

CHARITABLE USE OF ASSETS

Sect. 999.5(d)(4)(A) and (B)

The written notice of any proposed agreement or transaction set forth in section 999.5(a)(1) of these regulations that will result in the nonprofit corporation receiving sales proceeds shall include a section entitled "Charitable Use of Assets" that contains [specified] information.

As described elsewhere in this notice, the Applicant will not be receiving any sales proceeds, and Section 999.5(d)(4) therefore is not applicable. Nonetheless, pursuant to the Affiliation Agreement, Adventist Health will, promptly upon closing, amend and restate the Applicant's articles of incorporation and bylaws, which proposed amendments and restatements are attached to the Affiliation Agreement as Exhibits 2.1(e) (Tab (1)(B) – 2). For purposes of comparison, the Applicant's articles of incorporation and current bylaws are attached. (Tabs (4) – 1 and (4) – 2)