

**ADOPTION AGREEMENT #001
NONSTANDARDIZED 401(K)/PROFIT SHARING PLAN**

H. TOP HEAVY

Top Heavy Plans

1. Plan to which Top-Heavy allocations are made:
 - i. This Plan
 - ii. Pursuant to the terms of another plan
2. If **H.1.ii** (another plan) is selected, name of other Plan to which Top-Heavy allocations are made: _____
3. If **H.1.i** (This Plan) is selected, type of other plan maintained by the Company that covers employees eligible to participate in this Plan:
 - i. N/A - No other plan
 - ii. Defined Contribution
 - iii. Defined Benefit

Top Heavy Allocations

4. If **H.1.i** (This Plan) is selected, Participants who share in Top-Heavy minimum allocations:
 - i. **Non-Key only.** Any Participant who is employed by the Employer on the last day of the Plan Year and is not a Key Employee.
 - ii. **All Participants.** Any Participant who is employed by the Employer on the last day of the Plan Year.

Top Heavy Vesting

5. Top-Heavy vesting schedule:
 100% 2-6 Year Graded 3 Year Cliff Other
- 6a. Other Top-Heavy Schedule - less than 1 year:
- 6b. Other Top-Heavy Schedule - 1 year but less than 2 years:
- 6c. Other Top-Heavy Schedule - 2 years but less than 3 years (Min 20%):
- 6d. Other Top-Heavy Schedule - 3 years but less than 4 years (Min 40%):
- 6e. Other Top-Heavy Schedule - 4 years but less than 5 years (Min 60%):
- 6f. Other Top-Heavy Schedule - 5 years but less than 6 years (Min 80%):
- 6g. Other Top-Heavy Schedule - 6 or more years: 100%.

Present Value Assumptions

- 7a. Enter the interest rate to be used for determining Present Value to compute the top-heavy ratio: _____%
- 7b. Enter the mortality table to be used for determining Present Value to compute the top-heavy ratio: _____
NOTE: H.7 should only be completed if the Employer also sponsors a defined benefit plan.

NOTE: The Plan Sponsor should add an Addendum to the Adoption Agreement to add any language that is necessary to satisfy Code sections 415 and 416.