

## Basic Fund Information

This plan is established by and between

\_\_\_\_\_ (donor(s))

and is to be executed by the Catholic Community Foundation (the Foundation) after funds are received. This document and all accompanying fund agreements constitute the donors' legacy intention and serve as a directive for the Foundation to execute the plan after the donors' lifetime.

## Plan Name

The \_\_\_\_\_ Charitable Legacy Plan

## Donor Information

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone(s): \_\_\_\_\_

Email(s): \_\_\_\_\_

## Additional Contact

Please let us know who we should contact after your death. Ideally, this will be a person that has been designated to take care of your affairs (family, friend or attorney):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Relationship to Donor(s): \_\_\_\_\_

## Legacy Gift Vehicle

This gift will be established through:

- Will/Trust       Charitable Remainder Trust       Life Insurance Policy       Living Trust
- Retirement Plan Assets       Bank or Brokerage Account       Other

Please Describe "Other":

### Estimated Value of Legacy Gift

If known, please provide estimated value or estimated range \$ \_\_\_\_\_  
*These amounts will never be disclosed to beneficiaries unless you direct us to do so.*

### Donor Directive

Please fill out the chart below and the questions on the subsequent pages that relate to the options selected.

### Rank/Priority

Please indicate the “rank” of each part of your Legacy Plan. If there are insufficient funds to meet the minimums of all the options you select below, the ranking will determine the order in which the Foundation distributes funds pro rata. Please read the Terms and Conditions for all minimums.

My/Our legacy gift to the Foundation should be used in the following manner:

| Rank/<br>Priority | Donor Giving Options<br>(Select all that apply)  | % of Total Gift<br>or \$ Amount |
|-------------------|--|---------------------------------|
| _____             | <b>A. Establish new Donor Advised Fund(s)</b><br>Complete questions for Option A.                                    | _____ %<br>\$ _____             |
| _____             | <b>B. Establish new Family Fund(s)</b><br>Complete questions for Option B.   | _____ %<br>\$ _____             |
| _____             | <b>C. Establish new Institutional Fund(s)</b><br>Complete questions for Option C.                                    | _____ %<br>\$ _____             |
| _____             | <b>D. Make a one-time donation to existing fund(s) managed by the Foundation</b><br>Complete questions for Option D. | _____ %<br>\$ _____             |
| _____             | <b>E. Make a one-time donation outright to designated beneficiary(ies)</b><br>Complete questions for Option E.       | _____ %<br>\$ _____             |

Additional Notes:

## Option A: Open a Donor Advised Fund

A *Donor Advised Fund* (DAF) is a tax-advantaged, convenient vehicle for donating to organizations across the United States. The Fund Holder can take their time deciding when and to whom grants will be made. Grants may be made to Catholic and non-Catholic organizations. More information at [catholiccf.org/donor-advised-funds](http://catholiccf.org/donor-advised-funds)

THIS OPTION REQUIRES THE DONOR TO COMPLETE A SEPARATE DONOR ADVISED FUND AGREEMENT. FOR MORE INFORMATION, CONTACT THE FOUNDATION.

### Name of the Fund(s)

**Please Note:** The name(s) listed here should match the Fund Agreement(s) exactly.

### Notes

### Contingencies

Use this section to describe how to proceed if the plan above cannot be fulfilled as stated.

## Option B: Open a Family Fund

*Family Funds* are created by one individual or family to support specific organizations or areas of work. The fund name usually includes the family name and the donor who creates the fund is the sole donor.

*Family Endowments* are permanent funds created to grant to the same institution(s) or area of work **FOREVER**. We invest the principal and grant between 3% – 5% annually. Earnings will go up and down with the market, but exceed the grants over the long term, providing consistent and reliable support.

*Non-Endowed Family Funds* offer more flexibility in the quantity and amount of the grants. The granting percentage is not constrained to the 3-5% range (like endowments). These funds offer a customizable solution with the potential to offer a larger amount of support in a shorter timeframe.

THIS OPTION REQUIRES THE DONOR TO COMPLETE A SEPARATE FAMILY FUND AGREEMENT. FOR MORE INFORMATION, CONTACT THE FOUNDATION.

### Name of the Fund(s)

**Please Note:** The name(s) listed here should match the Fund Agreement(s) exactly.

### Notes

### Contingencies

Use this section to describe how to proceed if the plan above cannot be fulfilled as stated.

## Option C: Open an Institutional Fund

*Institutional Funds* are created to support an institution, program, or area of work. They are open to donations from the public. The beneficiary (grant recipient) cannot be changed.

*If a fund already exists for the same purpose/beneficiary, the donation will be added to the existing fund.*

*Endowments* are permanent funds created to grant to the same institution(s) or area of work **FOREVER**. We invest the principal and grant between 3% – 5% annually. Earnings will go up and down with the market, but exceed the grants over the long term, providing consistent and reliable support.

*Non-Endowed Family Funds offer* more flexibility in the quantity and amount of the grants. The granting percentage is not constrained to the 3-5% range (like endowments). These funds offer a customizable solution with the potential to offer a larger amount of support in a shorter timeframe.

THIS OPTION REQUIRES THE DONOR TO COMPLETE A SEPARATE FUND AGREEMENT. FOR MORE INFORMATION, CONTACT THE FOUNDATION.

### Name of the Fund(s)

**Please Note:** The name(s) listed here should match the Fund Agreement(s) exactly.

### Notes

### Contingencies

Use this section to describe how to proceed if the plan above cannot be fulfilled as stated.

Option D: Donation to Existing Fund(s) at the Foundation

You may make a one-time gift of any amount to an existing fund at the Foundation. Please ask Foundation for a complete list of funds. The Foundation holds funds for many organizations and programs, including parishes, schools, ministries of the Dioceses of San Jose, and more.

**Rank/Alternate**

Please indicate the "rank" of each fund. If funding is insufficient to distribute amongst all the funds or if one or more of the funds ceases to exist, the ranking will determine the order in which the Foundation distributes funds pro rata. You may also select an alternate fund to receive the gift if the original recipient no longer exists.

**Beneficiary Notification**

If the fund you select below is for the benefit of an organization other than the Foundation (e.g. an endowment for a parish), you may select when the Foundation notifies that organization of your gift. Gift amounts will not be disclosed.

FUND OF THE FOUNDATION

Rank/Alternate: \_\_\_\_\_ Percentage/Dollar Amount of Option D Total: \_\_\_\_\_ % or \$ \_\_\_\_\_

Name of Fund: \_\_\_\_\_

Notes:

Beneficiary Notification:

- Notify this beneficiary immediately       Notify this beneficiary only at the time that the gift is realized

FUND OF THE FOUNDATION

Rank/Alternate: \_\_\_\_\_ Percentage/Dollar Amount of Option D Total: \_\_\_\_\_ % or \$ \_\_\_\_\_

Name of Fund: \_\_\_\_\_

Notes:

Beneficiary Notification:

- Notify this beneficiary immediately       Notify this beneficiary only at the time that the gift is realized

FUND OF THE FOUNDATION

Rank/Alternate: \_\_\_\_\_ Percentage/Dollar Amount of Option D Total: \_\_\_\_\_ % or \$ \_\_\_\_\_

Name of Fund: \_\_\_\_\_

Notes:

Beneficiary Notification:

- Notify this beneficiary immediately       Notify this beneficiary only at the time that the gift is realized

Option E: Donation Outright to Designated Beneficiary(ies)

Please use this form to name the organization(s) to which you would like to direct your one-time gift(s).

\*\*\*Before you complete this section, please review "Option E: Pass-Through/One-Time Donations" in the Terms and Conditions. If you have questions, please contact the Foundation\*\*\*

DESIGNATED BENEFICIARY

Rank: \_\_\_\_\_ Percentage or Dollar Amount of Option E Total: \_\_\_\_\_ % or \$ \_\_\_\_\_

Name of Beneficiary: \_\_\_\_\_

Federal Tax ID#: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Please describe the purpose of this gift to this beneficiary:

- If at the time of the grant, the Foundation can no longer grant to this organization, by default, the Foundation will reallocate this percentage among the other organizations listed in this section or the other sections of this plan. Please check this box if you would like the Foundation to find a similarly oriented organization to which the grant will be sent *instead* of reallocating these funds.

Beneficiary Notification:

- Notify this beneficiary immediately  Notify this beneficiary only at the time that the gift is realized

DESIGNATED BENEFICIARY

Rank: \_\_\_\_\_ Percentage or Dollar Amount of Option E Total: \_\_\_\_\_ % or \$ \_\_\_\_\_

Name of Beneficiary: \_\_\_\_\_

Federal Tax ID#: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Please describe the purpose of this gift to this beneficiary:

- If at the time of the grant, the Foundation can no longer grant to this organization, by default, the Foundation will reallocate this percentage among the other organizations listed in this section or the other sections of this plan. Please check this box if you would like the Foundation to find a similarly oriented organization to which the grant will be sent *instead* of reallocating these funds.

Beneficiary Notification:

- Notify this beneficiary immediately  Notify this beneficiary only at the time that the gift is realized





## Additional Notes/Special Instructions

## Signatures

I/We acknowledge that I/we have read this document and all accompanying agreements and that they accurately describe my/our Family Charitable Legacy Plan. I/we reserve the right to change beneficiaries at any time during our lifetimes but understand that at the time The Catholic Community Foundation receives my/our contributions, this plan will be executed "as is." All information in this form is accurate to the best of my/our knowledge.

### Donors' Acknowledgment

\_\_\_\_\_  
Donor 1 Signature

\_\_\_\_\_  
Donor 2 Signature *(optional)*

\_\_\_\_\_  
Donor 1 Name *(print)*

\_\_\_\_\_  
Donor 2 Name *(print)*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

### The Catholic Community Foundation

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name *(print)*

\_\_\_\_\_  
Date

## Appendices

- California All-Purpose Acknowledgement
- Terms and Conditions
- Sample Bequest Language

California All-Purpose Acknowledgement

**Civil Code 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
*Insert name and title of the officer*

personally appeared

\_\_\_\_\_  
*Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_  
*Signature of Notary Public*

*Place Notary Seal Above*

## New Fund Establishment

If the Family Charitable Legacy Plan includes the establishment of a new Donor Advised Fund, a separate agreement form must be filled out. All rules and restrictions pertaining to Donor Advised Funds are included in the Donor Advised Fund Terms and Conditions.

A new fund may be established by donation of cash/equivalent, marketable securities or another approved gift to the Catholic Community Foundation (the Foundation), a section 501(c)(3) public charity.

## Ownership of the Fund

The fund is a component fund of the Foundation. All gifts to the Foundation are treated as gifts to a public charity and generally tax-deductible, subject to legal limitations. The Foundation does not provide tax or legal advice and recommends that you discuss your tax situation with your advisor.

The assets in the fund (donations and investment gains) are irrevocably transferred to the Foundation, which has exclusive legal authority and control of the fund. Terms and conditions governing the funds may be modified from time to time as deemed prudent by the Foundation. The Foundation has the right to modify any condition or restriction on the distribution of funds should it determine the restriction or condition is impractical, in violation of the terms of this policy, or inconsistent with the charitable needs of the community served.

## Fees and Minimums

The following fees and minimums apply:

### OPTION A: DONOR ADVISED FUND (FOR A SUCCESSOR)

|                             |  |
|-----------------------------|--|
| Minimum initial gift:       | \$5,000  |
| Minimum grant:              | \$250 each   |
| Annual administrative fee:  | 1% of annual fund balance, measured and paid as 0.25% quarterly on the value as of the last day of the last month of the calendar quarter. |
| Minimum administrative fee: | \$75/quarter   |

**Please reference the Donor Advised Fund Agreement form for all details and restrictions.**

### OPTION B & C: ESTABLISH A NEW FAMILY FUND OR INSTITUTIONAL FUND

#### Designated Endowment or Non-Endowed Fund

|                                  |   |
|----------------------------------|---|
| Minimum initial gift:            | \$25,000  |
| Minimum balance to start grants: | \$25,000  |
| Minimum grant per beneficiary:   | \$500 (two beneficiaries per \$25,000)  |
| Annual administrative fee:       | <b>Endowed:</b> 0.5% of annual fund balance, measured and paid as 0.125% quarterly on the value as of the last day of the last month of the calendar quarter.<br><b>Non-Endowed:</b> 0.75% of annual fund balance, measured and paid as 0.1875% quarterly on the value as of the last day of the last month of the quarter. |

### Field of Interest Family Endowment or Non-Endowed Fund

|                                  |   |
|----------------------------------|---|
| Minimum initial gift:            | \$250,000   |
| Minimum balance to start grants: | \$250,000   |
| Annual administrative fee:       | 2% of annual fund balance, measured and paid as 0.5% quarterly on the value as of the last day of the last month of the calendar quarter. |

Please reference the Endowed and Non-Endowed Fund Agreement forms for all details and restrictions.

### OPTION D: ONE-TIME DONATION TO EXISTING FUND

No minimums.

### OPTION E: ONE-TIME DONATION TO OUTSIDE ORGANIZATION

No minimums.

**NOTE:** Fees may be changed at any time with 90-day notice.

### Gift Acceptance Policy

For more information about the Foundation's policies on special/complex gifts, request a copy of the Foundation's latest Gift Acceptance Policy.

### Investment

All investments are made in line with the Investment Policy of the Foundation. All assets will be managed in the selected investment pool. Download our Investment Policy here: [catholiccf.org/financials](http://catholiccf.org/financials)

### Priority of Funding

If the Family Charitable Legacy Plan includes the establishment of new funds, minimum contributions to establish those funds must be met. If any fund cannot be opened as requested, the Foundation will follow the priority schedule outlined in the Family Charitable Legacy Plan to eliminate the lowest priority and reappportion the rest based on the allocation set forth. If any minimum is still not met the process will continue in the same manner until all the assets are distributed amongst eligible fund(s) & organization(s).

### Changing the Plan of Record

This document serves as the intention to distribute assets the donor(s) have left to The Catholic Community Foundation to charity(ies) and fund(s). This plan is revocable and editable by the donor(s) up until their time of death or incapacitation. The assets left to the Foundation will follow the latest version of this document that we have on file.

### Option E: Pass-Through/One-Time Donations

One-time outright donations to organizations as described on "Option E" are done as a courtesy to those who have intent to leave a gift to any funds of the Foundation as described on Options A, B, C or D. If the Foundation is not part of your legacy plan, we can help you identify the correct name, address, and tax-ID of your beneficiary for your estate plan.



# *Family Charitable Legacy Plan*

## Terms & Conditions

The organization(s) named in Option E must have 501(c)(3) status and cannot be a private foundation. The gift shall be distributed as directed to each organization listed in Option E as long as the activities and values of the organization do not conflict with Catholic Social Teachings (as defined by the U.S. Conference of Catholic Bishops: [www.usccb.org/beliefs-and-teachings/what-we-believe/catholic-social-teaching](http://www.usccb.org/beliefs-and-teachings/what-we-believe/catholic-social-teaching)), and the organization is a charitable organization, described in Codes Section 170(c), 2055(a), and (ii) and Code Section 170(b)(1)(A) at the time of the gift.

If any organization is engaging in activities not aligned with Catholic social teachings or is not a charitable organization at the time of such gift, then such amount shall be distributed amongst the remaining charitable organizations or funds listed in the Family Charitable Legacy Plan. If all the indicated organizations remain engaged in activities contrary to Catholic social teachings or are not a charitable organization at the time of distribution, or if the donor so chooses in the agreement, then such amount shall be distributed to one or more similarly oriented organizations described in the above statutory provisions.

This suggested bequest language can assist you and your attorney with a charitable bequest. Please share our contact information with your professional advisors. We are happy to answer their questions.

**How to use  
this document**

**Section 1:** Indicate the type of asset you wish to leave to charity.

**Section 2:** Use Options A and B to decide how to distribute the gift and to whom.

## SECTION 1: Description of Assets to be Given

### Bequest of a Specific Dollar Amount

- I/we hereby give, devise and bequeath \$\_\_\_\_\_ to...

### Bequest of Specific Real Estate

- I/we hereby give, devise and bequeath all of the right, title and interest in and to the real estate located at *ADDRESS OR DESCRIPTION OF PROPERTY* to ...

### Bequest of a Percentage of the Total Estate

- I/we hereby give, devise and bequeath \_\_\_\_ percent of my/our total estate, determined as of the date of my/our death, to ...

### Bequest of a Percentage of the Residue and Remainder of the Estate

- I/we hereby give, devise and bequeath \_\_\_\_ percent of the rest, residue and remainder of my/our estate, determined as of the date of my death, to ...

## SECTION 2: Statement of Beneficiary

Use **Option A** if you wish to make a gift directly to the organization. Use the sample for guidance and fill in the details of the organization you choose.

Use **Option B** if you wish to make a gift that will be endowed, managed by the Foundation and distributed annually to your organization of choice.

### A. Outright/Direct Gift to Charity

#### Gifts to the Diocese of San Jose, Parish, and/or Catholic Elementary Schools

- ...to The Roman Catholic Bishop of San Jose, a corporation sole. (For a gift to a parish or school add the following: "For the benefit of \_\_\_\_\_." "*[parish/school name]*)

Located at 1150 N. First St. Suite 100, San Jose, CA, 95112, Federal Tax ID #94-2734503. This gift is designated for \_\_\_\_\_.  
*(e.g. "unrestricted use," "vocations," "the ILM program," etc.)*

**Option A  
Example**

We hereby give, devise, and bequeath **5 percent of our total estate**, determined as of the date of our death, to The Roman Catholic Bishop of San Jose, a corporation sole, **for the benefit of Saint Lucy School** located at 76 Kennedy Avenue Campbell, CA 95008, Federal Tax ID #94-2734503. This gift is designated for **general operations**.

## B. Gifts Administered by the Catholic Community Foundation

### The Catholic Community Foundation

...to The Catholic Community Foundation, a nonprofit organization located at 777 N. First St. Suite 490, San Jose, CA, 95112, Federal Tax ID #83-0400149.

### Gift Designation – Select One

*The best way for the Foundation to properly administer your gift is to have a **Family Legacy Plan** in place. This is a form you fill out with the help of the Foundation staff. Contact the Foundation for more information.*

#### *Bequest to fund a Family Legacy Plan*

- My/our gift(s) will be used to fulfill the \_\_\_\_\_  
(name of Family Legacy Plan)

#### *Bequest to an already established fund*

- My/our gift(s) will be added to the \_\_\_\_\_ fund, a component  
(name of existing fund)  
fund of the Catholic Community Foundation, of which distribution and spending policies are already provided. If, in the judgment of the Board of Directors of the Catholic Community Foundation it is impossible to administer this bequest because either the designated beneficiary ceases to exist or performs in a manner not in keeping with Catholic Social teaching, the distribution from this endowment must be used in the best manner to support the spirit of this gift.

#### *Bequest to a newly established fund (please contact the Foundation ahead of time)*

- My/our gift(s) will be used to create the \_\_\_\_\_ fund, a component  
(name of new fund)  
fund of the Catholic Community Foundation.  
The purpose of this fund is to \_\_\_\_\_.  
If, in the judgment of the Board of Directors of the Catholic Community Foundation it is impossible to administer this bequest because either the designated beneficiary ceases to exist or performs in a manner not in keeping with Catholic Social teaching, the distribution from this endowment must be used in the best manner to support the spirit of this gift.

*Please contact the Foundation ahead of time, as we reserve the right to be unable to administer some funds or may have minimum gift requirements for new funds.*

#### *Bequest to general purposes of the Foundation*

- My/our gift(s) will be for the general use and purpose of the Catholic Community Foundation.

### Option B Example

We hereby give, devise, and bequeath all of the **right, title and interest in and to the real estate** located at 123 Church Street, San Jose, CA 95112, to **The Catholic Community Foundation**, a nonprofit organization located at 777 N. First St. Suite 490, San Jose, CA, 95112, Federal Tax ID #83-0400149. Our gift will be added to the **“Carpenter Family Legacy Plan.”**