregonian on October 31, 2012

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## Gift Agreement

### The Janice E. and David N. Rianda Scholarship

I, David Rianda (Donor), promise to make a gift in the amount of \$11,000 to the University of Oregon Foundation, to establish **The Janice E. and David N. Rianda Scholarship (Fund)** as a currently spendable, not endowed fund for the benefit of the University of Oregon, School of Journalism & Communication.

This gift will be fulfilled in annual installments of \$2,200 each. I will make the first payment on or before December 31, 2015. Additional payments will be made by December 31 of each succeeding year, with the final payment made in 2019.

The University of Oregon Foundation (Foundation) also anticipates receiving trust contributions with the intent of endowing the Fund. At the time of completed estate distribution and upon receipt of trust funds, the Foundation shall convert the Fund to a permanent endowment, to be named **The Janice E. and David N. Rianda Endowed Scholarship**. The Foundation may appropriate for expenditure or accumulate so much of the Fund as it determines is prudent for the uses, benefits, and purposes for which the Fund is established. The Fund shall be used for the purposes set forth in this agreement.

#### Fund Purpose

To provide scholarship support for undergraduate students at the School of Journalism & Communication.

The award recipient(s) shall be selected based on the following criteria:

- Students with senior standing, majoring in Journalism
- Minimum 3.25 GPA
- Preference for students with an interest in news editorial journalism
- Oregon resident
- In the interest of promoting a diverse student body, it is the donors' request that the University give special consideration to females. The award is not restricted by age, gender, race, national origin or ethnicity and each applicant shall be evaluated as an individual.

In addition, the Fund will support *The Janice E. Rianda Award*, which will be given at the Kappa Tau Alpha (KTA) Awards ceremony in June. The donor prefers that no more than 20% of the annual available funds be used for the award.

#### Foundation Administrative Provisions

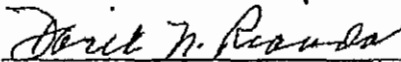
1. The selection of the award recipient(s) shall be the responsibility of a Committee appointed by the designee of the President of the University. The current designee is the Dean of the School of Journalism.
2. The Foundation will assess a one-time fee of 5% on this gift, or each payment thereon, to be used for fundraising and administrative purposes. All additional gifts to the Fund may be assessed a one-time fee in accordance with approved Foundation policy as in effect at the time of the gift. The fee is included in the total amount of the gift, unless separately stated above.
3. A reasonable fee, currently 1.5%, may be assessed annually on endowed funds to cover the costs of fundraising and administration of the Fund.
4. Any distributions of endowed funds, not expended in a given year may be reinvested in the Fund, as determined by the Foundation.

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5. For investment purposes, all or any part of an endowed Fund may be merged with the other investment assets of the Foundation and invested at the discretion of the Board of Trustees of the Foundation. All or any part of an expendable fund may be merged with the other expendable investment assets of the Foundation and invested at the discretion of the Board of Trustees of the Foundation.
6. Additions to the Fund in the form of assets acceptable to the Foundation may be made at any time by any persons and shall thereafter be subject in all respects to the terms, provisions, and conditions of this Agreement.
7. If as determined by the President of the University of Oregon or the President's designee, a change of circumstances should render the designated purpose of the Fund unlawful or no longer practical or reasonably achievable or beneficial to the University of Oregon, then the Foundation and the University, after consulting with the living donors, if any, may use the remaining balance of the Fund as they may deem prudent to further the objectives and purposes of the University, giving due consideration to the retention of the Fund name and the purpose of the Fund expressed above. The Fund shall be managed in accordance with applicable laws of the State of Oregon.
8. The Fund shall be managed in accordance with applicable laws of the State of Oregon. All expenditures from the Fund must be in accordance with all University policies and procedures.
9. This Agreement signed by all parties constitutes the final written expression of all the terms of this Agreement and is a complete and exclusive statement of those terms. Any and all representations, promises, warranties or statements by any agent of the Donors, the University or the Foundation that differ in any way from the terms of this Agreement shall be given no force or effect.

In witness whereof, the parties to this Agreement have subscribed their names hereto:

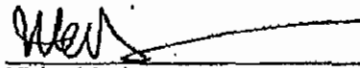
3/19/15  
DATE

  
\_\_\_\_\_  
David N. Rianda  
[REDACTED]

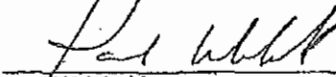
4/2/15  
DATE

  
\_\_\_\_\_  
Julianne H. Newton  
Interim Edwin L. Artzt Dean  
School of Journalism & Communication  
University of Oregon

4-6-15  
DATE

  
\_\_\_\_\_  
Michael Andreasen  
Vice President, University Advancement  
University of Oregon

4/12/2015  
DATE

  
\_\_\_\_\_  
Paul Weinhold  
President/CEO  
University of Oregon Foundation

Please make checks payable to the University of Oregon Foundation,  
or pay online at <http://support.uofoundation.org>. Thank you!

VERIFIED A TRUE COPY  
*Janice E. Rianda*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR LANE COUNTY

In the Matter of the David N. and Janice E.  
Rianda Charitable Remainder Unitrust

Case No. 16PB00599

GENERAL JUDGMENT FOR  
MODIFICATION OF CHARITABLE  
REMAINDER UNITRUST

University of Oregon Foundation,  
Petitioner.

This matter having come before the court on the Petition of Petitioner University of Oregon Foundation, an Oregon nonprofit corporation, by and through its President and Chief Executive Officer, Paul Weinhold, for the modification of the David N. and Janice E. Rianda Charitable Remainder Unitrust, and it appearing to the court from the records and files herein that:

1.

Service was made and perfected by regular mail to the persons entitled to notice as follows:

Name	Date
Susan A. Bower, Assistant Attorney General, State of Oregon	February 1, 2016

1 Douglas Y.S. Park, General Counsel, University of Oregon

February 1, 2016

2 David N. Rianda

February 1, 2016

3  
4 2.

5 Notice as required by Oregon law has been waived by all persons entitled  
6 thereto.

7  
8  
9 3.

10 Venue is properly in this court and no other court in this state has acquired  
11 jurisdiction in this matter.

12  
13 4.

14 Petitioner has obtained the consent of the Attorney General to the modification  
15 as required by Oregon law. The Consent and Waiver of Assistant Attorney General  
16 Susan A. Bower is filed herewith.

17  
18  
19 5.

20 Petitioner has obtained consent to the modification from Douglas Y.S. Park,  
21 General Counsel for the University of Oregon, beneficiary, and from David N. Rianda,  
22 surviving Donor.

23  
24  
25 6.

26 Pursuant to ORS 130.210(1)(c), the court may apply cy pres to modify a trust by

1 directing that the trust property be applied or distributed in a manner consistent with the  
2 settlor's charitable purposes, if a particular charitable purpose of a trust becomes  
3 impossible to achieve.

4 NOW, THEREFORE, it is hereby adjudged that a general judgment is entered as  
5 follows:

6 The David N. and Janice E. Rianda Charitable Remainder Unitrust shall be  
7 modified as set forth in the Petition filed herein.  
8  
9  
10  
11  
12

13  
14  
15  
16 PETITIONER  
University of Oregon Foundation  
17 1720 E 13<sup>th</sup> Ave., Suite 410  
Eugene, Oregon 97403-1905

18 ATTORNEYS FOR PETITIONER  
Laurie A. Nelson, OSB # 074478  
Gleaves Swearingen LLP  
P.O. Box 1147  
Eugene, Oregon 97440-1147  
19 (541) 686-8833  
(541) 345-2034 (Fax)  
20 email: [nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

## CERTIFICATE OF SERVICE

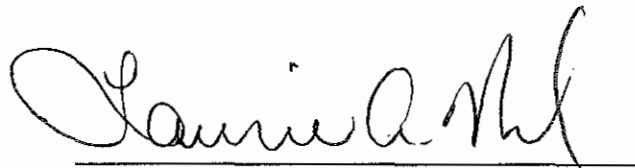
I hereby certify that I served the foregoing General Judgment for Modification of Charitable Remainder Unitrust on the following persons on February 1, 2016, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the address noted below:

Douglas Y.S. Park  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

David N. Rianda  
c/o Mike Ritchey, Director  
Donor Relations  
University of Oregon  
1720 E. 13<sup>th</sup>, Suite 310  
Eugene, OR 97403-2253

DATED: February 1, 2016.



Laurie A. Nelson OSB # 074478  
Of Attorneys for Petitioner



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

February 1, 2016

Mr. David N. Rianda  
c/o Mike Ritchey  
Director of Development  
UO Donor Relations  
1720 E. 13<sup>th</sup>, Suite 310  
Eugene, OR 97403-2253

Re: Modification of the David N. and Janice E. Rianda Charitable Remainder Unitrust

Dear Mr. Rianda:

We understand that you have requested a modification to the charitable purpose of the David N. and Janice E. Rianda Charitable Remainder Unitrust (the "CRUT"). Modification, in coordination with the more recent Gift Agreement, is intended to convert the CRUT's purpose from support of a visiting journalism professional to scholarship support for certain journalism majors, as described in the Gift Agreement, and to support the Janice E. Rianda award.

Oregon law requires this modification of a charitable trust to be approved by the Lane County Circuit Court. Therefore, we have filed on behalf of the University of Oregon Foundation the enclosed Petition for Modification of Charitable Remainder Unitrust.

As a donor (sometimes referred to as "settlor"), you are entitled to notice and an opportunity to object to the Petition for Modification of Charitable Remainder Unitrust. For that reason, we have enclosed for you certified true copies of the Petition for Modification of Charitable Remainder Unitrust, the Notice of Petition for Modification of Charitable Remainder Unitrust, and the proposed General Judgment Modifying Charitable Remainder Unitrust.

We would very much appreciate your reviewing these documents and signing the enclosed acceptance of service and consent and waiver if you approve of the documents. We have enclosed a return envelope for your convenience.

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

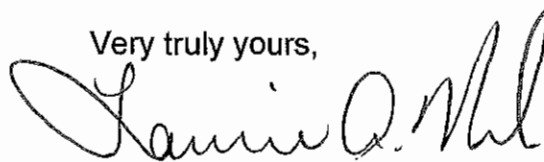
MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147

Mr. David N. Rianda  
February 1, 2016  
Page - 2

Please do not hesitate to call if you should have any questions about this matter. We are not permitted, however, to give you legal advice about this matter since we represent the University of Oregon Foundation. If you would prefer that we speak with your attorney about this matter, we would be pleased to do so.

Best regards.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laurie A. Nelson".

Laurie A. Nelson

LAN:kw  
Enclosure

cc: Susan Bower (w/o encls.) ✓  
Doug Park (w/o encls.)  
Wendy Laing (w/o encls.)  
Ian T. Richardson(w/o encls.)





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SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

February 1, 2016

Douglas Y.S. Park  
General Counsel's Office  
221 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation  
David N. and Janice E. Rianda Charitable Remainder Unitrust

Dear Doug:

I am enclosing for your review the Petition for Modification of Charitable Remainder Unitrust and accompanying documents in the David N. and Janice E. Rianda Charitable Remainder Unitrust.

If the documents meet with your approval, please sign the Acceptance of Service and Consent and Waiver where indicated and return them to us in the enclosed envelope. If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kw

Enclosures

cc: Wendy Laing (w/ encls.)  
Susan Bower (w/ encls.)  
Ian T. Richardson (via email w/ encls.)

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EUGENE OREGON 97401-3156

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PO Box 1147  
EUGENE OREGON 97440-1147



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

February 1, 2016

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation  
David N. and Janice E. Rianda Charitable Remainder Unitrust

Dear Susan:

I am enclosing for your review the Petition for Modification of Charitable Remainder Unitrust and accompanying documents in the David N. and Janice E. Rianda Charitable Remainder Unitrust.

If the documents meet with your approval, please sign the Acceptance of Service and Consent and Waiver where indicated and return them to us in the enclosed envelope. If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kw  
Enclosures

cc: Wendy Laing (w/ encls.)  
Doug Park (w/ encls.)  
Ian T. Richardson(via email w/ encls.)

RECEIVED

FEB 03 2016

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



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ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

RECEIVED

NOV 01 2017

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The Harry J. Allen Memorial Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Harry J. Allen Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Sarah Nutter (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



October 30, 2017

Sarah Nutter, Dean  
Lundquist College of Business  
University of Oregon  
1208 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Harry J. Allen Memorial Scholarship Fund

Dear Dr. Nutter:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Harry J. Allen Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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EUGENE OREGON 97440-1147



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SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Harry J. Allen Memorial Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Harry J. Allen Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Sarah Nutter (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Harry J. Allen Memorial Scholarship Fund

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Harry J. Allen Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Sarah Nutter (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

CONFIRMED TRUE COPY  
*Gaurel M. Hill*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In June, 1994, the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established The Harry J. Allen Memorial Scholarship Fund (the "Fund Agreement") at the request of the University College of Business Administration and the Allen family.
- B. Gifts were accumulated from friends and family.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated use to provide a scholarship(s) for full-time upper division undergraduate students enrolled in the College of Business Administration.

The spendable cash available as of June 30, 2017 is \$386.44. The Fund's endowment as of June 30, 2017 is \$22,714.30. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Sarah Nutter  
Dean  
Lundquist College of Business  
University of Oregon  
1208 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

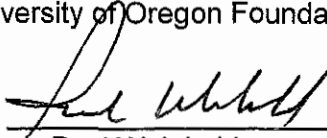
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By: \_\_\_\_\_

  
Paul Weinhold  
President/CEO

\_\_\_\_\_  
Date

10/3/2017



**UNIVERSITY OF OREGON FOUNDATION****Endowment Fund Agreement****The Harry J. Allen Memorial Scholarship Fund**

Whereas the University of Oregon Foundation has received contributions, given with the intent of establishing an endowment to provide support for scholarships for students enrolled in the College of Business Administration who show scholastic excellence and seriousness of purpose at the University of Oregon (the University)

**Therefore**

The University of Oregon Foundation (the Foundation) shall establish the Harry J. Allen Memorial Scholarship Fund (the Fund), as a permanent endowment, the net income and so much of the appreciation of the Fund as the Foundation may deem prudent, shall be utilized annually for the purposes set forth in this agreement:

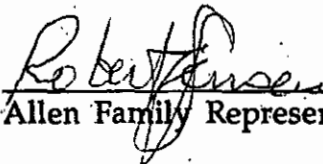
1. The Fund shall be utilized to provide a scholarship(s) for full-time upper division undergraduate students enrolled in the College of Business Administration, at the University of Oregon.
2. The scholarship shall be awarded on the basis of scholastic excellence and seriousness of purpose.
3. Selection of the recipient(s) who have proven interest and ability shall be the responsibility of the scholarship committee of the College of Business Administration.
4. Any income not utilized in a given year may be either retained for expenditure in a future year or added to the principal of the Fund, as determined by the Foundation, after consultation with the Dean of the College of Business Administration, to be in the best interest of the fund. For its services in holding and managing the Fund, a reasonable fee may be charged by and paid to the Foundation to cover the cost of administrative expenses incurred on behalf of this endowment fund.

5. For investment purposes, all or any part of the Fund may be merged with the general investment assets of the Foundation. Initial investment shall be in the Willamette Endowment Pool.
6. Additions to the Fund in the form of property acceptable to the Foundation may be made at any time, and shall thereafter be subject in all respects to the terms, provisions and conditions of this agreement.
7. The endowment fund hereby created shall be and is expressly declared to be perpetual. However, if at some future time a change of circumstances should render the designated purpose of the Fund no longer practical, then, and only then, the Board of Trustees of the Foundation in agreement with the Dean of the College of Business Administration shall use the total net income, and so much of the appreciation of the Fund as it may deem prudent, but not the principal, to further the objectives and purposes of the University of Oregon with retention of the named fund and giving due consideration to the special interests expressed above.


IN WITNESS WHERE OF, the parties to this agreement have subscribed their names hereto:

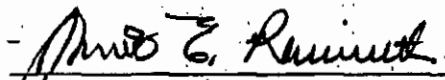
DATED THIS 6<sup>TH</sup> DAY OF  
MAY 1994

APPROVED THIS 28<sup>th</sup> DAY OF  
June 1994

  
Allen Family Representative

BY:

  
Paul Eberle  
Executive Director  
University of Oregon Foundation

  
James E. Reinmuth, Dean  
College of Business Administration  
University of Oregon

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Sarah Nutter, Dean  
Lundquist College of Business  
University of Oregon  
1208 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 01 2017**

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
G. S. Douglas Endowed Scholarship

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the G. S. Douglas Endowed Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Rob Mullens (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Rob Mullens, Director  
Intercollegiate Athletics  
University of Oregon Athletics Dept.  
2727 Leo Harris Parkway  
Eugene, OR 97401

Re: University of Oregon Foundation Termination of Institutional Fund  
G. S. Douglas Endowed Scholarship

Dear Mr. Mullens:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for G. S. Douglas Endowed Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
G. S. Douglas Endowed Scholarship

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the G. S. Douglas Endowed Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Rob Mullens (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
G. S. Douglas Endowed Scholarship

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for G. S. Douglas Endowed Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Rob Mullens (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

EXHIBIT TRUE COPY  
*James A. Nelson*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In October 1995, the Estate of George Stewart Douglas as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established the G.S. Douglas Endowed Scholarship (the "Fund Agreement").
- B. The original Fund Agreement, a copy of which is attached hereto, contemplated use for a women's soccer scholarship.

The spendable cash available as of June 30, 2017 is \$368.11. The Fund's endowment as of June 30, 2017 is \$18,973.20. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- C. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- D. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Rob Mullens  
Director  
Intercollegiate Athletics  
University of Oregon Athletics Department  
2727 Leo Harris Parkway  
Eugene, OR 97401

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice

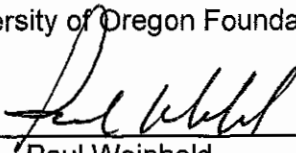


1515 SW 5th Avenue Suite 410  
Portland, OR 97201

E. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2017  
Date

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

Estate of: )  
 )  
 GEORGE STUART DOUGLAS, )  
 )  
 Deceased. )

Probate No. 94-4-01331-6

RECEIPT OF SPECIFIC BEQUEST

The undersigned hereby acknowledges receipt of \$10,000 from the Executor of the Estate of George Stuart Douglas, in payment of the specific bequest to which University of Oregon Foundation is entitled under the decedent's will.

DATE: 11-7-95

University of Oregon Foundation

By: David Westcott

Title: acting executive director

October 22, 1995

University of Oregon  
Attn: Herb Yamanaka/Associate Director  
Len Casanova Athletic Center  
2727 Leo Harris Parkway  
Eugene, OR 97401

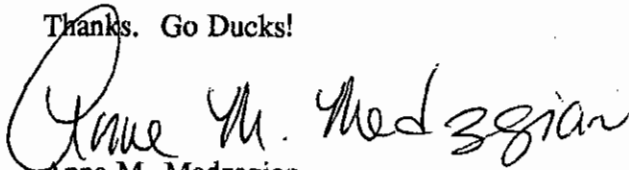
Dear Herb:

Thank you for sending me the information regarding the bequest my father left to the University of Oregon's undergraduate sports program. Enclosed you will find a check from Ralph Garhart, Executor of my father's estate. As we discussed I would like to see this donation used to benefit women's soccer at the University of Oregon. I feel this would be especially appropriate since I played soccer for the U of O, and my father found a lot of enjoyment in coaching my brother's soccer teams over the years. What about the possibility of new uniforms? Is this an option? I left the purpose section of the Endowment Fund Agreement blank because I was uncertain about what to put. Please let me know your thoughts.

I also want to thank you for your thoughtfulness in sending the little "Duck" sweat outfit for Christopher. It's perfect! He's three months old now and growing up fast. He keeps me very busy, which explains my delay in getting this information back to you.

If you need to reach me by phone my number is (206)255-6255, please do not hesitate to call.

Thanks. Go Ducks!

  
Anne M. Medzgian

University of Oregon Foundation  
ESTABLISHING A NEW EQUITY ACCOUNT

Upon request, the University of Oregon Foundation will establish restricted equity accounts to RECEIVE and ADMINISTER contributions in support of a variety of university programs. Please keep in mind that if the funds are not outright gifts, they may not be appropriate for deposit with the Foundation. The University program requesting funds must be sponsored by a University Department.

Send completed form to: Foundation Accounting, 202 Agate Hall.

Contact person Linda Hurd Extension # 65443 Date 10/25/95

Suggested account name: G.S. Douglas Endowed Scholarship

A concise and brief description of account purpose: \_\_\_\_\_

To provide a scholarship for a female student-athlete. This student shall be an undergraduate chosen by the athletic director annually, competing in Soccer

Estimated amount to be received (\$1,000 minimum): 10,000.00

Source of funds: Bequest of George Stuart Douglas

Constituency Development Officer: [Signature] Oct 25, 1995  
Signature Date

Foundation Fundraising Director: [Signature] 11/8/95  
Signature Date

Name of person(s) authorized to request expenditures (must be University or UO Foundation staff member): \_\_\_\_\_

Bill Moos, Sandy Walton, Steve McBride, Tom Larson

Approval of the Department Head or Dean: [Signature]  
Signature

Approval of UO Foundation Executive Director: [Signature]  
Signature

If you have any questions concerning the above information please contact Karri Pargeter or David Westcott at 346-3006.

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:


Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Rob Mullens, Director  
Intercollegiate Athletics Dept.  
University of Oregon Athletics Dept.  
2727 Leo Harris Parkway  
Eugene, OR 97401

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

RECEIVED

NOV 01 2017

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The Robert J. Koch Endowed Fund Agreement

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Robert J. Koch Endowed Fund Agreement.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

- cc: Michael Andreasen (w/ encls.)
- Christoph Linder (w/ encls.)
- Kevin Reed (w/ encls.)
- Wendy Laing (w/ encls.)
- Ian T. Richardson (w/ encls.)

OFFICES

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Christoph Linder, Dean  
School of Design  
University of Oregon  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Robert J. Koch Endowed Fund Agreement

Dear Dr. Linder:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Robert J. Koch Endowed Fund Agreement.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Robert J. Koch Endowed Fund Agreement

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Robert J. Koch Endowed Fund Agreement.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb  
Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Christoph Linder (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

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PO Box 1147  
EUGENE OREGON 97440-1147





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Robert J. Koch Endowed Fund Agreement

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Robert J. Koch Endowed Fund Agreement.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Christoph Linder (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

*Jamie A. Miller*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In November, 1994, Robert J. Koch as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, entered into The Robert J. Koch Endowed Fund Agreement (the "Fund Agreement").
- B. Robert J. Koch is now deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated use to foster and promote the education and development of the skills of students and the professional development of faculty members in the School of Architecture and allied Arts by establishing an endowed fund which provides unrestricted support to the Dean of the school for those needs he or she deems of highest priority.

The spendable cash available as of June 30, 2017 is \$1,083.44. The Fund's endowment as of June 30, 2017 is \$19,974.65. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Christoph Linder  
Dean  
School of Design  
University of Oregon  
1270 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

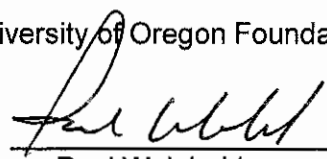
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:

  
\_\_\_\_\_

Paul Weinhold  
President/CEO

10/3/2017 Z  
Date

University of Oregon Foundation  
 Endowment Fund Agreement  
 to establish  
**THE ROBERT J. KOCH ENDOWED FUND**  
 in the  
**SCHOOL OF ARCHITECTURE AND ALLIED ARTS**  
 at the  
 University of Oregon

ARTICLE I

I, the undersigned, transfer and deliver the sum of \$17,025 to the UNIVERSITY OF OREGON FOUNDATION ("Foundation") with the intent to create a perpetual endowment fund for support of the School of Architecture and Allied Arts. The endowment will be established with the remaining principal of a charitable gift annuity created in October, 1994. The endowment fund is established for the following uses and purposes:

- 1) To foster and promote the education and development of the skills of students and the professional development of faculty members in the School of Architecture and Allied Arts by establishing an endowed fund which provides unrestricted support to the Dean of the school for those needs he or she deems of highest priority.
- 2) The use of the funds shall be the responsibility of the Dean who may consult with faculty members or others in the School of Architecture and Allied Arts. The Dean may alter the area of support of the fund from time to time as the needs of the School of Architecture and Allied Arts change.
- 3) Expenditures from the proceeds of the fund may include and are not limited to the following uses: student activities and projects, faculty research and/or teaching development, equipment purchases or improvements, public art installations, lectures, exhibitions, publications, or other special projects sponsored by the school.

ARTICLE II

The Fund shall be entered on the books and records of the Foundation and shall be known, and always so designated, as The Robert J. Koch Endowed Fund. Additions to the Fund in any form acceptable to the Foundation may be made at any time by any persons or entity. Such additions shall thereafter be subject in all respects to the terms, provisions, and conditions of this Agreement. For investment purposes, all or any part of the Fund may be merged with the general investment assets of the Foundation. Initial investment shall be in the Willamette Endowment Pool. For its services in holding and managing the Fund, a reasonable fee may be charged by and paid to the Foundation to cover the cost of administrative expenses incurred on behalf of this endowment fund.

ARTICLE III

All or any part of the Fund may be invested separately or jointly as a part of a common trust investment fund. The Fund shall be permanently endowed and only the net income thereof and so much of the principal appreciation as the Foundation may deem prudent shall be provided annually for the uses and purposes specified in this Agreement.

ARTICLE IV

Any net income or expendable principal appreciation not utilized in any given year may either be retained for expenditure in a future year or added to the principal of the Fund, as determined by the Foundation, after consultation with the Dean of the School of Architecture and Allied Arts, to best further the purposes of the Fund.

If at some future time a change of circumstances should render the designated purpose of the Fund no longer practical, then, and only then, the Board of Trustees of the Foundation, in concert with the Dean of the School of Architecture and Allied Arts shall use the total net income, and so much of the appreciation of the Fund as it may deem prudent, but not the principal of the Fund for the closest appropriate purposes, retaining the name of the Fund, with due consideration to the Donor's special interests.

IN WITNESS WHERE OF, the parties to this agreement have subscribed their names hereto:

DATED THIS 17 DAY OF

NOVEMBER 1994

APPROVED THIS 21 DAY OF

NOVEMBER 1994

Robert J. Koch

Robert J. Koch  
Donor

BY:

J. V. Finrow  
Jerry V. Finrow, Dean  
School of Architecture and Allied Arts  
University of Oregon

Paul Eberle  
Paul Eberle  
Executive Director  
University of Oregon Foundation

The Robert J. Koch Endowed Fund • 2

Property of the University of Oregon Foundation.

CONFIDENTIAL

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## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

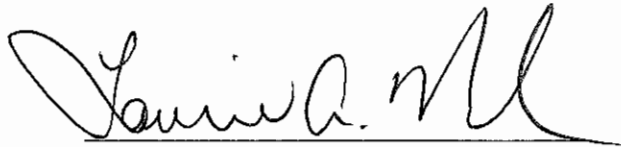
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Christoph Linder, Dean  
School of Design  
University of Oregon  
1270 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017

A handwritten signature in cursive script, appearing to read "Laurie A. Nelson".

Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 01 2017**

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
The Mrs. George W. Higinbotham Endowed Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Mrs. George W. Higinbotham Endowed Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Adriene Lim  
Dean  
University of Oregon Libraries  
University of Oregon  
1299 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Mrs. George W. Higinbotham Endowed Fund

Dear Dr. Lim:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Mrs. George W. Higinbotham Endowed Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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**MAILING ADDRESS**

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Mrs. George W. Higinbotham Endowed Fund

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Mrs. George W. Higinbotham Endowed Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Mrs. George W. Higinbotham Endowed Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Mrs. George W. Higinbotham Endowed Fund .

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Adriene Lim (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

*Jamie A. Mc*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In July 1965, Dr. Paul E. Spangler as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established The Mrs. George W. Higinbotham Endowed Fund (the "Fund Agreement").
- B. Dr. Paul E. Spangler is now deceased.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated use for the purchase of books in the field of music.

The spendable cash available as of June 30, 2017 is \$165.92. The Fund's endowment as of June 30, 2017, is \$9,098.80. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
 Vice President  
 University Advancement  
 112 Johnson Hall  
 1270 University of Oregon  
 Eugene, OR 97403

Adriene Lim  
 Dean  
 University of Oregon Libraries  
 University of Oregon  
 1299 University of Oregon  
 Eugene, OR 97403

With a copy to:

Kevin Reed  
 Office of General Counsel  
 219 Johnson Hall  
 1226 University of Oregon  
 Eugene, OR 97403

**Office of the Attorney General:**

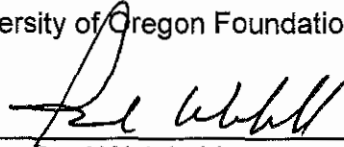
Susan A. Bower

Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2017  
Date

Ralph Hallin  
Higinbotham Endowment Fund

July 6, 1965

MEMORANDUM TO: Ralph Hallin

FROM: Richard C. Williams

Would you please establish the Mrs. George W. Higinbotham Endowment Fund and transfer into it from the Book Memorial Fund the \$500.00 gift from Dr. Paul Spangler. This will be a permanent endowment fund with the interest earned to be used for the purchase of books in the field of music by the Library.

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:


Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean  
University of Oregon Libraries  
University of Oregon  
1299 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 01 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The James G. Manczazk Memorial Endowed Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the James G. Manczazk Memorial Endowed Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

- cc: Michael Andreasen (w/ encls.)
- Rob Mullens (w/ encls.)
- Kevin Reed (w/ encls.)
- Wendy Laing (w/ encls.)
- Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The James G. Manczazk Memorial Endowed Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the James G. Manczazk Memorial Endowed Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Rob Mullens (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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**GLEAVES  
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ATTORNEYS AT LAW

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The James G. Manczazk Memorial Endowed Fund

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for The James G. Manczazk Memorial Endowed Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Rob Mullens (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

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EUGENE OREGON 97440-1147



GLEAVES  
SWEARINGEN LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Rob Mullens, Director  
Intercollegiate Athletics  
University of Oregon Athletics Dept.  
2727 Leo Harris Parkway  
Eugene, OR 97401

Re: University of Oregon Foundation Termination of Institutional Fund  
The James G. Manczazk Memorial Endowed Fund

Dear Mr. Mullens:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the James G. Manczazk Memorial Endowed Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

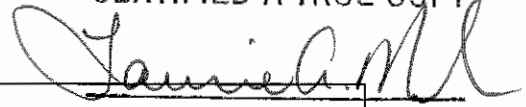
cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In August, 1993, the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established The James G. Manczazk Memorial Endowed Fund (the "Fund Agreement") at the request of the University Athletics Department.
- B. Gifts were accumulated from friends and family.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated use to provide a scholarship for women's golf.

The spendable cash available as of June 30, 2017 is \$358.20. The Fund's endowment as of June 30, 2017 is \$7,464.45. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Rob Mullens  
Director  
Intercollegiate Athletics  
University of Oregon Athletic Department  
2727 Leo Harris Parkway  
Eugene, OR 97401

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

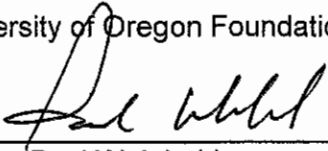
Susan A. Bower

Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2017  
Date

University of Oregon Foundation  
Establishing a New Equity Account

Upon request, the University of Oregon Foundation will establish restricted equity accounts to RECEIVE AND ADMINISTER CONTRIBUTIONS in support of a variety of University programs. Please keep in mind that if the funds are not outright gifts, they may not be appropriate for deposit with the Foundation.

The University program requesting funds must be sponsored by a University Department.

Send this completed form requesting a new equity account to the Controller.

Suggested account name: James G. Manczack Memorial Endowed Scholarship

Brief description of account purpose: To provide a scholarship for womens golf.

Estimated amount to be received (\$100 minimum): 10,000.00

Source of funds: Friends and family of James G. Manczack

Will funds be solicited? No If so, clearance is required.

By a Constituency Development Officer \_\_\_\_\_  
Signature Date

And Fundraising Director: [Signature] 8/3/93  
Signature Date

Name of person(s) authorized to request expenditures (must be University staff member): \_\_\_\_\_

Approval of the Department Head or Dean: [Signature]

Approval of UO Foundation Executive Director: [Signature]

Contact person \_\_\_\_\_ Extension # \_\_\_\_\_ Date \_\_\_\_\_

If you have any questions concerning the above information please contact David Westcott, Robert Wright, or Pearl Buchanan at 686-3006.

Revised 4/28/89 pb  
Doc 0019Z

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

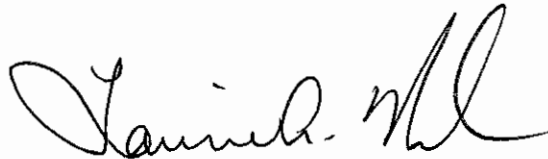
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Rob Mullens, Director  
Intercollegiate Athletics Dept.  
University of Oregon Athletics Dept.  
2727 Leo Harris Parkway  
Eugene, OR 97401

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



---

Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



October 30, 2017

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

RECEIVED  
NOV 01 2017  
DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
The Merit Tuition Scholarship Endowment

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Merit Tuition Scholarship Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

OFFICES

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Jim Brooks, Asst. VP  
University of Oregon  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Merit Tuition Scholarship Endowment

Dear Mr. Brooks:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Merit Tuition Scholarship Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Merit Tuition Scholarship Endowment

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Merit Tuition Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Jim Brooks (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Merit Tuition Scholarship Endowment

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Merit Tuition Scholarship Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

*Samuel A. Miller*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

A. In April 1977, Gertrude Kaufman as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established The Merit Tuition Scholarship Endowment (the "Fund Agreement").

B. The original Fund Agreement, a copy of which is attached hereto, contemplated use for scholarships to able Merit Students.

The spendable cash available as of June 30, 2017 is \$27.31. The Fund's endowment as of June 30, 2017 is \$24,832.01. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

C. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

D. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks  
Assistant Vice President, Director  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

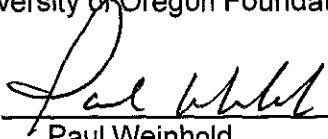
Susan A. Bower  
Assistant Attorney General  
Department of Justice

1515 SW 5th Avenue Suite 410  
Portland, OR 97201

E. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2012  
Date

**620.062 MERIT TUITION SCHOLARSHIP ENDOWMENT**

Established April, 1977, with a gift of \$5,000.00 from Gertrude Kaufman. Earnings only are to be used to provide scholarships to able Merit Students.

University of Oregon Development Fund will administer this scholarship fund, and will cooperate with the University of Oregon Scholarship Committee and the office of Student Financial Aids in selection of recipients.

No scholarship has been issued as yet because no earnings have been accumulated.

Mrs. Gertrude Kaufman  
2493 Panorama Drive  
Eugene, OR 97405

7/77

# Eugene Register-Guard

LANE COUNTY'S HOME NEWSPAPER  
CORNER TENTH AND HIGH STREETS  
P. O. BOX 10188  
EUGENE, OREGON  
97401

April 28, 1976

Mrs. Trudi Kaufman  
2493 Panorama Drive  
Eugene, Oregon 97405

Dear Trudi:

It was so good of you to see Ehrman Giustina and me last Thursday. On behalf of the University of Oregon, we thank you for your fine and generous gift of \$5,000 to be applied to Merit Tuition Scholarships as an endowment. This means that the principal will remain and the earnings therefrom used as an aid to an able Merit student each year.

I did appreciate your frankness regarding the matter of your gift to the county of your former home on the McKenzie. To a person such as you who has shared all of her life, it is particularly disturbing when you feel people are neglecting to take care of a gift made in good faith.

I have talked with some people regarding the property. It has a permanent caretaker. They use it for retreats for a few kids from the juvenile home, particularly in the summer time. They have spent about \$50,000 on the property since the gift was made. I imagine a great deal of that went into a new small storage structure placed on the property. One old unit was torn down. Perhaps this at least suggests use of the facility, but does not represent the care you might feel was necessary.

I also feel they do not spend enough in care and maintenance from what I was told, but they just may be doing as well as they can under the circumstances.

If I could help further, I would. I feel that the county is using the house, and are maintaining it within the means to satisfy that use. The county is well aware of your feelings about the property, but they feel it cannot be a park -- it is too small. Other agencies are probably not interested in it because of the cost of maintaining it; and they cannot very easily return it to you without causing you tax difficulties. The juvenile department does have access to it and do on occasion use it. I really don't know what more can be done at this point. I will observe the next time I go by it and see what it looks

*Another  
subject  
not  
connected  
with the  
University.*

Mrs. Trudi Kaufman

-2-

April 28, 1976

like. Then I'll talk to you again. I know this is no solution to your feelings, and I do understand.

Once again, thank you so much for your generous gift to the university and for good people like you who make us realize that it's good to be alive and living in this country.

Sincerely,

Edwin M. Baker

EMB:ms

cc: Mr. Ehrman Giustina  
Mr. Cliff Cole ✓

Cliff:

Enclosed is Mrs. Kaufman's check to be applied as outlined in paragraph one of this letter.

Thank you.

EMB

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

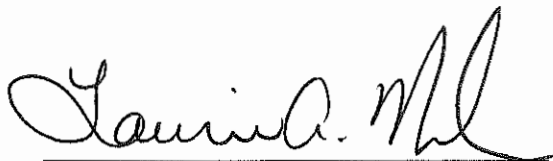
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks  
Assistant Vice President  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The Joni Paulsen Memorial Scholarship

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for The Joni Paulsen Memorial Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

- cc: Michael Andreasen (w/ encls.)
- Jim Brooks (w/ encls.)
- Kevin Reed (w/ encls.)
- Wendy Laing (w/ encls.)
- Ian T. Richardson (w/ encls.)

OFFICES  
975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

MAILING ADDRESS  
PO Box 1147  
EUGENE OREGON 97440-1147



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
The Joni Paulsen Memorial Scholarship

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for The Joni Paulsen Memorial Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Jim Brooks, Asst. Vice President  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Joni Paulsen Memorial Scholarship

Dear Mr. Brooks:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for The Joni Paulsen Memorial Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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EUGENE OREGON 97401-3156

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PO Box 1147  
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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

**RECEIVED**

**NOV 02 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
The Joni Paulsen Memorial Scholarship

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Joni Paulsen Memorial Scholarship.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Jim Brooks (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

*Jamie A. Hill*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In August 1972, the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established The Joni Paulsen Memorial Scholarship (the "Fund Agreement") at the request of the University Office of Student Financial Aid and Mr. and Mrs. Frank V. Langfitt, Jr.
- B. Gifts were accumulated from friends and family.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated use to provide a scholarship for regularly enrolled students at the University of Oregon who are of good character, really in need of financial assistance, and bona fide members of the Alpha Xi chapter of Kappa Alpha Theta.

The spendable cash available as of June 30, 2017 is \$90.90. The Fund's endowment as of June 30, 2017 is \$17,658.73. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks  
Assistant Vice President, Director  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

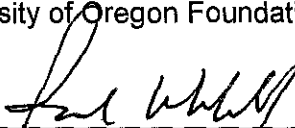
**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2017  
Date

37-4052

RECEIVED

NOV 2 1972

U of O Development Fund

Mr. and Mrs. Frank V. Langfitt, Jr.  
64 Condolea Terrace  
Lake Oswego, Oregon 97034

August 25, 1972

1

The President of the  
Board of Directors  
University of Oregon  
Development Fund  
Eugene, Oregon 97403

RECEIVED

NOV 02 2017

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Dear Sir:

It is our purpose to establish under the name of Joni Paulsen a scholarship in perpetuity for needy students at the University of Oregon. The scholarship shall be known as the "Joni Paulsen Memorial Scholarship."

We wish this scholarship to be for the use of regularly enrolled students at the University of Oregon who are of good character, really in need of financial assistance, and bona fide members of the Alpha Xi Chapter of Kappa Alpha Theta. The recipients of this scholarship must qualify in all respects to accepted standards of behavior as prescribed by the University of Oregon.

The choice of recipients is to rest with the Advisory Board for Alpha Xi Chapter of Kappa Alpha Theta, as prescribed by its Chairman, in addition to the above stipulations. Should, at any time, a chapter of Kappa Alpha Theta cease to exist or fail to be recognized by the University of Oregon, then it is our intention that the Financial Aids Advisory Committee, or its successor, interview applicants for this scholarship to determine a student's qualification and to award the scholarship.

If for any reason the award is not made for a given academic year, then it shall be added to the income of the endowment for the ensuing academic year, but not to the principal. The income only from the endowment may be expended. Under no circumstances shall the principal be invaded. The scholarship may be awarded to one or more students during any academic year. The Financial Aids Advisory Committee, or its successor, together with the University of Oregon Development Fund Board, or its successor, shall jointly determine the amount of the award annually within the endowment's earnings.

The President of the  
Board of Directors  
University of Oregon  
Development Fund

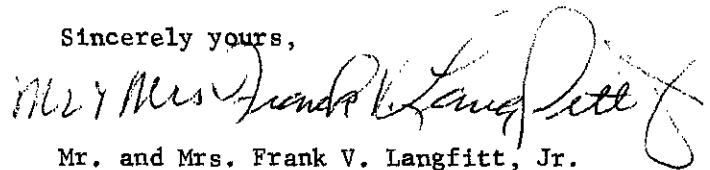
-2-

August 25, 1972

Unless unusual circumstances exist, it is intended that this endowment remain invested in Georgia-Pacific common stock. If, for any reason, this endowment is no longer required, the earnings will be used at the discretion of the University of Oregon Development Fund Board of Directors.

We hereby enclose Stock Certificate No. SC086499, covering twenty-five (25) shares of Georgia-Pacific Common Stock, dated August 14, 1972, issued in the name of "University of Oregon Development Fund." On that date Georgia-Pacific Common Stock closed at \$40.625 on the New York Stock Exchange, representing a value of \$1,015.625. This stock will establish the "Joni Paulsen Memorial Scholarship." Hopefully, any past or future donations for Joni Paulsen will be added to this scholarship.

Sincerely yours,



Mr. and Mrs. Frank V. Langfitt, Jr.

FVL:vl

Enclosure

40.625  
39.125  
-----  
2 ) 79.750 (39.875

25X 39.875

996.88

620-045  
640-045

Accepted  
C. Fisher  
5/28/72

Property of the University of Oregon Foundation

CONFIDENTIAL

Any unauthorized reproduction, dissemination or disclosure is prohibited



**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks, Asst. VP  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The Oregon Music Teachers Association Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Oregon Music Teachers Association Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

- cc: Michael Andreasen (w/ encls.)
- Brad Foley (w/ encls.)
- Kevin Reed (w/ encls.)
- Wendy Laing (w/ encls.)
- Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Brad Foley, Dean  
School of Music and Dance  
University of Oregon  
1225 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Oregon Music Teachers Association Scholarship Fund

Dear Dr. Foley:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Oregon Music Teachers Association Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
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**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Oregon Music Teachers Association Scholarship Fund

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Oregon Music Teachers Association Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Brad Foley (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)



**GLEAVES  
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Laurie A. Nelson  
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October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Oregon Music Teachers Association Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Oregon Music Teachers Association Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

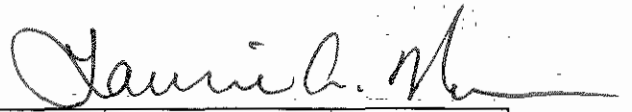
cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Brad Foley (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In October 1995, the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, received proceeds from IDS Life Insurance Company on behalf of Ralph Cloyd Riffe to establish the Oregon Music Teachers Association Scholarship Fund (the "Fund Agreement").
- B. The original Fund Agreement, a copy of which is attached hereto, contemplated use for scholarships for students enrolled in the School of Music at the University of Oregon.

The spendable cash available as of June 30, 2017 is \$253.69. The Fund's endowment as of June 30, 2017 is \$17,909.24. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- C. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- D. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Brad Foley  
Dean  
School of Music and Dance  
University of Oregon  
1225 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General

Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

E. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2007  
Date

C2910882

IDS Life Policy Numbers <b>0930 0224 0257</b>	Amounts <b>\$9000</b>	Date of Death <b>8-11-95</b>	Date of Birth <b>3-05-08</b>
		Residence <b>ROSEBURG, OR.</b>	
		Cause of death <b>CONGESTIVE HEART FAILURE</b>	
Deceased's Full Name <b>RALPH CLOYD RIEFF</b>		Marital Status at death: <input type="checkbox"/> Married <input type="checkbox"/> Never Married <input type="checkbox"/> Divorced <input checked="" type="checkbox"/> Widow or Widower	
Complete Shaded Portion if Death Is Within Two Years of Policy Issue Date (Life Insurance Only)			
When was health of deceased first affected?			
Name and address of all physicians who attended deceased during his or her last illness and during three years prior thereto:			
Names	Addresses	Dates of attendance	Disease or condition

**Mode of Settlement**

Please select one settlement option below.

**Life Insurance:**

- Hold at interest
- Fixed Amount \$ \_\_\_\_\_ per year
- Fixed period \_\_\_\_\_ years
- \*Life Income  
10  15  20  years certain
- Lump Sum to beneficiary
- Other Lump Sum (see investment section)

**Investment Section:**

- Pay Lump Sum to IDS
- Attach all New Business Requirements or give Existing Account Number:

**Annuity**

- Continuation of payments as provided by contract.
- \*Life Income
- \*Life Income  
5  10  15  20 years certain
- \*Life income with refund.
- \*Joint and survivor life income.
- Installment for specific period (mode E) for \_\_\_\_\_ years  
Mode of Payment  M  Q  S  A
- Lump Sum to beneficiary
- Other Lump Sum (see investment section)
- Owner change to myself as sole beneficiary and spouse\*\*

\*Requires evidence of age.

\*\*Only available if the Annuity Contract was issued January 19, 1985 or later and the spouse of the owner is designated as the sole beneficiary.

Payment of the death proceeds must be approved by IDS Life. Purchase requested herein will be made only upon approval of the claim and receipt of all new business requirements by IDS Financial Services.

**Tax Identification Information Must Be Completed for All Claims**

**Withholding Election**

- I do not want to have Federal income taxes withheld from my death benefit.
- I do want to have Federal income tax withheld from my death benefit, if applicable.

The following statement is required by the IRS: Under penalty of perjury, I certify that the tax identification number shown below is correct and that I am not subject to backup withholding as a result of a failure to report all interest or dividends, or the IRS has notified me that I am no longer subject to backup withholding.

**OREGON MUSIC TEACHERS ASSOC. SCHOLARSHIP FUND**

Name of Claimant  
**Endowed per OW**

Address  
**U. of O. FOUNDATION**

Address  
**P.O. Box 3346**

City State Zip Code  
**EUGENE OR. 97405**

Phone Number  
**(503) 346-3788**

Tax Identification Number  
**93-6015767**

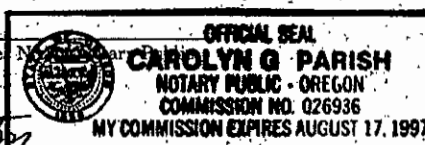
Relationship to the Deceased  
**NONE**

The undersigned hereby makes claim to said insurance in this Company and agrees that the written statements, affidavits and all other papers required by the Company shall constitute and they hereby are made a part of these Proofs of Death, and further agrees that the furnishing of this form, or of any other forms supplemental thereto, by said Company shall not constitute nor be considered an admission by it that there was any insurance in force on the life in question, nor a waiver of any of its rights or defenses, nor estop it in any way.

Date **9-20-95**  
 Signature of Claimant  
*David C. Wright*

Director of Finance,  
 TITLE Acting Dir. Director  
 Date of Birth TITLE

Witness Signature (if IDS Planner, include DO No. and Planner No.)  
*Carolyn G. Parish*



In what capacity do you make this claim?  
 (i.e. Beneficiary, Trustee, Executor, Guardian, etc.)  
**BENEFICIARY**

CONFIDENTIAL

*David G. Parish, Treasurer, U.O. Foundation*



IDS Life Insurance Company  
IDS Tower  
Minneapolis, Minnesota 55440  
An American Express company



October 09, 1995

Claim Number : 107364  
Policy Number: 9300-2240257  
RALPH CLOYD RIFFE

OREGON MUSIC TEACHERS ASSOC SC  
U OF O FOUNDATION  
PO BOX 3346  
EUGENE OR 97403-0346

Dear Recipient:

The attached check for \$9,093.26 represents the death benefits due you under this contract. These benefits are made payable to OREGON MUSIC TEACHERS ASSOC SC.

If you have any questions, please let us know.

Sincerely,

JASON HEDEEN  
612-671-3609

Detach And Retain For Your Records

OGL-LS0040 (01/92)

30095 A (3/82)

Payee must endorse this check in ink exactly as drawn. Payment is received in full as final settlement, release, and accord and satisfaction of any and all claims against IDS Life Insurance Company.

IDS Life Insurance Company  
IDS Tower 10  
Minneapolis, Minnesota 55440  
An American Express company

75.48  
919

Code

Contract Number

9300-2240257

Date

10-09-95

3972423  
3972423

Amount of check

\$ 9,093.26

Void after 8 months

Pay to The Order Of

OREGON MUSIC TEACHERS ASSOC SC  
U OF O FOUNDATION  
PO BOX 3346  
EUGENE OR 97403-0346

Norwest Bank Red Wing, N.A.  
4th and Plum  
Red Wing, Minnesota 55068

Property of the University of Oregon Foundation

CONFIDENTIAL

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UNIVERSITY OF OREGON FOUNDATION

REQUEST FOR A NEW ACCOUNT

November 7, 1995

Type of Account (General Use): Endowment/True Financial Aid

Account Number: 32/26-5189 Dept. Code: 1401 Music School

Estimated Amount: \$9,000

Account Title: OREGON MUSIC TEACHERS ASSOCIATION SCHOLARSHIP  
ENDOWMENT FUND

Specific Purpose: To establish an endowment with income to be used to fund  
scholarships for students enrolled in the School of Music at the University of Oregon.

Donor's Name(s): proceeds of life insurance policy on Ralph Cloyd Riffe

Foundation Approval:

\_\_\_\_\_  
Director of Finance

\_\_\_\_\_  
Date

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

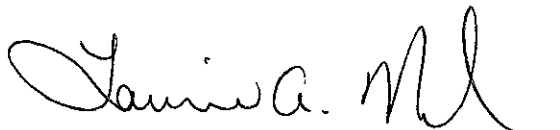
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Brad Foley, Dean  
School of Music and Dance  
University of Oregon  
1225 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The Charles Frederick Goettling, Jr. Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Charles Frederick Goettling, Jr. Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)



GLEAVES  
SWEARINGEN<sup>LLP</sup>  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Jim Brooks, Asst. VP  
Student Financial Aid  
164F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Charles Frederick Goettling, Jr. Scholarship Fund

Dear Mr. Brooks:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Charles Frederick Goettling, Jr. Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Charles Frederick Goettling, Jr. Scholarship Fund

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Charles Frederick Goettling, Jr. Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Charles Frederick Goettling, Jr. Scholarship Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Charles Frederick Goettling, Jr. Scholarship Fund.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Jim Brooks (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

*Gaurie A. Mh*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In December 1984, the Estate of Charles F. Goettling as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established the Charles Frederick Goettling, Jr. Scholarship Fund (the "Fund Agreement").
- B. Gifts were accumulated from friends and family.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated use for scholarships for deserving students who have completed at least the sophomore year.

The spendable cash available as of June 30, 2017 is \$173.93. The Fund's endowment as of June 30, 2017 is \$22,131.26. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks  
Assistant Vice President, Director  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403



**Office of the Attorney General:**

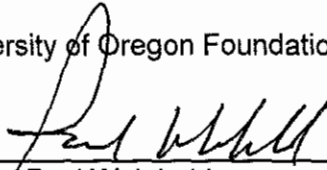
Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

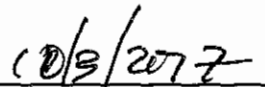
University of Oregon Foundation

By: \_\_\_\_\_



Paul Weinhold  
President/CEO

\_\_\_\_\_





26-4155  
12-11-84

**First Affiliated Securities, Inc.**  
**INVESTMENT BROKERS**

December 7, 1984

University of Oregon Foundation  
P.O. Box 3346  
Eugene, OR 97403

C: Estate of Charles F Goettling Sr  
# 128163

ATTENTION: Hope Pressman

Dear Hope,

I'm sorry this is so late in getting to the Foundation, but with all the legals etc, it takes time. At any rate the enclosed draft is for the Charles Frederick Goettling Jr. scholarship fund. An excerpt from the trust document is enclosed.

26-4155

Best Wishes,

*Jack*  
Jack E. Danby

JED/mm

JACK E DANBY TTEE FBO  
CHARLES F GOETTLING TRUST  
UDT JUNE 26 1974  
PO BOX 1969  
EUGENE OR 97440

2

PAY TO THE ORDER OF

University of Oregon Foundation \$5000.00

12/7/1984 18-69 1010

DRAFT PAYABLE THROUGH:  
united missouri bank  
of Kansas City, National Association  
Kansas City, Missouri 64111

NOT VALID FOR LESS THAN \$500.00

KEMPER  
MONEY MARKET FUND, INC.

*Jack E Danby, Trustee*

PLEASE SIGN EXACTLY AS YOUR NAME IS SHOWN

*Charles F Goettling Sr*

000 9297 50 10 1000695:06000 2 9 20 166 11

Any unauthorized reproduction, dissemination or disclosure is prohibited.

K. To do all acts, except as herein otherwise specified, in his judgment needful or desirable for the proper and advantageous management of the trust estate, to the same extent and with the same effect as might legally be done by an individual in absolute ownership and control of the said property.

#### ARTICLE V

The principal and income of the trust estate shall be distributed as follows:

A. The Trustee shall, during the life of the Trustor, pay or apply the net income available for distribution to or for the benefit of the Trustor. The Trustee shall accumulate and add to the principal of the trust estate such income as is not paid as above provided or not distributed to the Trustor.

B. Upon the death of the Trustor, the Trustee shall pay from the trust estate all debts of the Trustor as approved by the Trustee, including the expenses of the last illness and funeral of the Trustor, income taxes of the Trustor, all estate and inheritance taxes against the trust estate or any other assets of the Trustor subject to such taxes as a result of the Trustor's death, without contribution or reimbursement.

C. The remainder of the property constituting the trust estate shall be held and distributed as follows:

- (1) If the Trustor's wife, Mary C. Goettling, survives him, the Trustee shall distribute to her all of his furniture, fixtures, clothing, household goods and personal effects.
- (2) The Trustee shall distribute to the Trustor's sister, Mrs. Charles Carlson of Everett, Washington, if she is then living, the sum of Five Thousand Dollars (\$5,000).
- (3) The Trustee shall distribute to the University of Oregon Development Fund the sum of Five Thousand Dollars (\$5,000).

to be known as the Charles Frederick Goettling, Jr. scholarship fund. The income from this fund shall be used to provide scholarships for deserving students who have completed at least the sophomore year and shall be administered by the University of Oregon Scholarship Committee.

- (4) If the Trustor's wife, Mary C. Goettling, survives him, the Trustee shall divide the remainder of the trust estate into two parts, one of which, hereinafter referred to as Trust "A", shall be held in trust as provided in Article VI hereof for the exclusive benefit of the Trustor's wife, and one of which, hereinafter referred to as Trust "B", shall be held in trust as provided in Article VII hereof.

(a) Trust "A" shall consist of such fractional share of the Trustor's residuary estate as will equal fifty percent (50%) of the Trustor's adjusted gross estate, as finally determined for federal estate tax purposes, less the aggregate amount of any marital deductions allowed by reason of any property or interest in property passing or considered to pass for such tax purposes from the Trustor to the Trustor's wife otherwise than by the provisions of this article, and such share shall not be diminished by any estate or inheritance taxes made payable by reason of the Trustor's death.

The Trustee shall have unrestricted discretion to determine what assets shall be included in Trust "A", and for the purposes of division and allocation, all values shall be those finally determined for federal estate tax purposes; provided, however, the Trustee shall not include in Trust "A" any asset with respect to which a marital deduction for federal estate tax purposes would not be allowable if such asset were bequeathed or devised directly by the Trustor to the Trustor's wife; and provided further, however, such division and allocation shall be in a manner which shall accomplish, as nearly as possible, a pro-rata division of assets, to the end that Trust "A" and Trust "B" shall share proportionately in the appreciation or depreciation in the value of assets to the date of allocation.

(b) Trust "B" shall consist of all that part of the remainder of the trust estate which is not included in Trust "A" if the Trustor's wife survives him and shall consist of the entire remaining trust estate if the Trustor's wife does not survive him.

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks, Asst. VP  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The Class of 1938 Library Acquisition Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1938 Library Acquisition Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Adriene Lim, Dean  
University of Oregon Libraries  
University of Oregon  
1299 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Class of 1938 Library Acquisition Fund

Dear Dr. Lim:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1938 Library Acquisition Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb  
Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Class of 1938 Library Acquisition Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1938 Library Acquisition Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Adriene Lim (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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**MAILING ADDRESS**

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EUGENE OREGON 97440-1147





GLEAVES  
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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Class of 1938 Library Acquisition Fund

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Class of 1938 Library Acquisition Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147

CERTIFIED TRUE COPY  
Laurie A. Miller

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In May, 1988, the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established The Class of 1938 Library Acquisitions Endowment Fund (the "Fund Agreement") at the request of the University Libraries.
- B. Gifts were accumulated as a 50<sup>th</sup> reunion gift from the Class of 1938.
- C. The original Fund Agreement, a copy of which is attached hereto, contemplated use to acquire library books and materials.

The spendable cash available as of June 30, 2017 is \$271.10. The Fund's endowment as of June 30, 2017 is \$14,867.87. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim  
Dean  
University of Oregon Libraries  
University of Oregon  
1299 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

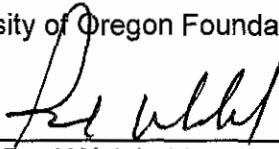
Susan A. Bower

Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2017  
Date

UNIVERSITY OF OREGON FOUNDATION

Endowment Fund Agreement

-----

Whereas the University of Oregon Foundation has received contributions, given with the intent of establishing an endowment to provide support for the University of Oregon Library

Therefore

The University of Oregon Foundation (FOUNDATION) shall establish the Class of 1938 Library Acquisitions Endowment Fund (FUND) as a permanent endowment, the net income and so much of the appreciation of the FUND as the FOUNDATION may deem prudent, shall be utilized annually for the acquisition of Library books and materials, the selection of which is to be determined by the University of Oregon Librarian or his/her appointed representative(s).

Any income not utilized in a given year may be either retained for expenditure in a future year or added to the principal of the FUND, as determined by the FOUNDATION, after consultation with the Librarian, to be in the best interest of the FUND.

For investment purposes, all or any part of the FUND may be merged with the general investment assets of the FOUNDATION.

Additions to the FUND in the form of property acceptable to the FOUNDATION may be made at any time, and shall thereafter be subject in all respects to the terms, provisions, and conditions of this agreement.

The endowment fund hereby created shall be and is expressly declared to be perpetual and irrevocable and not subject to amendment or modification. However, if at some future time a change of circumstances should render the designated purpose of the FUND no longer practical, then, and only then, the Board of Trustees of the FOUNDATION shall use the total net income, and so much of the appreciation of the FUND as it may deem prudent, but not the principal, to further the objectives and purposes of the University, giving due consideration to the special interest expressed above.

IN WITNESS WHEREOF, the parties to this agreement have subscribed their names hereto:

DATED THIS 25<sup>th</sup> DAY OF May, 1988  
George Shipman  
George Shipman  
Librarian  
University of Oregon

APPROVED THIS 27 DAY OF May, 1988  
Eloise Ann Stuhr  
Eloise Ann Stuhr  
Executive Director  
University of Oregon Foundation

University of Oregon Foundation  
Establishing a New Equity Account

Upon request, the University of Oregon Foundation will establish restricted equity accounts to receive and administer donations in support of a variety of University programs.

The University program requesting funds must be sponsored by a University Department.

Written requests for new equity accounts should be addressed to the Controller, and should provide the following information:

Suggested account name: Class of 1938 Acquisitions Endowment

Brief description of account purpose: To establish an endowment, with earnings to be used to purchase Library acquisitions.

Estimated amount to be received (\$100 minimum): unknown

Source of funds: members of the UO class of 1938

Will funds be solicited? If so, clearance is required. Yes

Fundraising Clearance by a Constituency Development Officer or Fundraising Director: Laura C. Simic, Coordinator, Library Development

Name of person(s) authorized to request expenditures (must be University staff member): George W. Shipman, University Librarian

Andrew R. Bonamici, Head, Budget, Personnel and Planning, UO Library

Approval of the Department Head or Dean: George W. Shipman

If you have any questions concerning the above information please contact Janice Ward, David Westcott, or Robert Wright at 686-3006.

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:


Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim, Dean  
University of Oregon Libraries  
University of Oregon  
1299 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee



**GLEAVES  
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ATTORNEYS AT LAW

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

Re: University of Oregon Foundation Termination of Institutional Fund  
The Wesley C. Ballaine Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Wesley C. Ballaine Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)



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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Wesley C. Ballaine Fund

Dear Kevin:

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Adriene Lim (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147





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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Wesley C. Ballaine Fund

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Wesley C. Ballaine Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Adriene Lim (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Adriene Lim, Dean  
University of Oregon Libraries  
University of Oregon  
1299 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Wesley C. Ballaine Fund

Dear Dr. Lim:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Wesley C. Ballaine Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

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Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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**MAILING ADDRESS**

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CERTIFIED TRUE COPY

*Jamila M.*

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

- A. In November 1995, the Estate of Bernice K. Ballaine as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established The Wesley C. Ballaine Fund (the "Fund Agreement").
- B. The original Fund Agreement, a copy of which is attached hereto, contemplated use for the purchase of books for the University of Oregon Library System.

The spendable cash available as of June 30, 2017 is \$345.96. The Fund's endowment as of June 30, 2017 is \$18,973.20. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

- C. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.
- D. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
 Vice President  
 University Advancement  
 112 Johnson Hall  
 1270 University of Oregon  
 Eugene, OR 97403

Adriene Lim  
 Dean  
 University of Oregon Libraries  
 University of Oregon  
 1299 University of Oregon  
 Eugene, OR 97403

With a copy to:

Kevin Reed  
 Office of General Counsel  
 219 Johnson Hall  
 1226 University of Oregon  
 Eugene, OR 97403

**Office of the Attorney General:**

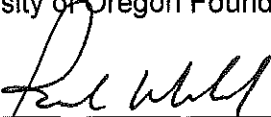
Susan A. Bower  
 Assistant Attorney General  
 Department of Justice

1515 SW 5th Avenue Suite 410  
Portland, OR 97201

E. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2022  
Date



*University of Oregon Foundation*  
ESTABLISHING A NEW EQUITY ACCOUNT

Upon request, the University of Oregon Foundation will establish restricted equity accounts to RECEIVE and ADMINISTER contributions in support of a variety of university programs. Please keep in mind that if the funds are not outright gifts, they may not be appropriate for deposit with the Foundation. The University program requesting funds must be sponsored by a University Department.

Send completed form to: Foundation Accounting, 202 Agate Hall.

Contact person Mimi Grober Extension # 2683 Date 11/16/95

Suggested account name: Wesley C. Ballaine Fund (endowment)

A concise and brief description of account purpose: Income from endowment to be used to purchase books for the University of Oregon Library System

Estimated amount to be received (\$1,000 minimum): \$10,000

Source of funds: Estate of Bernice K. Ballaine

Constituency Development Officer: Mimi Grober 11/16/95  
Signature Date

Foundation Fundraising Director: Sandra Jessin 11/27/95  
Signature Date

Name of person(s) authorized to request expenditures (*must be University or UO Foundation staff member*): George Shipman, Deborah Carver, Mimi Grober

Approval of the Department Head or Dean: [Signature]  
Signature

Approval of UO Foundation Executive Director: [Signature]  
Signature

If you have any questions concerning the above information please contact Karri Pargeter or David Westcott at 346-3006.

---

**cc:Mail for: DIANNA DUCLOS**

---

**Subject: Re:HELP**

**From: Debbie Anders 11/15/95 10:42 AM**

**To: Dianna DuClos**

**cc: Nancy Brucker**

---

*Kari*  
*Help*

Dianna,

From what I know, the bequest is to be used for an endowment fund to be known as the Wesley C. Ballaine Fund in memory of her late husband, to be invested and the income used for the purchase of books for the library. Someone will need to create the endowment fund documents.

Could we have a copy of the check and any other documents you received, for our files? Thanks.

--Debbie

-----

Do either of you know where the \$10,000.00 from the Estate of Bernice K. Ballaine is to go?? The money came in on Monday. Thanks for the help. Dianna

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Adriene Lim, Dean  
University of Oregon Libraries  
University of Oregon  
1299 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



---

Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee





October 30, 2017

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

**RECEIVED**

**NOV 02 2017**

**DEPARTMENT OF JUSTICE  
PORTLAND LEGAL**

Re: University of Oregon Foundation Termination of Institutional Fund  
Koyl Endowment

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for Koyl Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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ATTORNEYS AT LAW

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Koyl Endowment

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Very truly yours,

Laurie A. Nelson

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Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

975 OAK STREET | SUITE 800  
EUGENE OREGON 97401-3156

**MAILING ADDRESS**

PO Box 1147  
EUGENE OREGON 97440-1147



**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Koyl Endowment

Dear Mr. Andreasen:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Koyl Endowment.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Jim Brooks (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Jim Brooks, Asst. Vice President  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
Koyl Endowment

Dear Mr. Brooks:

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Laurie A. Nelson

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Enclosure

cc: Michael Andreasen (w/ encls.)  
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Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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EUGENE OREGON 97440-1147

CERTIFIED TRUE COPY  
James A. Hill

**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

A. In September 1960, the Estate of Charles W. Koyl as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established the Koyl Endowment (the "Fund Agreement").

B. The original Fund Agreement, a copy of which is attached hereto, contemplated use for an award each year to a student or students taking courses in literature, public speaking and economics.

The spendable cash available as of June 30, 2017 is \$3.32. The Fund's endowment as of June 30, 2017 is \$19,051.82. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

C. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

D. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks  
Assistant Vice President, Director  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

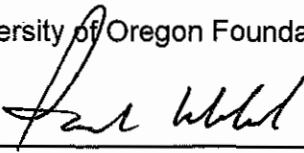
Susan A. Bower  
Assistant Attorney General

Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

E. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2017  
Date

RECEIVED

JUN 16 1957

U of O Development Fund

LAST WILL  
of  
CHARLES W. KOYL

I, CHARLES W. KOYL, of Jackson County, Oregon, do hereby make this my last will, as follows:

I.

I direct my executor to pay from my estate all my just debts, the expenses of my last illness and funeral and final interment and the expenses of administration of my estate.

II.

I direct my executor to pay from my estate all inheritance, estate, transfer and succession taxes which become payable by reason of my death and authorize it to contest or compromise any claims for such taxes. I further direct that all such taxes shall be paid without apportionment thereof and without withholding or collecting any part thereof from any beneficiary under my will, it being my intention that all such taxes shall be paid from my estate as an expense of administration.

III.

I declare that I am a single man and have no children or lineal descendants.

IV.

I have agreed with the city of Ashland, Oregon, through its cemetery department, to leave to said city the sum of \$900.00 under my will. Said city has agreed with me to give perpetual care to twelve grave spaces in the Mangadine Cemetery which are known as the Jackson-Farnham-Koyl lots. On September 2, 1960, James Burr, superintendent of said cemetery department, wrote me a letter with regard to this matter and I have answered him as of this date. In accordance with said agreement I direct my executor to pay to said city of Ashland, cemetery department, the sum of \$900.00 for said purpose.

V.

I give and bequeath unto my brother, GEORGE SIMPSON KOYL, the sum of \$500.00 and direct that said sum be paid by my executor to my brother as soon as possible after its appointment as executor of my estate.

VI.

I give and bequeath unto my brother, GEORGE SIMPSON KOYL, my sister, HELEN KOYL CALKINS and my sister, CAROLYN KOYL CROWLEY, such of my household goods, furnishings, fixtures and personal effects (except for the Webber grand piano and my automobile) as they may desire. Such selection shall be made by them within ninety days after the date of the appointment of the executor.

VII.

All of the rest, residue and remainder of my estate, I give, devise and bequeath as follows:

(1) 11% thereof unto THE UNIVERSITY OF OREGON DEVELOPMENT FUND of Eugene, Oregon, as a fund to be known as the "Koyl Fund", in memory of my wife, Minnie Bernice Jackson Koyl, and me. The income therefrom shall be awarded each year to a student or students taking courses in literature, public speaking and economics. It would please me if the said award were granted in the same high tradition as has been the case in the annual award of the Koyl Cup. The award shall be made by the president of the university. The governing board of The University of Oregon Development Fund shall have full, complete and absolute power of investment, reinvestment and control of said fund, limited only to the purposes herein mentioned.

(2) 7% thereof unto my nephew, ROBERT CALKINS, 2917 Tamalpais Way, Sacramento 21, California.

(3) 7% thereof unto my nephew, DONALD KOYL CALKINS, 375 E. Willow, Bishop, California.



(4) 25% thereof unto my brother, GEORGE SIMPSON KOYL, 4400 Spruce Street, Philadelphia 4, Pennsylvania.

(5) 25% thereof unto my sister, HELEN KOYL CALKINS, Box 38, Ceres, California.

(6) 25% thereof unto my sister, CAROLYN KOYL CROWLEY, 776 Bush Street, San Francisco 2, California.

VIII.

I hereby nominate THE FIRST NATIONAL BANK OF OREGON (PORTLAND) to serve as executor of this will.

I hereby empower my said personal representative to lease, encumber, sell, exchange or otherwise deal with or dispose of all my property, real or personal, or any part thereof, in such manner, at such times, and upon such terms as my said personal representative shall deem to be to the interest of my estate, such sale or other disposition to be made at public or private sale, in the discretion of my personal representative, without any reference to the order of disposition of real and personal property, and without any petition, citation, hearing, order, notice of sale, or any other action. I further authorize my personal representative to hold, manage and operate any property and any business belonging to my estate, at the risk of my estate and not at the risk of my personal representative, the profits and losses therefrom to inure or be chargeable to my estate as a whole.

No part or parcel of the real property belonging to my estate shall at any time pass into the hands, by rental, lease, sale or other arrangement, of E. H. MCNABB, of Valley View, Ashland, Jackson County, Oregon, or to any of his employees, agents, heirs or assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of September, 1960.

Charles W. Koyl (SEAL)

On this 7th day of September, 1960, we the undersigned, witnessed CHARLES W. KOYL sign and execute the foregoing instrument and in our presence at said time he did declare the same to be his last will and testament, and at his request and in his presence, and in the presence of each other, we do hereby subscribe our names as witnesses to said will.

*Billy G. Christensen* Residing at Medford, Oregon

*Lorine J. Bowling* Residing at <sup>Central Point</sup> Medford, Oregon

RECEIVED

OCT 6 1969

U of O DEVELOPMENT FUND

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

2  
3 IN THE MATTER OF THE ESTATE OF ) No. P-1-67  
4 CHARLES W. KOYL, deceased ) FINAL ACCOUNT OF EXECUTOR

5  
6 First National Bank of Oregon submits its final account  
7 as executor of the above estate, as follows:

8 1. Decedent died on December 18, 1966, and the executor  
9 was duly appointed on January 4, 1967.

10 2. The executor has caused due notice to be given  
11 creditors as required by law which appears from the proof thereof  
12 on file herein.

13 3. The executor has heretofore filed its first account  
14 for the period from December 28, 1966 to March 21, 1967. Said  
15 account was approved by the court on May 25, 1967.

16 4. The executor has heretofore filed its second account  
17 for the period from March 21, 1967 to September 14, 1967. Said  
18 account was approved by the court on November 7, 1967.

19 5. The executor has heretofore filed its third account  
20 for the period from September 14, 1967 to March 29, 1968. Said  
21 account was approved by the court on May 13, 1968.

22 6. The executor has heretofore filed its fourth account  
23 for the period from October 4, 1968 to March 29, 1969. Said  
24 account was approved by the court on May 2, 1969.

25 7. All of the foregoing accounts are made a part of  
26 this final account as if fully set forth herein. This account  
27 covers the period from March 28, 1969 to September 9, 1969.

28 8. There is attached hereto, marked exhibit A and made  
29 a part hereof, a cash statement showing all receipts and dis-  
30 bursements made by the executor during the period from March 28,  
31 1969 to September 9, 1969.

32 9. There is attached hereto, marked exhibit B and

-1- Final Account of Executor

1 made a part hereof, an asset statement as of September 9, 1969  
2 showing the assets in the hands of the executor.

3 10. It was not necessary for the executor to file a  
4 federal estate tax return.

5 11. The executor has filed an inheritance tax report  
6 and has paid the inheritance tax due to the state of Oregon.  
7 Prior to the hearing on this final account a receipt will be  
8 filed herein showing the payment of said tax.

9 12. The executor has requested a certificate of release  
10 from the Oregon Department of Revenue in connection with income  
11 taxes. Prior to the hearing on this final account the release  
12 will be filed herein.

13 13. All claims against the estate have been paid in full.

14 14. As shown by prior accounts on file herein, the  
15 legatees and devisees of the decedent desired that all of the  
16 real property in the estate be sold prior to closing the estate.  
17 As will also be noted from the fourth account on file herein, the  
18 principal asset of the estate which was decedent's home residence  
19 and surrounding property had not been sold up until the time of  
20 filing said account. In order to finally sell the property it  
21 was necessary to reduce the inventoried value to a price at which  
22 it could be sold. The property was sold to Floyd J. and Eleanor  
23 A. Quinn for the sum of \$16,700.00, \$4,200.00 of which was paid  
24 in cash and the balance of \$12,500.00 is represented by a note  
25 and mortgage given to the estate with payments of \$112.50 each  
26 monthly including interest at 7%. The order confirming this  
27 sale was entered on June 10, 1969 by this court.

28 15. In reviewing the values on the original inventory  
29 filed by the executor it was determined that certain assets,  
30 both real and personal property, were eventually sold for less  
31 than the inventoried values on the original inventory. The  
32 executor believed it advisable to have a new appraisal and file

-2- Final Account of Executor

1 an amended inventory in order that the taxable estate truly  
 2 reflect the actual value of the estate. A petition to file  
 3 an amended inventory was presented to the court and an order  
 4 appointing appraisers to reappraise the real and personal  
 5 property of the estate and file an amended inventory with the  
 6 clerk of the court was entered by this court on July 11, 1969.  
 7 The reappraisal was made and the amended inventory was filed  
 8 with the clerk of the court on August 6, 1969.

9 16. All of the assets of the estate have now been  
 10 converted into contracts of sale, a mortgage and cash.

11 17. All expenses of administration have been paid with  
 12 the exception of the fee of the executor and the fee of the  
 13 attorneys for the estate and some miscellaneous expenses.

14 The executor requests a fee of \$1,780.66 computed  
 15 as follows:

16	Amended inventory and appraisement	\$41,347.16
17	Miscellaneous items received during	
18	probate not on inventory (social security	
	payments, and the like)	336.59
19	Income received during probate	<u>1,661.55</u>
20		<u>\$43,345.30</u>
21	Statutory fee on \$43,345.30	1,430.66
22	Extraordinary services in connection	
23	with real estate transactions for	
	the estate	<u>350.00</u>
24	TOTAL FEE	\$ 1,780.66

25 The executor requests the allowance of a fee for  
 26 Frohnmayer, Lowry & Deatherage as attorney's fees in the amount  
 27 of \$2,500.00 computed as follows:

28	Minimum fee schedule of	
29	Oregon State Bar on an	
	estate of \$41,347.16	2,133.81
30	Extraordinary services in connection with	
31	sale of real property and other matters set	
	forth herein	<u>366.19</u>
32		\$ <u>2,500.00</u>

-3- Final Account.

1 Said attorneys have incurred the following expenses in  
2 connection with the administration of the estate:

3 Clerk - filing fee	\$ 84.00
4 Certified copies of will, letters, inventory and amended inventory	5.00
5 Medford Printing Co. - publishing notice to creditors	13.20
6 Long distance Oakland 12/20/66	3.85
Long distance Portland 6/6/69	5.83
Xerox copies of papers for bank	<u>1.60</u>
	\$ 113.48
9 3/14/68 - executor paid	<u>105.05</u>
10 Balance due	\$ 8.43

11 18. As shown by the fourth account of executor, a  
12 partial distribution of \$8,000.00 was made to the legatees and  
13 devisees of decedent in accordance with the order of this court  
14 entered June 3, 1968 and in accordance with the proportions set  
15 forth in decedent's will. Receipts for such distribution have  
16 heretofore been filed herein.

17 19. The executor has heretofore delivered to the  
18 City of Ashland - Cemetery Department the bequest in the amount  
19 of \$900.00 contained in paragraph IV of decedent's will and the  
20 bequest in the amount of \$500.00 to George Simpson Koyl contained  
21 in paragraph V of decedent's will. Receipts for these distri-  
22 butions have been filed herein.

23 20. The estate has been fully administered upon and  
24 is ready to be closed.

25 WHEREFORE, the executor prays:

26 (a) that a time and place be fixed for the hearing of  
27 objections to this final account and for the examination and  
28 allowance thereof as it may deem proper;

29 (b) that the court order the payment of the sum of  
30 \$1,780.66 to the executor as its fee and the sum of \$2,500.00  
31 to Frohnmayer, Lowry & Deatherage as their fee, together with  
32 the sum of \$8.43 for expenses advanced by them and any additional

-4- Final Account

1 sums expended by them prior to the closing of the estate;

2 (c) that the final account and all prior accounts  
3 filed by the executor be approved;

4 (d) that the court order the remaining assets of the  
5 estate delivered to the residuary legatees named in decedent's  
6 will in accordance with the provisions of article VII of said  
7 will in the percentages stated therein as follows:

8	The University of Oregon Development		
9	Fund of Eugene, Oregon	11%	
10	Robert Calkins, a nephew	7%	
11	Donald Koyl Calkins, a nephew	7%	
12	George Simpson Koyl, a brother	25%	
13	Helen Koyl Calkins, a sister	25%	
14	Carolyn Koyl Scherer, a sister	<u>25%</u>	100%

15 (e) that upon the executor filing herein the receipts  
16 covering its fee, the attorneys' fee and costs and the dis-  
17 tribution of the remaining assets to the above named legatees  
18 and devisees, it be released and discharged from all further  
19 liability herein.

20 FIRST NATIONAL BANK OF OREGON

21 By Lawrence L. Clark  
22 Lawrence L. Clark  
Trust Officer

23 STATE OF OREGON )  
24 County of Jackson ) ss

25 I, Lawrence L. Clark, being first duly sworn on oath  
26 depose and say: that I am trust officer of First National Bank  
27 of Oregon; that I make this verification in its behalf and that  
28 I have read the foregoing final account, know the contents thereof  
29 and that the same is true as I verily believe.

30 Lawrence L. Clark  
Lawrence L. Clark

31 Subscribed and sworn to before me this 29 day of September, 1969.

32 Deborah Steadman  
Notary Public for Oregon

-5- Final Account  
of Executor

My commission expires: June 12, 1972

FRONMAYER, LOWRY & DEATHERAGE  
ATTORNEYS AT LAW  
MEDFORD, OREGON

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks, Asst. VP  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee





**GLEAVES  
SWEARINGEN** LLP  
ATTORNEYS AT LAW

(541) 686-8833 | Fax (541) 345-2034 | [gleaveslaw.com](http://gleaveslaw.com)

Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

**RECEIVED**

**NOV 02 2017**

Ms. Susan A. Bower  
Charitable Activities Section  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue, # 410  
Portland, Oregon 97201

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

Re: University of Oregon Foundation Termination of Institutional Fund  
The Shelton Zack Memorial Scholarship Fund

Dear Susan:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Shelton Zack Memorial Scholarship Fund.

As described in the Notice, this fund is quite small and old, and it is no longer economic to maintain the fund as is. For that reason, the endowed status of the fund will terminate, and the net assets will become currently spendable. Thus, the net assets will be spent down, and the fund will close.

Pursuant to ORS 128.328(4), the termination of the fund will be effective sixty-three (63) days (including 3 days for mailing) from the date of this letter, which is January 1, 2018.

If you have questions or need additional information please do not hesitate to let me know.

Very truly yours,

Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Kevin Reed (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

**OFFICES**

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EUGENE OREGON 97401-3156

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PO Box 1147  
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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Jim Brooks, Asst. VP  
Student Financial Aid  
164F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Shelton Zack Memorial Scholarship Fund

Dear Mr. Brooks:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Shelton Zack Memorial Scholarship Fund.

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Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
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Ian T. Richardson (w/ encls.)

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October 30, 2017

Kevin Reed  
General Counsel's Office  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Re: University of Oregon Foundation Termination of Institutional Fund  
The Shelton Zack Memorial Scholarship Fund

Dear Kevin:

On behalf of our client, the University of Oregon Foundation, I am enclosing for your files a true copy of the Notice of Termination of Institutional Fund for the Shelton Zack Memorial Scholarship Fund.

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Laurie A. Nelson

LAN:kb

Enclosure

cc: Michael Andreasen (w/ encls.)  
Jim Brooks (w/ encls.)  
Susan Bower (w/ encls.)  
Wendy Laing (w/ encls.)  
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Laurie A. Nelson  
[nelson@gleaveslaw.com](mailto:nelson@gleaveslaw.com)

October 30, 2017

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

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Dear Mr. Andreasen:

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Laurie A. Nelson

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Enclosure

cc: Kevin Reed (w/ encls.)  
Susan Bower (w/ encls.)  
Jim Brooks (w/ encls.)  
Wendy Laing (w/ encls.)  
Ian T. Richardson (w/ encls.)

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**NOTICE OF TERMINATION  
OF INSTITUTIONAL FUND**

A. In May 1979, Camila Zack as Donor and the University of Oregon Foundation, an Oregon nonprofit corporation, as Trustee, established the Shelton Zack Memorial Scholarship Fund (the "Fund Agreement").

B. Camila Zack is now deceased.

C. The original Fund Agreement, a copy of which is attached hereto, contemplated use for scholarships for undergraduate students in psychology.

The spendable cash available as of June 30, 2017 is \$2,196.03. The Fund's endowment as of June 30, 2017 is \$12,980.33. The endowment restriction has caused the fund purpose language to become wasteful.

The Trustee will remove the endowment restriction and the fund shall be a currently spendable, not endowed fund. The original purpose of the fund may be best achieved by allowing for full spending of the balance of the monies.

D. Pursuant to ORS 128.328(4), governing modification of institutional funds, an institutional fund may be terminated upon sixty (60) days' notice to the Attorney General if the institutional fund has a total value of less than \$25,000 and more than twenty (20) years have elapsed since the fund was established and the institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

E. Notice shall be given to the following persons:

**Beneficiary:**

Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks  
Assistant Vice President, Director  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

With a copy to:

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

**Office of the Attorney General:**

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5th Avenue Suite 410  
Portland, OR 97201

F. Termination shall be effective sixty (60) days (plus three days for mailing) from the date of mailing of this notice as shown on the attached Certificate of Service.

**Trustee:**

University of Oregon Foundation

By:   
Paul Weinhold  
President/CEO

10/3/2027  
Date

32-4082

The Development Fund  
University of Oregon  
Susan Campbell Hall  
Eugene, Oregon 97403

I, the undersigned, ask that gifts received by the University of Oregon Foundation in memorium for Sheldon Zack be entered into the books and records of the Foundation as the Sheldon Zack Memorial Scholarship Fund, and shall always be so designated.

Income only from the Endowment Fund shall be used to provide scholarships for undergraduate students attending the University of Oregon in the field of Psychology.

I request that recipients of the scholarship be chosen on the basis of need and scholastic merit by the Head of the University of Oregon Psychology Department in concert with a committee of such faculty members the Department Head may wish to designate.

If in the future the University of Oregon Foundation for any reason be discontinued, or unable through unforeseen circumstances to administer the Sheldon Zack Memorial Scholarship Fund, I ask that the corpus of the endowment fund be transferred directly to the University of Oregon to carry out the purposes of the Fund specified above.

"IN WITNESS WHEREOF I have subscribed my name hereto this  
18<sup>th</sup> day of May 1979.

Camilla Zack

620-075

5/24/79 (f.b.)

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**CONFIDENTIAL**  
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## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Notice of Termination of Institutional Fund on the following persons on October 30, 2017, by depositing same in the United States Post Office at Eugene, Oregon, enclosed in a sealed envelope, with postage paid to the addresses noted below:

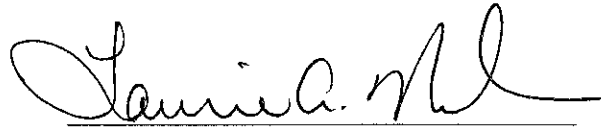
Michael Andreasen  
Vice President  
University Advancement  
112 Johnson Hall  
1270 University of Oregon  
Eugene, OR 97403

Jim Brooks, Asst. VP  
Student Financial Aid  
264F Oregon Hall  
1278 University of Oregon  
Eugene, OR 97403

Kevin Reed  
Office of General Counsel  
219 Johnson Hall  
1226 University of Oregon  
Eugene, OR 97403

Susan A. Bower  
Assistant Attorney General  
Department of Justice  
1515 SW 5<sup>th</sup> Avenue Suite 410  
Portland, OR 97201

DATED: October 30, 2017



Laurie A. Nelson OSB #074478  
Of Attorneys for Trustee