

Retirement Plan Termination Amendment Kit

For use with Ascensus' Standardized Individual 401(k) Profit Sharing Plan

GENERAL INSTRUCTIONS

- Failure to complete this amendment properly may result in compliance issues. Terminated plans may still be audited by the IRS and DOL.
- Complete and sign the Ascensus Adoption Agreement Termination Amendment and file it with your other qualified plan documents.
- Review the Ascensus Basic Plan Document Termination Amendment and file it with your other qualified retirement plan documents.
- Complete the Summary of Material Modifications, provide each participant and beneficiary a copy, and file it with your other qualified retirement plan documents.

Please carefully read the remainder of this Amendment Kit for more specific information.

IMPORTANT NOTE REGARDING THIS TERMINATION AMENDMENT

In general, plans must be amended to reflect how they are being operated and to include all additional required items prior to being terminated. This Termination Amendment is meant to be used to timely amend terminating plans for recent legislative, regulatory, and other qualification-related items that are not yet formally included in the plan documents themselves.

American Century Companies, Inc. and its affiliates do not provide tax advice. This Termination Amendment was created by Ascensus and is being provided to you as a courtesy. It is not intended to provide, and should not be relied upon for, accounting, legal or tax advice. Please consult your tax advisor for more detailed information or for advice regarding your plan termination.

Ascensus Adoption Agreement Termination Amendment

This amendment of the Plan (hereinafter referred to as the "Amendment") is comprised of this Adoption Agreement Termination Amendment and the corresponding Basic Plan Document Termination Amendment. The Amendment is intended to provide good faith compliance with the requirement that a terminating plan must accurately reflect the provisions under which it is operating as of the termination date. Except as otherwise provided in the Basic Plan Document Termination Amendment, the Amendment is effective as specified in the Adoption Agreement Termination Amendment. This Amendment supersedes the existing provisions of the Plan to the extent that those provisions are inconsistent with the provisions of the Amendment.

EMPLOYER INFORMATION

Name of Plan _____

Plan Sequence Number _____ Trust Identification Number (if applicable) _____ Account Number _____

PART THREE: CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT OF 2020

Not applicable. The Plan has already amended for the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES).

NOTE: If this option is selected, leave the remainder of this Part Three blank and proceed to the Employer Signature section.

DISTRIBUTIONS AND LOANS

Part A. Coronavirus-Related Loans

Will a Participant who is a Qualified Individual be entitled to request a loan pursuant to Plan Section 5.16 (select one and complete, if applicable)?

Option 1: Yes.

Option 2: No.

This Part A is effective _____. (Specify a date for this provision. The date may not be earlier than March 27, 2020.)

NOTE: If no option is selected, Option 1 will apply if the Plan allows for loans in Section Five and Option 2 will apply if the Plan does not otherwise allow for loans in Section Five.

PART FOUR: SECURE 2.0 ACT OF 2022

Not applicable. The Plan has already amended for the SECURE 2.0 Act of 2022 (SECURE 2.0).

NOTE: If this option is selected, leave the remainder of this Part Three blank and proceed to the Employer Signature section.

DISTRIBUTIONS AND LOANS

Part A. Qualified Federally Declared Disaster Loans

Will a Participant who is otherwise entitled to request a loan from the Plan be entitled to request a loan using the enhanced loan maximum amounts that are applicable to loans for federally declared disasters in Plan Section 5.16 (select one)?

Option 1: Yes.

Option 2: No. The Plan either does not otherwise provide for loans or, if loans are otherwise permitted from the Plan, a Participant who is otherwise entitled to request a loan from the Plan will not be entitled to request a loan using the enhanced loan maximum amounts that are applicable to loans for federally declared disasters in Plan Section 5.16.

This Part A is effective _____ for Qualified Federally Declared Disaster Loans. (Specify a date for this provision. The date may not be earlier than January 26, 2021.)

NOTE: If no option is selected, Option 1 will apply if the Plan allows for loans in Section Five and Option 2 will apply if the Plan does not otherwise allow for loans in Section Five

EMPLOYER SIGNATURE

Signature of Employer:

- 1. I acknowledge that I have relied upon my own advisers regarding the completion of this Adoption Agreement Termination Amendment and the legal and tax implications of amending this Plan;**
- 2. I understand that my failure to properly complete this Adoption Agreement Termination Amendment may result in disqualification of the Plan; and**
- 3. I have received a copy of this Adoption Agreement Termination Amendment and the corresponding Basic Plan Document Termination Amendment which are hereby adopted for the Plan.**

Signature of Adopting Employer _____ Date Signed _____

Type Name _____ Title _____

Ascensus Basic Plan Document

Termination Amendment

This amendment of the Plan (hereinafter referred to as the "Amendment") is comprised of this Basic Plan Document Termination Amendment and the corresponding Adoption Agreement Termination Amendment, if applicable. The Amendment is intended to provide good faith compliance with the requirement that a terminating plan must accurately reflect the provisions under which it is operating as of the termination date. This Amendment supersedes the existing provisions of the Plan to the extent that those provisions are inconsistent with the provisions of the Amendment. The Amendment will not cause the Plan to become an individually designed plan.

PART ONE: BIPARTISAN BUDGET ACT OF 2018

The following is intended to provide good faith compliance with certain provisions of the Bipartisan Budget Act of 2018 (BBA) and related guidance. Except as otherwise provided in the Adoption Agreement Termination Amendment or indicated below, these provisions are effective on the first day of the Plan Year beginning on or after January 1, 2019.

SECTION FIVE: DISTRIBUTIONS AND LOANS TO PARTICIPANTS

The Basic Plan Document section entitled Distributions is modified by replacing Section 5.01(C)(2)(a) and (b) with the following:

- a. *Hardship Withdrawals of Employer Profit Sharing Contributions* –Notwithstanding Plan Section 5.01(C)(1), an Employee may elect to receive a hardship distribution of all or part of the Vested portion of their Individual Account attributable to Employer Contributions other than those described in Plan Section 5.01(A)(2), subject to the requirements of Plan Section 5.10.

For purposes of this Plan Section 5.01(C)(2)(a), hardship is defined as an immediate and heavy financial need of the Employee where such Employee lacks other available resources. Financial needs considered immediate and heavy include, but are not limited to, 1) expenses incurred or necessary for medical care, described in Code section 213(d), of the Employee, the Employee's Spouse, dependents, or, if elected, the Employee's Primary Beneficiary, 2) the purchase (excluding mortgage payments) of a principal residence for the Employee, 3) payment of tuition and related educational fees for the next 12 months of post-secondary education for the Employee, the Employee's Spouse, children, dependents, or, if elected, the Employee's Primary Beneficiary, 4) payment to prevent the eviction of the Employee from, or a foreclosure on the mortgage of, the Employee's principal residence, 5) funeral or burial expenses for the Employee's deceased parent, Spouse, child, dependent, or, if elected, the Employee's Primary Beneficiary, 6) payment to repair damage to the Employee's principal residence that would qualify for a casualty loss deduction under Code section 165 (determined without regard to section 165(h)(5) and whether the loss exceeds ten percent of adjusted gross income), and 7) effective for distributions on or after January 1, 2018, expenses and losses (including loss of income) incurred by the Employee on account of a disaster declared by the Federal Emergency Management Agency (FEMA), provided that the Employee's principal residence or principal place of employment at the time of the disaster was located in an area designated by FEMA for individual assistance with respect to the disaster and the Employee did not request a distribution from the Plan for such expenses and losses pursuant to Plan Section 5.01(D)(3).

A distribution will be considered necessary to satisfy an immediate and heavy financial need of the Employee only if

- i. the Employee has obtained all currently available distributions (including distributions of ESOP dividends under Code section 404(k)), other than hardship distributions, under the Plan and all other qualified and nonqualified deferred compensation plans of the Employer;
 - ii. the distribution is not in excess of the amount of an immediate and heavy financial need (including amounts necessary to pay any federal, state, or local income taxes or penalties reasonably anticipated to result from the distribution); and
 - iii. effective for distributions on or after January 1, 2020, the Employee provided the Plan Administrator with a representation, in writing (including by using an electronic medium as defined in Treasury Regulation section 1.401(a)-21(e)(3)), or in such other form that may be permitted under rules promulgated by the IRS, that they have insufficient cash or other liquid assets reasonably available to satisfy their financial need.
- b. *Hardship Withdrawals of Elective Deferrals* –Distribution of Elective Deferrals, including any earnings credited to an Employee's account attributable to such contributions, may be made to an Employee in the event of hardship. For the purposes of this Plan Section 5.01(C)(2)(b), hardship is defined as an immediate and heavy financial need of the Employee where the distribution is needed to satisfy the immediate and heavy financial need of such Employee. Hardship distributions are subject to the spousal consent requirements contained in Code sections 401(a)(11) and 417, if applicable.

For purposes of determining whether an Employee has a hardship, rules similar to those described in Plan Section 5.01(C)(2)(a) will apply except that only the financial needs listed above will be considered. Any existing suspension of an Employee's Elective Deferrals (and Nondeductible Employee Contributions) due to the receipt of a hardship distribution from the Plan will cease to continue as of the first day of the Plan Year beginning on or after January 1, 2019. In addition, an Employee's Elective Deferrals will not be suspended for any period of time due to the receipt of a hardship distribution that is made during the Plan Year beginning on or after January 1, 2019. For distributions that are made on or after January 1, 2020, an Employee's Elective Deferrals (and Nondeductible Employee Contributions) will not be suspended for any period of time due to the receipt of a hardship distribution. For hardship distributions before 2002, a distribution will be considered as necessary to satisfy an immediate and heavy financial need of the Employee only if all plans maintained by the Employer provide that the Employee may not make Elective Deferrals for the Employee's taxable year immediately following the taxable year of the hardship distribution in excess of the applicable limit under Code section 402(g) for such taxable year less the amount of such Employee's Elective Deferrals for the taxable year of the hardship distribution.

PART TWO: SETTING EVERY COMMUNITY UP FOR RETIREMENT ENHANCEMENT ACT OF 2019

The following is intended to provide good faith compliance with certain provisions of the Further Consolidated Appropriations Act, 2020 (FCAA), including the Setting Every Community Up for Retirement Enhancement Act of 2019 (SECURE) and the Bipartisan American Miners Act of 2019, and related guidance. Except as otherwise provided in the Adoption Agreement Termination Amendment or indicated below, these provisions are effective on the first day of the Plan Year beginning on or after January 1, 2020.

DEFINITIONS

APPLICABLE MULTI-BENEFICARY TRUST

Applicable Multi-Beneficiary Trust is added to the Plan as a new defined term with the following definition:

Means a trust 1) that has more than one Beneficiary, 2) in which all of the Beneficiaries are treated as Designated Beneficiaries for purposes of determining the distribution period pursuant to Code section 401(a)(9), and 3) in which at least one of the Beneficiaries is an Eligible Designated Beneficiary described in Code section 401(a)(9)(E)(ii)(III) or (IV).

COMPENSATION

The Plan's definition of Compensation, Section B, is modified by adding the following at the end of paragraph three:

In addition, for Plan Years beginning on or after January 1, 2016, Compensation for a Participant shall, as required under Code section 415(c)(8) and related guidance, be increased by the amount of Difficulty of Care Payments that are excluded from gross income by such Participant under Code section 131 for a taxable year.

DIFFICULTY OF CARE PAYMENTS

Difficulty of Care Payments is added to the Plan as a new defined term with the following definition:

Means the amount of qualified foster care payments that an Employee receives from the Adopting Employer that are excluded from gross income by such Participant under Code section 131 for a taxable year. Participant contributions allocable to Difficulty of Care Payments shall be treated as Nondeductible Employee Contributions for purposes of the Code and this Plan, except as otherwise provided herein or by law or regulation.

EFFECTIVE DATE

The Plan's definition of Effective Date is modified by adding the following as a new paragraph to the end:

For purposes of an initial adoption of the Plan by the Adopting Employer that occurs for taxable years beginning on or after January 1, 2020, if the Plan is adopted after the close of the initial Plan Year of the Plan, but prior to the Adopting Employer's deadline for filing a tax return (including any applicable filing extensions) for the taxable year that contains such initial Plan Year end, the Plan will be treated as if the Plan was adopted as of the last day of the initial Plan Year.

ELIGIBLE ADOPTEE

Eligible Adoptee is added to the Plan as a new defined term with the following definition:

Means any individual (other than a child of the Employee's Spouse) who has not attained age 18 or is physically or mentally incapable of self-support.

ELIGIBLE DESIGNATED BENEFICIARY

Eligible Designated Beneficiary is added to the Plan as a new defined term with the following definition:

Means with respect to any Participant, any Designated Beneficiary who is 1) the surviving Spouse of the Participant, 2) a child of the Participant who has not reached the age of majority, 3) disabled (within the meaning of Code section 72(m)(7) and related guidance), 4) a chronically ill individual (within the meaning of Code section 7702B(c)(2), except that the requirements of subparagraph (A)(i) thereof shall only be treated as met if there is a certification that, as of such date, the period of inability must be an indefinite one which is reasonably expected to be lengthy in nature), 5) an individual not described in the preceding who is not more than 10 years younger than the Participant, or 6) any other individual as determined by the Secretary of the Treasury.

The determination of whether a Designated Beneficiary is an Eligible Designated Beneficiary shall be determined as of the date of death of the Participant in accordance with Code section 401(a)(9) and related guidance.

LIFETIME INCOME FEATURE

Lifetime Income Feature is added to the Plan as a new defined term with the following definition:

Means 1) a feature which guarantees a minimum level of income annually (or more frequently) for at least the remainder of the life of the Participant or the joint lives of the Participant and the Participant's Designated Beneficiary, or 2) an annuity payable on behalf of the Participant under which payments are made in substantially equal periodic payments (not less frequently than annually) over the life of the Participant or the joint lives of the Participant and the Participant's Designated Beneficiary.

LIFETIME INCOME INVESTMENT

Lifetime Income Investment is added to the Plan as a new defined term with the following definition:

Means an investment option which is designed to provide a Participant with election rights 1) which are not uniformly available with respect to other investment options under the Plan, and 2) which are to a Lifetime Income Feature available through a contract or other arrangement offered under the Plan (or under another Eligible Retirement Plan, if paid by means of a Direct Rollover described in Code section 401(a)(31)(A) to such other eligible retirement plan).

LONG-TERM PART-TIME EMPLOYEE

Long-Term, Part-Time Employee is added to the Plan as a new defined term with the following definition:

Means an Employee who is eligible to become a Participant in the Plan for purposes of making Elective Deferrals solely by reason of satisfying the eligibility requirements indicated in item 2) of the second paragraph of Plan Section 2.01. Notwithstanding the preceding, a Long-Term, Part-Time Employee will not include Employees described in Code section 410(b)(3).

MAXIMUM PERMISSIBLE AMOUNT

The Plan's definition of Maximum Permissible Amount is modified by adding the following to the end:

For Limitation Years beginning on or after January 1, 2016, the compensation limitation referred to in (b) will be increased by the amount of Difficulty of Care Payments for a taxable year that are excluded from gross income by such Participant under Code section 131.

QUALIFIED BIRTH OR ADOPTION DISTRIBUTION

Qualified Birth or Adoption Distribution is added to the Plan as a new defined term with the following definition:

Means any distribution from the Plan to an Employee if made during the one-year period beginning on the date on which a child of the Employee is born or on which the legal adoption by the Employee of an Eligible Adoptee is finalized. Notwithstanding the preceding, for purposes of a repayment of a Qualified Birth or Adoption Distribution to the Plan in accordance with Plan Section 3.03, a Qualified Birth or Adoption Distribution may be taken from a source other than the Plan.

QUALIFIED PLAN DISTRIBUTION ANNUITY CONTRACT

Qualified Plan Distribution Annuity Contract is added to the Plan as a new defined term with the following definition:

Means an annuity contract purchased for a Participant and distributed to the Participant by the Plan.

REQUIRED BEGINNING DATE

The Plan's definition of Required Beginning Date is modified by replacing the defined term with the following:

Means April 1 of the calendar year following the calendar year in which the Participant attains age 70½ or retires, whichever is later, except that benefit distributions to a five-percent owner must commence by the April 1 of the calendar year following the calendar year in which the Participant attains age 70½. Notwithstanding the preceding, if required under transition rules provided under Treasury Regulation section 1.401(a)(9), the Required Beginning Date means April 1 of the calendar year following the calendar year in which the Participant attains age 70½. However, if an amendment was previously made to the Plan pursuant to Treasury Regulation section 1.411(d)-4, Q&A-10(b), any Participant (other than a five-percent owner) attaining age 70½ after 1995 may elect by the April 1 of the calendar year following the year in which the Participant attained age 70½ (or by December 31, 1997, in the case of a Participant attaining age 70½ in 1996) to defer distributions until the calendar year following the calendar year in which the Participant retires. An election to defer distributions will be deemed made by a Participant who does not request a minimum distribution by April 1 of the year following the year in which the Participant attains age 70½. Notwithstanding the preceding, for distributions required to be made on or after January 1, 2020, with respect to individuals who attain age 70½ on or after such date, any reference in the Basic Plan Document or the Adoption Agreement to "70½" as it relates to the Required Beginning Date shall be effectively changed to "72."

A Participant is treated as a five-percent owner for purposes of this section if such Participant is a five-percent owner as defined in Code section 416 at any time during the Plan Year ending with or within the calendar year in which such owner attains age 70½. Once distributions have begun to a five-percent owner under this section, they must continue to be distributed, even if the Participant ceases to be a five-percent owner in a subsequent year.

SECTION TWO: ELIGIBILITY

The Basic Plan Document section entitled Eligibility to Participate is modified by adding the following after the first paragraph in Section 2.01:

Except as otherwise indicated in rules promulgated by the IRS, for Plan Years beginning on or after January 1, 2021, pursuant to Code section 401(k)(2)(D), eligibility service requirements must be coordinated such that the Plan does not require, as a condition of participation for purposes of making Elective Deferrals, that an Employee complete eligibility service requirements with the Employer maintaining the Plan extending beyond the close of the earlier of 1) the period permitted under Code section 410(a)(1)(A)(ii), or 2) the first period of three

consecutive 12-month periods during each of which the Employee, other than a union employee or non-resident alien described in items (A) and (B) below or an Employee who belongs to a class of Employees excluded from participation as indicated in this Plan Section 2.01 and as permitted by the Treasury Regulations and related guidance, completes at least 500 Hours of Service. For purposes of determining an Employee's eligibility under item 2), 12-month periods beginning before January 1, 2021, will not be taken into account and such requirement will not apply unless the Employee has attained the age of 21 by the close of the last 12-month period.

SECTION THREE: CONTRIBUTIONS

The Basic Plan Document section entitled Rollover Contributions is modified by adding the following to the end:

A Participant who receives a Qualified Birth or Adoption Distribution from the Plan may, in accordance with the Plan's existing rollover contribution provisions and pursuant to rules promulgated by the IRS, make one or more repayments to the Plan in an aggregate amount not to exceed the amount of such distribution. In addition, a Participant who receives a Qualified Birth or Adoption Distribution that is taken from a plan described in Code section 401(a), 403(a), 403(b), 408 or 457(b) (if maintained by a governmental entity) may, in accordance with this Plan Section 3.03 and pursuant to rules promulgated by the IRS, make one or more repayments to the Plan in an aggregate amount not to exceed the amount of such distribution. For purposes of any repayments to the Plan under this Plan Section 3.03, the Participant will be treated as having received the Qualified Birth or Adoption Distribution in an eligible rollover distribution (as defined in Code section 402(c)(4)) and as having contributed the amount to the Eligible Retirement Plan within 60 days of the distribution.

The Plan will accept a rollover contribution of a Lifetime Income Investment Distribution from an Eligible Retirement Plan in accordance with the Plan's existing rollover provisions.

The Basic Plan Document section entitled Limitation on Allocations is modified by adding the following, as Section 3.06(D):

Except as otherwise provided herein or by law, Participant contributions allocable to Difficulty of Care Payments shall be treated as Nondeductible Employee Contributions for purposes of the Code and this Plan. Such contributions shall not, however, cause the Plan to be treated as failing to meet the requirements of any provision described in Code chapter 1, Normal Taxes and Surtaxes, by reason of any contribution that is based on Difficulty of Care Payments.

The Basic Plan Document section entitled Contributions is modified by adding the following as Section 3.10: Special Rules for Participation Requirement For Long-Term, Part-Time Employees

- A. Nondiscrimination Rules** – Notwithstanding Code section 401(a)(4), the Employer will not be required to make Employer Contributions (other than Elective Deferrals) on behalf of Long-Term, Part-Time Employees, even if such contributions are made on behalf of other Employees eligible to participate in the Plan. In addition, the Employer may exclude Long-Term, Part-Time Employees from application of Code sections 401(a)(4), 401(k)(3) and 410(b).
- B. Top-Heavy Rules** – The Employer may exclude all Long-Term, Part-Time Employees from the application of the vesting and benefit requirements under Code section 416(b) and (c).

Notwithstanding the preceding, except as otherwise indicated in rules promulgated by the IRS, this Plan Section 3.10 shall cease to apply to any Employee as of the first Plan Year beginning after the Plan Year in which the Employee completes at least 1,000 Hours of Service.

The Basic Plan Document section entitled Contributions is modified by adding the following as Section 3.11: Difficulty of Care Contributions

A Participant may make contributions to, or receive allocations under, the Plan that are based on the Participant receiving Difficulty of Care Payments, even if the Participant has no other Compensation. Such amounts will be treated as Nondeductible Employee Contributions to the Plan, except as otherwise provided herein or by law or regulation.

SECTION FIVE: DISTRIBUTIONS AND LOANS TO PARTICIPANTS

The Basic Plan Document section entitled Distributions is modified by adding the following as Section 5.01(A)(2)(f): amounts invested in a Lifetime Income Investment in accordance with Plan Section 5.01(D)(4);

The Basic Plan Document section entitled Distributions is modified by adding the following as Section 5.01(A)(2)(g): a Qualified Birth or Adoption Distribution in accordance with Plan Section 5.01(D)(5); or

The Basic Plan Document section entitled Distributions is modified by replacing paragraphs two in Section 5.01(C)(1) with the following:

Effective as of the first day of the Plan Year beginning on or after January 1, 2020, a Participant who is not otherwise eligible to receive a distribution of their Individual Account may elect to receive an in-service distribution of all or part of the Vested portion of their Individual Account attributable to transfers of money purchase pension contributions at age 59½. For Plan Years beginning before January 1, 2020, a Participant who is not otherwise eligible to receive a distribution of their Individual Account may elect to receive an in-service distribution of all or part of the Vested portion of their Individual Account attributable to transfers of money purchase pension contributions at age 62.

The Basic Plan Document section entitled Distributions is modified by adding the following as Section 5.01(D)(4):

Portability of Lifetime Income – In accordance with Code section 401(a)(38) and related guidance, a Participant may at any time, and upon a request submitted to the Plan Administrator (either in writing or in any other form permitted under rules promulgated by the IRS and DOL), withdraw amounts invested in a Lifetime Income Investment in the form of a Direct Rollover described in Code section 401(a)(31)(A) to an Eligible Retirement Plan or a Qualified Plan Distribution Annuity Contract. Such distributions must be made on or after the date that is 90 days prior to the date on which such Lifetime Income Investment is no longer authorized to be held as an investment option under the Plan.

The Basic Plan Document section entitled Distributions is modified by adding the following as Section 5.01(D)(5):

Qualified Birth or Adoption Distributions and Repayments –Participants may take Qualified Birth or Adoption Distributions on or after January 1, 2020. The aggregate amount of such distributions from all plans maintained by the Employer, including all plans maintained by a Related Employer, to such individual with respect to any birth or adoption may not exceed \$5,000.

Notwithstanding the preceding, all or part of the Vested portion of a Participant's Individual Account that is attributable to transfers of money purchase pension contributions may only be taken as a Qualified Birth or Adoption Distribution if the Participant is eligible to receive an in-service distribution of any Employer Contributions under the Plan pursuant to Plan Section 5.01(C)(1).

The Basic Plan Document section entitled Required Minimum Distribution Requirements is modified by adding the following to the end of Section 5.05(B)(1):

If the Designated Beneficiary is an Eligible Designated Beneficiary, all references in this Plan Section 5.05(B)(1) to the "five-year rule," "Designated Beneficiary," or "fifth" as it relates to an election under this paragraph shall be effectively changed to the "ten-year rule," "Eligible Designated Beneficiary," and "tenth," respectively.

The Basic Plan Document section entitled Required Minimum Distribution Requirements is modified by adding the following as Section 5.05(D)(1)(c):

Death On or After January 1, 2020 – With respect to a Participant who dies on or after January 1, 2020, except as otherwise provided by the IRS under regulation or other guidance, the Participant's entire remaining interest will generally be distributed by December 31 of the year containing the 10th anniversary of the Participant's death unless the Designated Beneficiary is an Eligible Designated Beneficiary or there is no Designated Beneficiary for purposes of determining a distribution period.

If the Designated Beneficiary is an Eligible Designated Beneficiary, the entire remaining interest may be distributed (in accordance with Code section 401(a)(9) and the corresponding Treasury Regulations) over the remaining Life Expectancy of the Eligible Designated Beneficiary. Life Expectancy distributions to an Eligible Designated Beneficiary must generally commence by December 31 of the year following the year of the Participant's death. For certain trust Beneficiaries (e.g., an Applicable Multi-Beneficiary Trust which meets the requirements of Code section 401(a)(9)(H)(iv)) the entire interest may be distributed over the remaining Life Expectancy of the trust Beneficiary. The remaining Life Expectancy is calculated using the age of the Eligible Designated Beneficiary or trust Beneficiary, as applicable, in the year following the year of the Participant's death, reduced by one for each subsequent year.

If the Participant's surviving Spouse is the Eligible Designated Beneficiary, distributions to the surviving Spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died. The minimum amount that will be distributed for each Distribution Calendar Year after the year of the Participant's death is the quotient obtained by dividing the Participant's benefit by the longer of the remaining Life Expectancy of the Participant or the remaining Life Expectancy of the surviving Spouse. The Participant's remaining Life Expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year. The remaining Life Expectancy of the surviving Spouse is calculated for each Distribution Calendar Year after the year of the Participant's death using the surviving Spouse's age as of the Spouse's birthday in that year. For Distribution Calendar Years after the year of the surviving Spouse's death, the remaining Life Expectancy of the surviving Spouse is calculated using the age of the surviving Spouse as of the Spouse's birthday in the calendar year of the Spouse's death, reduced by one for each subsequent calendar year.

If the Participant's Eligible Designated Beneficiary is the Participant's minor child, Life Expectancy payments must begin by December 31 of the year following the year of the Participant's death and continue until the child reaches the age of majority. Unless the remaining interest is payable to the Participant's surviving Spouse once the age of majority is reached, the Beneficiary shall cease to be an Eligible Designated Beneficiary as of the date the child reaches the age of majority and, except as otherwise provided by the IRS under regulation or other guidance, will have 10 years to deplete the account.

If a Beneficiary other than a person (including certain trusts) is named, the Participant will be treated as having no Designated Beneficiary for purposes of determining the distribution period. If there is no Designated Beneficiary, distributions will commence using the Participant's remaining Life Expectancy, calculated using the age of the Participant in the year of death, reduced by one in each subsequent year.

The provisions of this Plan Section 5.05(D)(1)(c) will not apply to a qualified annuity (as defined in section 401 of the SECURE Act and related guidance) that is a binding annuity contract in effect as of December 20, 2019, and at all times thereafter.

The Basic Plan Document section entitled Required Minimum Distribution Requirements is modified by adding the following as Section 5.05(D)(2)(c):

Death On Or After January 1, 2020 – With respect to Participants who die on or after January 1, 2020, except as otherwise provided by the IRS under regulation or other guidance, the Participant's entire remaining interest will generally be distributed by December 31 of

the year containing the tenth anniversary of the Participant's death unless the Designated Beneficiary is an Eligible Designated Beneficiary or there is no Designated Beneficiary for purposes of determining a distribution period.

If the Designated Beneficiary is an Eligible Designated Beneficiary, the entire remaining interest may be distributed (in accordance with Code section 401(a)(9) and the corresponding Treasury Regulations) over the remaining Life Expectancy of the Eligible Designated Beneficiary. Life Expectancy distributions to an Eligible Designated Beneficiary must generally commence by December 31 of the year following the year of the Participant's death. For certain trust Beneficiaries (e.g., an Applicable Multi-Beneficiary Trust which meets the requirements of Code section 401(a)(9)(H)(iv)) the entire interest may be distributed over the remaining Life Expectancy of the trust Beneficiary. The remaining Life Expectancy is calculated using the age of the Eligible Designated Beneficiary or trust Beneficiary, as applicable, in the year following the year of the Participant's death, reduced by one for each subsequent year.

If the Participant's surviving Spouse is the Eligible Designated Beneficiary, distributions to the surviving Spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 72, if later. The minimum amount that will be distributed for each Distribution Calendar Year after the year of the Participant's death is the quotient obtained by dividing the Participant's benefit by the remaining Life Expectancy of the surviving Spouse. The remaining Life Expectancy of the surviving Spouse is calculated for each Distribution Calendar Year after the year of the Participant's death using the surviving Spouse's age as of the Spouse's birthday in that year. For Distribution Calendar Years after the year of the surviving Spouse's death, the remaining Life Expectancy of the surviving Spouse is calculated using the age of the surviving Spouse as of the Spouse's birthday in the calendar year of the Spouse's death, reduced by one for each subsequent calendar year.

If the Participant's Eligible Designated Beneficiary is the Participant's minor child, Life Expectancy payments must begin by December 31 of the year following the year of the Participant's death and continue until the child reaches the age of majority. Unless the remaining interest is payable to the Participant's surviving Spouse once the age of majority is reached, the Beneficiary shall cease to be an Eligible Designated Beneficiary as of the date the child reaches the age of majority and, except as otherwise provided by the IRS under regulation or other guidance, will have 10 years to deplete the account.

If a Beneficiary other than a person (including certain trusts) is named, the Participant will be treated as having no Designated Beneficiary for purposes of determining the distribution period. If there is no Designated Beneficiary, the entire interest must be distributed by December 31 of the year containing the fifth anniversary of the Participant's death.

The provisions of this Plan Section 5.05(D)(2)(c) will not apply to a qualified annuity (as defined in Section 401 of the SECURE Act and related guidance) that is a binding annuity contract in effect as of December 20, 2019, and at all times thereafter.

The Basic Plan Document section entitled Loans to Participants is modified by adding the following, as the next alphabetically ordered item:

For plan loans made on or after December 21, 2019, no loans will be made through credit cards or other similar arrangements.

PART THREE: CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT OF 2020

The following is intended to provide good faith compliance with certain provisions of the Coronavirus Aid, Relief and Economic Security Act of 2020 (CARES) and related guidance. Except as otherwise provided in the Adoption Agreement Termination Amendment or indicated below, these provisions are effective for calendar years beginning on or after January 1, 2020.

In the event that the CARES provisions in this Part modify or update good faith amendment provisions that are addressed in other Parts of this Basic Plan Document Termination Amendment, such good faith amendment provisions will be identified by referencing the applicable Act to which they relate (e.g., "SECURE").

DEFINITIONS

2020 RMD

2020 RMD is added to the Plan as a new defined term with the following definition:

Means a required minimum distribution 1) that would have been distributed to a Participant or Beneficiary for 2020, or 2) that would have been distributed to a Participant or Beneficiary in 2020 for 2019 but for the enactment of Code section 401(a)(9)(I).

CORONAVIRUS-RELATED DISTRIBUTION (CRD)

Coronavirus-Related Distribution is added to the Plan as a new defined term with the following definition:

Means a distribution, other than certain distributions that are not eligible rollover distributions under Treasury Regulation section 1.402(c)-2 (e.g., corrective distributions of excess deferrals and contributions, loans that are treated as deemed loans, and dividends paid on employer securities), that is made on or after January 1, 2020, and before December 31, 2020, to a Participant or Beneficiary due to becoming a Qualified Individual.

ELIGIBLE ROLLOVER DISTRIBUTION

The Plan's definition of Eligible Rollover Distribution is modified by adding the following as a new paragraph to the end:

Notwithstanding the foregoing, solely for purposes of applying the Direct Rollover distribution provisions of the Plan, 2020 RMDs and Extended 2020 RMDs distributed for 2019 or 2020, as applicable, will be treated as Eligible Rollover Distributions.

EXTENDED 2020 RMD

Extended 2020 RMD is added to the Plan as a new defined term with the following definition:

Means one or more payments in a series of substantially equal distributions (that include the 2020 RMD) made at least annually and expected to last for the life (or Life Expectancy) of the Participant, the joint lives (or joint life expectancies) of the Participant and the Participant's Designated Beneficiary, or for a period of at least 10 years.

QUALIFIED INDIVIDUAL

Qualified Individual is added to the Plan as a new defined term with the following definition:

Means an individual (i) who is diagnosed with the virus SARS-CoV-2 or with coronavirus disease 2019 (referred to collectively as "COVID-19") by a test approved by the Centers for Disease Control and Prevention (including a test authorized under the Federal Food, Drug, and Cosmetic Act); (ii) whose spouse or dependent (as defined in Code section 152) is diagnosed with COVID-19 by such a test; or (iii) who experiences adverse financial consequences as a result of being quarantined, being furloughed or laid off, or having work hours reduced due to COVID-19, being unable to work due to lack of child care due to COVID-19, closing or reducing hours of a business owned or operated by the individual due to COVID-19, having a reduction in pay (or self-employment income) due to COVID-19 or having a job offer rescinded or start date for a job delayed due to COVID-19, the individual's spouse or a member of the individual's household being quarantined, being furloughed or laid off, or having work hours reduced due to COVID-19, being unable to work due to lack of childcare due to COVID-19, having a reduction in pay (or self-employment income) due to COVID-19, or having a job offer rescinded or start date for a job delayed due to COVID-19, or closing or reducing hours of a business owned or operated by the individual's spouse or a member of the individual's household due to COVID-19, or other factors as determined by the Secretary of the Treasury.

For this purpose, a "member of the individual's household" is someone who shares the individual's principal residence.

REQUIRED BEGINNING DATE

The Plan's definition of Required Beginning Date is modified by adding the following as a new paragraph to the end:

If a 2020 RMD or Extended 2020 RMD is not removed from the Plan for any Participant according to Code section 401(a)(9)(I) and the Plan is subject to the Qualified Joint and Survivor Annuity provisions of the Basic Plan Document, the requirements of IRS Notice 97-75, Q&A-8, must be satisfied as required by the IRS.

No new Annuity Starting Date will apply upon recommencement of RMDs for 2021.

SECTION THREE: CONTRIBUTIONS

The Basic Plan Document section entitled Rollover Contributions is modified by adding the following after the last paragraph of Section 3.03, as updated by SECURE:

2020 RMDs and Extended 2020 RMDs distributed for 2020 will be considered Eligible Rollover Distributions and may be rolled over to the Plan in accordance with this Plan Section 3.07 and the Plan's existing rollover contribution elections.

A Participant who receives a Coronavirus-Related Distribution from the Plan may, in accordance with the Plan's existing rollover contribution provisions and pursuant to rules promulgated by the IRS, make one or more repayments to the Plan in an aggregate amount not to exceed the amount of such distribution. In addition, a Participant who receives a Coronavirus-Related Distribution that is taken from a plan described in Code section 401(a), 403(a), 403(b), 408 or 457(b) (if maintained by a governmental entity) may, in accordance with this Plan Section 3.03 and pursuant to rules promulgated by the IRS, make one or more repayments to the Plan in an aggregate amount not to exceed the amount of such distribution. For purposes of any repayments to the Plan under this Plan Section 3.03, the Participant will be treated as having received the Coronavirus-Related Distribution in an eligible rollover distribution (as defined in Code section 402(c)(4)) and as having contributed the amount to the Eligible Retirement Plan within 60 days of the distribution.

SECTION FIVE: DISTRIBUTIONS AND LOANS TO PARTICIPANTS

The Basic Plan Document section entitled Distributions is modified by adding the following as Section 5.01(A)(2)(h):

a Coronavirus-Related Distribution in accordance with Plan Section 5.01(D)(6).

The Basic Plan Document section entitled Distributions is modified by adding the following as Section 5.01(D)(6):

Coronavirus-Related Distribution – A Participant who is a Qualified Individual may take a Coronavirus-Related Distribution from the Plan. However, the aggregate amount of such distributions from all plans maintained by the Employer, including all plans maintained by a Related Employer, for any taxable year to such individual may not exceed \$100,000.

Notwithstanding the preceding, a Coronavirus-Related Distribution of all or part of the Vested portion of a Qualified Individual's Individual Account attributable to transfers of money purchase pension contributions will be treated as meeting the distribution rules of Code section 401(a).

The Basic Plan Document section entitled Required Minimum Distribution Requirements is modified by adding the following as Section 5.05(G):

Temporary Waiver of Required Minimum Distribution Requirements – Notwithstanding anything in the Plan or the definition of Distribution Calendar Year to the contrary, Participants and Beneficiaries who would have been required to receive a 2020 RMD or Extended 2020 RMD but for the enactment of Code section 401(a)(9)(l) will be given the choice to receive such distributions for 2019 or 2020, if applicable.

If a Participant or Beneficiary described above is allowed to remove their 2020 RMD or Extended 2020 RMD but does not elect to receive such amount, the 2020 RMD or Extended 2020 RMD will be retained in the Plan.

In addition, notwithstanding anything in the Plan to the contrary, if a Beneficiary's balance is required to be distributed under Code section 401(a)(9)(B)(ii), the five-year period described in such section shall be determined without regard to calendar year 2020.

The Basic Plan Document section entitled Loans to Participants is modified by adding the following after the last paragraph:

Unless otherwise elected in the Adoption Agreement Termination Amendment, a Participant who is a Qualified Individual will be entitled to request a loan from the Fund during the period beginning on March 27, 2020, and ending on September 22, 2020. With respect to a loan that is made to a Qualified Individual, the maximum loan percentage in Plan Section 5.16 shall be applied by substituting "100 percent of the Present Value of the nonforfeitable Individual Account of the Participant" for "50 percent of the Present Value of the nonforfeitable Individual Account of the Participant," and the maximum loan amount in Plan Section 5.16 shall be determined by substituting "\$100,000" for "\$50,000." The Plan Administrator may rely on the Participant's certification that they are a Qualified Individual, as permitted by the IRS, for purposes of determining whether a loan is a coronavirus-related loan.

In the case of a Participant who is a Qualified Individual with an outstanding loan from the Fund on or after March 27, 2020, 1) if the due date to repay the loan, which otherwise meets the terms of repayment, occurs during the period beginning on March 27, 2020, and ending on December 31, 2020, such due date shall be delayed for one year, 2) any subsequent repayments with respect to any such loan shall be appropriately adjusted to reflect the delay in the due date and any interest accruing during such delay, and 3) in determining compliance with the repayment terms of the loan, the one-year period described above shall be disregarded.

PART FOUR: SECURE 2.0 ACT OF 2022

The following is intended to provide good faith compliance with certain provisions of the Consolidated Appropriations Act, 2023 (CAA), including the SECURE 2.0 Act of 2022 (SECURE 2.0) and related guidance. Except as otherwise provided in the Adoption Agreement Termination Amendment or indicated below, these provisions are effective on the first day of the Plan Year beginning on or after January 1, 2023.

In the event that the SECURE 2.0 provisions in this Part modify or update good faith amendment provisions that are addressed in other Parts of this Basic Plan Document Termination Amendment, such good faith amendment provisions will be identified by referencing the applicable Act to which they relate (e.g., "SECURE").

DEFINITIONS

APPLICABLE MULTI-BENEFICIARY TRUST

The Plan's definition of Applicable Multi-Beneficiary Trust that was added by SECURE is modified by adding the following to the end:

For purposes of determining if a trust is a Multi-Beneficiary Trust, effective January 1, 2023, any beneficiary of the trust that is an organization described in Code Section 408(d)(8)(B)(i) shall be treated as a Designated Beneficiary.

DESIGNATED ROTH CONTRIBUTIONS

Designated Roth Contributions is added to the Plan as a new defined term with the following definition:

Means Employer Profit Sharing Contributions that are made to the Plan pursuant to Adoption Agreement Section Three and that the Participant has elected to be includible in the Participant's gross income at the time such contribution is made by the Employer and be irrevocably treated as Designated Roth Contributions.

DOMESTIC RELATIONS ORDER

The Plan's definition of Domestic Relations Order is modified by replacing (b) with the following:

- b. is made pursuant to state or, effective January 1, 2023, Indian tribal government law (including applicable community property laws).

EFFECTIVE DATE

The Plan's definition of Effective Date is modified by adding the following after the paragraph that was added by SECURE:

If the Plan is adopted after the close of the initial Plan Year of the Plan and the Adopting Employer is an unincorporated trade or business that is owned entirely by a Self-Employed Individual who is the only Employee of the Adopting Employer, any Elective Deferrals made to the Plan prior to the Adopting Employer's deadline for filing a tax return (not including any applicable filing extensions) for the taxable year that contains such initial Plan Year end, shall be treated as contributed prior to the end of such initial Plan Year.

FEDERALLY DECLARED DISASTER DISTRIBUTION

Federally Declared Disaster Distribution is added to the Plan as a new defined term with the following definition:

Means any distribution from the Plan to an Employee with respect to a qualified disaster in accordance with Plan Section 5.01(A)(2)(e) and 5.01(D)(3). Notwithstanding the preceding, for purposes of a repayment of a Federally Declared Disaster Distribution to the Plan in accordance with Plan Section 3.03, a Federally Declared Disaster Distribution may be taken from a source other than the Plan.

PARTICIPANT'S BENEFIT

The Plan's definition of Participant's Benefit is modified by adding the following to the end:

Effective December 29, 2022, the Plan Administrator shall have the authority to establish uniform and nondiscriminatory procedures determining whether the Participant's Benefit shall include the value of any annuity contracts from which payments are made in accordance with Treasury regulation section 1.401(a)(9)-6 (or any successor regulation).

REQUIRED BEGINNING DATE

The Plan's definition of Required Beginning Date is modified by adding the following as a new paragraph to the end of the first paragraph that was updated by SECURE:

Notwithstanding the preceding, for distributions required to be made after December 31, 2022, with respect to individuals who attain age 72 after such date, any reference in the Basic Plan Document to "72" as it relates to the Required Beginning Date shall be effectively changed to "73".

TERMINAL ILLNESS DISTRIBUTION

Terminal Illness Distribution is added to the Plan as a new defined term with the following definition:

Means any distribution from the Plan to an Employee on or after the date on which the Employee has been certified by a physician as being a terminally ill individual as described in Code section 72(t)(2)(L)(ii). The Participant must provide the Plan Administrator sufficient evidence of the terminally ill condition in accordance with guidance provided by the IRS or Secretary of the Treasury. Notwithstanding the preceding, for purposes of a repayment of a Terminal Illness Distribution to the Plan in accordance with Plan Section 3.03, a Terminal Illness Distribution may be taken from a source other than the Plan.

SECTION THREE: CONTRIBUTIONS

The Basic Plan Document section entitled Rollover Contributions is modified by adding the following to the end of Section 3.03, that was previously updated by CARES:

Notwithstanding the foregoing, a Participant may repay any Qualified Birth or Adoption Distribution at any time during the 3-year period beginning on the day after the date on which such distribution was received, except that such distributions made prior to December 29, 2022, may be repaid at any time prior to January 1, 2026.

A Participant who receives a Federally Declared Disaster Distribution or a Terminal Illness Distribution from the Plan may, in accordance with the Plan's existing rollover contribution provisions and pursuant to rules promulgated by the IRS, make one or more repayments to the Plan in an aggregate amount not to exceed the amount of such distribution at any time during the 3-year period beginning the day after the date on which such distribution was received. In addition, a Participant who receives a Federally Declared Disaster Distribution that is taken from plan described in Code section 401(a), 403(a), 403(b) or 457(b) (if maintained by a governmental entity) and/or a Terminal Illness Distribution that is taken from plan described in Code section 401(a), 403(a), or 403(b) may, pursuant to rules promulgated by the IRS, make one or more repayments to the Plan in an aggregate amount not to exceed the amount of such distribution.. For purposes of any repayments to the Plan under this Plan Section 3.03, the Participant will be treated as having received the Federally Declared Disaster Distribution or a Terminal Illness Distribution in an eligible rollover distribution (as defined in Code section 402(c)(4)) and as having contributed the amount to the Eligible Retirement Plan within 60 days of the distribution.

A Participant may also roll over to the Plan the amount of a hardship withdrawal made from the Plan pursuant to Section 5.01(C)(2)(a)(2) for the purchase or construction of a principal residence in a qualified disaster area which was received no more than 180 days prior to the first day of the incident period for a qualifying disaster described in Section 5.01(D)(3) and not later than 30 days after the last day of such incident period, but which was not so used on account of the qualified disaster with respect to such area.

The Basic Plan Document section entitled Contributions is modified by replacing Section 3.10(A), as added by SECURE, with the following:

A. Nondiscrimination Rules – Notwithstanding Code section 401(a)(4), the Employer will not be required to make nonelective contributions on behalf of Long-Term Part-Time Employees even if such contributions are made on behalf of other Employees eligible to participate in the Plan. In addition, the Employer may exclude Long-Term Part-Time Employees from application of Code sections 401(a)(4), 401(k)(3), and 410(b).

SECTION FIVE: DISTRIBUTIONS AND LOANS TO PARTICIPANTS

The Basic Plan Document section entitled Distributions is modified by adding the following paragraph to the end of Section 5.01(C)(2)(a), as updated by BBA:

Effective for Plan Years beginning after December 29, 2022, except as may be provided for in regulations promulgated by the Secretary of the Treasury, the Administrator may rely upon a certification from the Employee that the hardship is on account of an immediate and heavy financial need, that the amount requested is not in excess of the amount required to satisfy such financial need, and that the Employee has insufficient cash or other liquid assets available to satisfy such financial need.

The Basic Plan Document section entitled Distributions is modified by replacing Section 5.01(D)(3) with the following:

Federally Declared Disaster Distribution –Participants may take a distribution due to being affected by a federally declared disaster. If the Participant's principal place of abode at any time during the period covered by the Federal Emergency Management Agency's declaration is located within the disaster area described in such declaration and the Participant sustained economic loss by reason of such disaster, the Participant may request a distribution on or after the declaration's date and before the date that is 180 days after the date the disaster was declared. The aggregate amount that may be distributed with regard to any qualified disaster is \$22,000 from all plans maintained by the Employer, including all plans maintained by a Related Employer.

The Basic Plan Document section entitled Distributions is modified by adding the following as Section 5.01(D)(7):

Terminal Illness Distribution –Participants may take a distribution of Employer Profit Sharing Contributions as a Terminal Illness Distribution.

The Basic Plan Document section entitled Required Minimum Distribution Requirements is modified by adding the following to the end of Section 5.05(A)(2):

Effective December 29, 2022, the amount required to be distributed pursuant to this Section may be reduced by the amount distributed by any annuity contracts from which payments are made in accordance with Treasury regulation section 1.401(a)(9)-6.

The Basic Plan Document section entitled Required Minimum Distribution Requirements is modified by adding the following to the end of the third paragraph of Section 5.05(D)(2)(c), as previously updated by SECURE:

Notwithstanding the preceding, effective for distributions required to be made after December 31, 2022, reference to the calendar year in which the Participant would have attained age 72 shall be effectively changed to the calendar year in which the Participant would have attained age 73.

The Basic Plan Document section entitled Loans to Participants is modified by adding the following to the end of Section 5.16:

For a Plan that otherwise allows for loans, if elected in the Adoption Agreement Termination Amendment, Participants who would qualify for a Federally Declared Disaster Distribution pursuant to Section 5.01(D)(3) shall be permitted to take a loan from the Plan during the period of time that the Participant would qualify for such disaster distribution with the terms of such loan being as permitted in this paragraph. The maximum amount of the loan such a Participant may take shall be calculated by using "\$100,000" instead of "\$50,000" and "100 percent" instead of "50 percent" in the above paragraph. If payments are due for the loan prior to 180 days after the last day of the incident period for such disaster, all loan payments may be delayed for up to 1 year and the period of such delay will not be counted toward the 5-year period described in the paragraph above. All such delayed loan payments will accrue interest.

SECTION SEVEN: MISCELLANEOUS

The Basic Plan Document section entitled Investment Authority is modified by adding the following as Section 7.22(G)(2):

Effective for any QLAC purchased or received in exchange on or after December 29, 2022, Excess Premiums as described in Section 7.22(G)(1)(a) shall be calculated as follows:

- (a) The amount of the premiums paid for the QLAC under the Plan will not exceed the lesser of:
 - (i) an amount equal to the excess of \$200,000 (as adjusted by the Commissioner) over the sum of
 - (A) the premiums paid before that date with respect to the contract, and
 - (B) premiums paid on or before that date with respect to any other contract that is intended to be a QLAC and that is purchased for the Participant under the Plan, or any other plan, annuity, or account described in Code section 401(a), 403(a), 403(b), or 408 or eligible governmental plan under Code section 457(b); or
 - (ii) an amount equal to the excess of the sum of premiums paid before that date with respect to the contract and premiums paid on or before that date with respect to any other contract that is intended to be a QLAC and that is held or was purchased for the Participant under the Plan.

Summary of Material Modifications

Name of Plan _____

Name of Adopting Employer _____

Plan Sequence Number _____ Plan Year End _____

The purpose of this document is to update your Summary Plan Description (SPD). This document is very important and should be kept with your SPD. The following update to your SPD is limited to changes to certain provisions of the SPD. To the extent that any provisions of this Summary of Material Modifications (SMM) conflict with your SPD, the terms of this SMM will apply. The following sections of your SPD are amended to read as follows:

BIPARTISAN BUDGET ACT OF 2018

Not applicable. The Plan has already amended for the Bipartisan Budget Act of 2018 (BBA). Please see your current SPD or prior SMM for more information.

DISTRIBUTIONS AND LOANS

Can I withdraw money from the Plan while I am still employed?

Hardship Distributions of Deferrals

If you are permitted to take a distribution from Pre-tax Deferrals and/or Roth Deferrals due to a financial hardship, such distribution will include any earnings on the respective contributions.

The types of expenses that qualify for a hardship distribution include medical expenses for you, your spouse, or your dependents; payment to purchase your principal residence; tuition and education-related expenses for you, your spouse, or your dependents; payments to prevent eviction from your principal residence; funeral expenses for your parent, your spouse, or your dependents; payments to repair your principal residence that qualify for a casualty loss deduction; and expenses and losses (including loss of income) that you incurred as a result of a disaster declared by the Federal Emergency Management Agency because your principal residence or principal place of employment was located in the area at the time of the disaster. The Plan Administrator may modify the list of events that qualify for a hardship distribution when Profit Sharing Contributions and/or Matching Contributions are being used to satisfy your hardship request.

Before you take a hardship distribution, you must take all other distributions, available to you under the Plan and all other plans maintained by the Employer.

If you take a hardship distribution, you will not be eligible to make Deferrals (and Nondeductible Employee Contributions, if applicable) for the next six months. However, this six-month restriction will not continue during the Plan Year beginning on or after January 1, 2019.

In addition, if you take a hardship distribution during the Plan Year beginning on or after January 1, 2020, you will be eligible to make Deferrals (and Nondeductible Employee Contributions, if applicable) immediately following the hardship distribution.

SETTING EVERY COMMUNITY UP FOR RETIREMENT ENHANCEMENT ACT

Not applicable. The Plan has already amended for the Setting Every Community Up for Retirement Enhancement Act of 2019 (SECURE). Please see your current SPD or prior SMM for more information.

CONTRIBUTIONS

If I take a distribution from this Plan or another eligible employer plan, can I combine it with my money in this Plan?

Rollover of Lifetime Income Investment Distributions

If you take a Lifetime Income Investment Distribution from another retirement arrangement, you will be able to roll over such distribution to your Plan if the distribution was taken from a qualified plan, 403(b) plan or governmental 457(b) plan. The Plan's rules regarding rollover contributions apply to the rollover of such Lifetime Income Investment Distributions.

Repayment of Qualified Birth or Adoption Distributions

If you take a Qualified Birth or Adoption Distribution, you will be able to repay such distribution to your Plan or an eligible retirement plan to which such repayment contributions can be made. The Plan's rules regarding rollover contributions apply to the repayment of such Qualified Birth or Adoption Distributions from a qualified plan, 403(b) plan, governmental 457(b) plan or an IRA. More information concerning the Plan's rollover contribution rules can be found in the SPD previously provided to you.

Are there any limits on how much can be contributed for me?

If you receive Difficulty of Care Payments, such amounts will be included in your Compensation for Plan purposes and may increase the total amount of contributions that may be allocated to the Plan for your benefit each year as described in the SPD previously provided to you.

If I receive Difficulty of Care Payments, will I be able to make contributions to the Plan or receive Employer contributions based upon such amounts?

You may make contributions to, or receive allocations under, the Plan based upon any amounts that you receive as Difficulty of Care Payments. Your contributions to the Plan that are based upon your Difficulty of Care Payments will be treated as Nondeductible Employee Contributions to the Plan, which are described in the SPD previously provided to you. Contact your Plan Administrator for more information about the applicable contribution procedures if you receive Difficulty of Care Payments.

DISTRIBUTIONS AND LOANS

Will I ever be required to take my money out of the Plan?

Required Minimum Distributions

You will be required to begin taking required minimum distributions (RMDs) upon your Required Beginning Date. These distributions will generally be required to start when you attain age 72 (age 70½ if you were born before July 1, 1949). The Plan's Required Beginning Date is found in the DEFINITIONS section of this SMM.

Can I withdraw money from the Plan while I am still employed?

Qualified Birth or Adoption Distributions

You may take a Qualified Birth or Adoption Distribution of up to \$5,000 within the one-year period beginning on the date your child is born or the adoption of your Eligible Adoptee is finalized. Contact your Plan Administrator for more information or if you have questions.

Lifetime Income Investments

If your Plan offers Lifetime Income Investments, you may directly roll over any portion of your account that is invested in such Lifetime Income Investment (subject to certain restrictions) if your Employer removes this as an investment option under the Plan on or after the first day of the Plan's 2020 Plan Year. If you choose to remove any portion of your account that is invested in the Lifetime Income Investment, such distribution must be taken within the 90-day period before the date the Lifetime Income Investment is no longer permitted to be held under the Plan and such distribution must be paid directly to another eligible retirement arrangement. Contact your Plan Administrator for the documentation and procedures that apply to direct rollovers of Lifetime Income Investments.

What if I die before receiving all of my money from the Plan?

If You Die On or After January 1, 2020

If you die on or after January 1, 2020, your beneficiary will generally be required to take your entire balance by the end of the year in which the tenth anniversary of your death occurs. This is true regardless of whether you die before, on, or after your Required Beginning Date. However, if you die before your Required Beginning Date and your beneficiary is 1) your spouse, 2) your minor child, 3) disabled, 4) a chronically ill individual, 5) an individual who is not described in this list but who is not more than 10 years younger than you, or 6) any other individual as determined by the IRS, then your beneficiary has the option of (1) taking annual payments beginning the year following your death (or the year you would have reached age 72, if your spouse is your beneficiary), or (2) delaying their distribution until the year containing the tenth anniversary of your death, provided they take the entire amount remaining during that tenth year.

If you die after your Required Beginning Date, your beneficiary is one of the individuals listed in items 1 through 6 above, your beneficiary will have the option of (1) taking annual payments beginning the year following your death, or (2) delaying their distribution until the year containing the tenth anniversary of your death, provided they take the entire amount remaining during that tenth year.

Please see your Plan Administrator for further information about beneficiary options.

Can I take a loan from the Plan?

If the Plan allows you to take a loan from your account, beginning on or after December 21, 2019, no loans will be issued through credit cards or other similar arrangements.

DEFINITIONS

Compensation – On or after the first day of the Plan's 2016 Plan Year, amounts you receive as Difficulty of Care Payments will be included in the definition of Compensation for the Plan that is described in the SPD that was previously provided to you.

Difficulty of Care Payments – Difficulty of Care Payments are amounts you receive from your Employer as qualified foster care payments and that are excluded from your gross income for a taxable year.

Eligible Adoptee – Any individual (other than your spouse's child) who has not attained age 18 or is physically or mentally incapable of self-support.

Lifetime Income Investment – A Lifetime Income Investment is an investment option that provides you with election rights 1) which are not available with respect to other investment options under the Plan, and 2) which are to a lifetime income feature available through a contract or other arrangement offered under the Plan. A "lifetime income feature" is 1) a feature which guarantees a minimum level of income annually (or more frequently) for at least the remainder of your life or the joint lives of you and your designated beneficiary, or 2) an annuity that is payable in substantially equal periodic payments (at least annually) over your life or the joint lives of you and your designated beneficiary.

Qualified Birth or Adoption Distribution – Any distribution to you that is made during the one-year period beginning on the date on which your child is born, or the legal adoption of your Eligible Adoptee is finalized.

Required Beginning Date – When you reach age 72 (age 70½ if you were born before July 1, 1949), you will generally need to begin taking a portion of your balance out of the Plan each year. This distribution is called a required minimum distribution, or RMD. If you continue to work for your Employer after age 72 (age 70½ if you were born before July 1, 1949), you may, as permitted by the Plan, delay required distributions until you actually stop working for your Employer unless you own more than 5% of the Employer. If you own more than 5% of the Employer, you will need to begin taking payments at age 72 (age 70½ if you were born before July 1, 1949) even if you are still employed. The annual required distribution amount is generally based on your account balance divided by a life expectancy factor outlined in retirement plan regulations.

CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT

Not applicable. The Plan has already amended for the Coronavirus Aid, Relief, and Economic Security Act (CARES). Please see your current SPD or prior SMM for more information.

CONTRIBUTIONS

If I take a distribution from this Plan or another eligible employer plan, can I combine it with my money in this Plan?

Repayment of Coronavirus-Related Distributions

If you took a distribution due to being affected by the virus SARS-CoV-2 or by coronavirus disease 2019 (hereinafter "COVID-19"), you will be able to repay such distribution to your Plan or an eligible retirement plan to which such repayment contributions can be made. The Plan's rules regarding rollover contributions apply to the repayment of such coronavirus-related distributions.

DISTRIBUTIONS AND LOANS

Will I ever be required to take my money out of the Plan?

Required Minimum Distributions

You will be required to begin taking required minimum distributions (RMDs) upon your Required Beginning Date. These distributions will generally be required to start when you attain age 72 (age 70½ if you were born before July 1, 1949). The Plan's Required Beginning Date is found in the DEFINITIONS section of this SMM.

2020 Required Minimum Distributions

Your Employer allowed you to choose whether to take your 2020 Required Distribution or Extended 2020 RMD. This applied if you were a Participant age 70½ or older, or if you were a beneficiary, and you would have ordinarily been required to receive a distribution for 2020 or for 2019 in 2020.

If you did not choose to take your 2020 Required Distribution or Extended 2020 RMD, your Employer retained such amount within the Plan.

Can I withdraw money from the Plan while I am still employed?

Coronavirus-Related Distributions

If you were affected by COVID-19, you were allowed to take distributions and repay them to an eligible retirement plan to which rollover contributions can be made. See the information below for additional details and contact your Plan Administrator if you have questions.

You were allowed to take distributions beginning on January 1, 2020, and ending on December 30, 2020. To take a coronavirus-related distribution, you must have been a Qualified Individual.

If you were a Qualified Individual, you could have generally designated any distribution (including periodic payments and required minimum distributions) from your Plan as a coronavirus-related distribution.

The total of your coronavirus-related distributions from all plans was limited to \$100,000.

A reduction or offset of your account balance in your Plan, on or after January 1, 2020, and ending on December 30, 2020, in order to repay a loan could also have been designated as a coronavirus-related distribution.

Can I have taken a loan from the Plan because I was affected by COVID-19?

Coronavirus-Related Loans

Unless otherwise indicated below, if you were permitted to take a loan(s) from your account under the Plan, you could have taken a loan(s) due to the fact that you were affected by COVID-19, as provided in the CARES Act and related pronouncements. See your SPD for other applicable loan terms. However, unless otherwise indicated below, if you were not otherwise permitted to take a loan(s) from your account under the Plan, you were not permitted to take a loan(s) due to the fact that you were affected by COVID-19.

- Even if you were otherwise permitted to take a loan(s) from your account under the Plan, you could not have taken a loan(s) due to the fact that you were affected by COVID-19, as provided in the CARES Act and related pronouncements.
- Even if you were not otherwise permitted to take a loan(s) from your account under the Plan, you were permitted to take a loan(s) due to the fact that you were affected by COVID-19, as provided in the CARES Act and related pronouncements. See your Plan Administrator for information on taking a loan from the Plan.

This provision is effective _____.

If you could have taken a loan(s) due to the fact that you were affected by COVID-19, you were allowed to take a loan(s) from the Plan beginning on March 27, 2020, and ending on September 22, 2020, if you were a Qualified Individual.

Limits on plan loans.

The maximum loan amount that was available to you was increased to \$100,000 (reduced by the highest outstanding loan balance in the previous 12 months) or 100% of your vested balance in the Plan (reduced by the current outstanding loan balance, if any), whichever is less. The higher limits apply only to loans received during the period beginning on March 27, 2020, and ending on September 22, 2020.

One-year suspension of loan payments.

Payments on Plan loans due on or after March 27, 2020, and ending on December 31, 2020, may have been suspended for one year by the Plan Administrator.

If I am a beneficiary subject to distribution under the five-year rule described in my SPD, does 2020 count towards determining the deadline for receiving a distribution?

If you are or were using the five-year rule for distributions, 2020 does not count toward determining the end of the five-year period. For example, if the Participant died in 2018, you will have until December 31, 2024, instead of December 31, 2023, to deplete your account under the Plan.

If I am married, did my spouse have to provide consent if I did not receive a 2020 required payment or provide consent when I began payments again in 2021?

Your spouse's consent may have been required to either stop required payments for 2020, begin payments again in 2021, or both. You may check the SPD previously provided to you to determine if the spousal consent rules apply to the Plan and, if so, your Plan Administrator can tell you whether spousal consent was needed to stop and/or re-start required distributions.

If I received a 2020 Required Distribution or Extended 2020 RMD, could I have rolled over my money into another retirement plan?

You could have chosen to roll over your distribution to another eligible retirement arrangement.

DEFINITIONS

2020 Required Distributions – The 2020 Required Distributions include RMDs that would have been distributed to you or your beneficiary for 2020, or RMDs that would have been distributed to you or your beneficiary in 2020 for 2019.

Extended 2020 RMD – One or more payments in a series of annual payments that are expected to last for your life, the joint lives of you and your beneficiary, or a period of at least 10 years.

Qualified Individual – For purposes of coronavirus-related distributions and loans, you will be a Qualified Individual if

- i. you were diagnosed with COVID-19 by a test approved by the Centers for Disease Control and Prevention (including a test authorized under the Federal Food, Drug, and Cosmetic Act);

- ii. your spouse or dependent was diagnosed with COVID-19 by such a test; or
- iii. you experienced adverse financial consequences as a result of being quarantined, being furloughed or laid off or having work hours reduced due to COVID-19, being unable to work due to lack of child care due to COVID-19, closing or reducing hours of a business you owned or operated due to COVID-19, having a reduction in pay (or self-employment income) due to COVID-19, or having a job offer rescinded or start date for a job delayed due to COVID-19, your spouse or a member of your household being quarantined, being furloughed or laid off, or having work hours reduced due to COVID-19, being unable to work due to lack of childcare due to COVID-19, having a reduction in pay (or self-employment income) due to COVID-19, having a job offer rescinded or start date for a job delayed due to COVID-19, closing or reducing hours of a business owned or operated by your spouse or a member of your household due to COVID-19, or other factors as determined by the Secretary of the Treasury.

A "member of your household" is someone who shares your principal residence.

SECURE 2.0 ACT

CONTRIBUTIONS

Will my Employer make any other types of contributions to the Plan on my behalf?

You may elect to have your Employer contribute any Profit Sharing Contributions that are made to the Plan on your behalf as Designated Roth Contributions, rather than as pre-tax Employer contributions.

If I take a distribution from this Plan or another eligible employer plan, can I combine it with my money in this Plan?

Repayment of Qualified Birth or Adoption Distributions

If you take a Qualified Birth or Adoption Distribution, you will be able to repay such distribution to your Plan or an eligible retirement plan to which such repayment contributions can be made. Such repayment must be made by the end of the 3-year period beginning on the day after you take that distribution. However, if you took the distribution prior to December 29, 2022, you will be able to repay the distribution until December 31, 2025. The Plan's rules regarding rollover contributions apply to these repayments. The rollover contribution rules are listed in the SPD previously provided to you.

Repayment of Federally Declared Disaster Distributions

If you take a Federally Declared Disaster Distribution, you will be able to repay such distribution to your Plan or an eligible retirement plan to which such repayment contributions can be made. Such repayment must be made by the end of the 3-year period beginning on the day after you take that distribution. The Plan's rules regarding rollover contributions apply to these repayments. The rollover contribution rules are listed in the SPD previously provided to you. You may also roll over to the Plan any hardship withdrawal made from the Plan which was received no more than 180 days prior to the first day of the incident period for a disaster declared by the Federal Emergency Management Agency and not later than 30 days after the last day of such incident period when such withdrawal was to be used to purchase or construct your principal residence in a qualified disaster area, but you did not do so due to that qualified disaster.

Repayment of Terminal Illness Distributions

If you take a Terminal Illness Distribution, you will be able to repay such distribution to your Plan or an eligible retirement plan to which such repayment contributions can be made by the end of the 3-year period beginning on the day after you take that distribution. The Plan's rules regarding rollover contributions apply to these repayments. The rollover contribution rules are listed in the SPD previously provided to you.

DISTRIBUTIONS

Can I withdraw money from the Plan while I am still employed?

Federally Declared Disaster Distribution

You may take a Qualified Federally Declared Disaster Distribution of up to \$22,000 for economic losses you sustained due to your home being in a designated major disaster area declared by the President. You must take any such distribution on or after the first day established by the Federal Emergency Management Agency for the incident period regarding that disaster and the date 180 days after the declaration of that disaster. Contact your Plan Administrator for more information or if you have questions.

Terminal Illness Distribution

You may take a Terminal Illness Distribution from Profit Sharing Contributions after you have provided the appropriate documentation to the Plan Administrator.

DEFINITIONS

Federally Declared Disaster Distribution – A limited distribution you can take from the Plan due to residing in a declared disaster area and experiencing an economic loss due to that disaster. This distribution is generally not subject to the 10% tax penalty.

Federally Declared Disaster Loan – A loan from the Plan subject to different limitations than normal plan loans (as described in the Loan Policy) available due to you residing in a declared disaster area and experiencing an economic loss due to that disaster.

Required Beginning Date – When you reach age 73 (age 72 if you attained that age on or before December 31, 2022, and age 70½ if you were born before July 1, 1949), you will generally need to begin taking a portion of your balance out of the Plan each year. This distribution is called a required minimum distribution, or RMD. If you continue to work for your Employer after age 73 (age 72 if you attained that age on or before December 31, 2022, and age 70½ if you were born before July 1, 1949), you may, as permitted by the Plan, delay required distributions until you actually stop working for your Employer unless you own more than 5% of the Employer. If you own more than 5% of the Employer, you will need to begin taking payments at age 73 (age 72 if you attained that age on or before December 31, 2022, and age 70½ if you were born before July 1, 1949) even if you are still employed. The annual required distribution amount is generally based on your account balance divided by a life expectancy factor outlined in retirement plan regulations.

Designated Roth Contribution – An amount contributed to the Plan as an Employer Profit Sharing Contribution or a Matching Contribution on an after-tax basis (similar to a Deferral made as a Roth contribution). Designated Roth Contributions cannot be forfeited and if you take a distribution of your Designated Roth Contributions prior to the year containing the fifth anniversary of the day such amounts were contributed to the Plan as Designated Roth Contributions, you will owe a 10% early withdrawal penalty on the earnings attributable to those contributions unless you meet the requirements for a penalty exemption. Please see your Plan Administrator for further information about the penalty exemptions.

Terminal Illness Distribution – A limited distribution you can take from the Plan if you provide the Plan Administrator with evidence that your doctor has certified that you have an illness which would reasonably result in death in 7 years or less from the date of that certification. This distribution is generally not subject to the 10% tax penalty.