



University of Colorado

Boulder | Colorado Springs | Denver | Anschutz Medical Campus

ADVANCEMENT | CU FOUNDATION

GIFT AGREEMENT TO ESTABLISH THE JOSEF MICHL LEGACY FUND IN CHEMISTRY

Thank you for choosing the University of Colorado (the “University”) and the University of Colorado Foundation (the “Foundation”) as your partners in philanthropy. This agreement establishes the mutual understandings of John Michl (the “Donor”), the University and the Foundation (collectively the “Parties”) with respect to the charitable intent and the ongoing administration of the Josef Michl Legacy Fund in Chemistry (the “Fund”).

I. Background Information.

This Fund is being established by the Donor in memory of his father, Josef Michl, and to support Josef Michl’s legacy in the Department of Chemistry (the “Department”) to support research efforts that Josef Michl was actively engaged in at the time of his passing, and which involve at least one individual with whom Josef had collaborated. The supported work will focus namely on the synthesis, study, and use of the polymeric material porphene. The goal of this Fund is to honor Josef by helping to bridge through further maturation of the field, towards a point where porphene research can thrive on its own, propelled by the broader community discovering new properties in this material class.

II. Statement of Donor Intent.

The Fund will provide support for post-doc(s) in the Department at the University of Colorado Boulder (“CU Boulder”) that enhance the research or to retain people that worked with Joseph Michl directly. While it is anticipated at the outset that the Fund will primarily impact personnel support, the use of funds is not restricted in this way inherently.

PhD or master’s students may be included but only in circumstances where it is clear that they have a sustainable pathway towards degree completion and in the event there are no qualified post-doc candidates. These funds should be used only after all other potential support sources are depleted.

To oversee this Fund, a committee of five (the “Committee”) will be appointed. The Committee will make all allocation decisions on behalf of the Department by discussion and majority vote. The Committee will include three faculty members spanning the experimental, synthetic, and theoretical efforts so integral to Josef’s career. A fourth member will be Dr. Tom Magnera who worked closely with Josef for decades and who has been engaged in porphene research at all stages so far. Finally, a fifth member will be Professor Charles Rogers of Physics at CU Boulder who worked closely with the Michl group studying porphene’s physical properties and applications. Should a replacement member be needed, the remaining members shall select the new member. Preference for replacement Committee members should be given to those that collaborated with Josef. In the event Dr. Tom Magnera or Professor Charles Rogers choose to step down from the committee, replacement members will be selected.

In the event the Committee cannot be convened, expenditures from the Fund will be at the discretion of the Fund Manager (defined below).

III. Contribution and Establishment of Fund.

The Fund will be established with a commitment in the amount of \$10,000. The Donor intends to make the commitment in a form acceptable to the Foundation by June 30, 2025.

The Foundation will send a reminder of the commitment approximately one month before the scheduled payment date.

The Fund may accept any other gifts or bequests that are designated for this purpose.

IV. University Fund Manager.

The University's fund manager shall be the chair of the Department or their designee (the "Fund Manager").

The Fund Manager is responsible for ensuring that expenditures from the Fund are administered in a timely manner, as outlined in the Statement of Donor Intent and in compliance with University policies and procedures.

V. Administration of Fund.

The Fund will be administered as a current expendable fund by the Foundation in accordance with this agreement, Foundation policies and applicable laws, including the Internal Revenue Code and Colorado's Uniform Prudent Management of Institutional Funds Act, all as amended from time to time.

VI. Amendment.

This agreement may be amended only by mutual written consent of the Parties. If the Donor is deceased, lawfully incapacitated, refuses to sign, or otherwise cannot sign the amendment, then the agreement cannot be amended.

VII. Changed Circumstances.

In the unlikely event circumstances change and the purpose of the Fund as expressed in the Statement of Donor Intent becomes obsolete, contrary to or non-compliant with law or University policy and/or otherwise incapable of fulfillment, the University shall consult with the Donor and the Foundation to determine another use. If it is not possible to consult with the Donor, the University and the Foundation shall consult with the Chemistry Department to modify the purpose of the Fund so that the Fund supports a current Department need; however, any modification of the Fund's charitable purpose should reflect as closely as possible the original intent expressed in this agreement.

VIII. Governing Law, Etc.

This agreement constitutes the entire agreement among the Parties and will be governed by and construed in accordance with the laws of the state of Colorado. This agreement takes the place of any verbal understandings among the Parties. This agreement may be executed in counterparts and any signature delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file may be treated as original.

SIGNATURES AND ACKNOWLEDGEMENT

I have read this agreement, and I agree to the terms and conditions set forth therein.

<u>John Michl</u>	<u>Aug 14, 2024</u>
John Michl	Date

Thank you for your contribution to the University of Colorado Foundation for the benefit of the University of Colorado. We look forward to being your partners in philanthropy.

**UNIVERSITY OF COLORADO FOUNDATION
BY:**

<u>Jack Finlaw</u>	<u>Aug 15, 2024</u>
Jack Finlaw President and Chief Executive Officer	Date

**UNIVERSITY OF COLORADO BOULDER
BY:**

<u>Wei Zhang</u>	<u>Aug 14, 2024</u>
Wei Zhang Chair, Department of Chemistry	Date

<u>Irene Blair</u>	<u>Aug 14, 2024</u>
Irene Blair Dean, Division of Natural Sciences	Date

<u>Daryl Maeda</u>	<u>Aug 14, 2024</u>
Daryl Maeda Interim Dean, College of Arts and Sciences	Date

**ACKNOWLEDGED FOR UNIVERSITY OF COLORADO ADVANCEMENT
BY:**

<u>Anne C. Baccary</u>	<u>Aug 14, 2024</u>
Anne Baccary Vice President for Advancement Administration	Date