

## **The Charitable Bequest Preferred Wording**

*In drafting a Will, an attorney tailors the instrument to your needs in a specific situation. It may be helpful to the attorney to study preferred wording that is appropriate for the Archdiocese of Milwaukee or St. Mary Parish. It is in this spirit that we submit the following bequest forms. In them, brackets indicate alternatives.*

### **1. BASIC FORM OF BEQUEST**

I give and bequeath to St. Mary Parish, N89W16297 Cleveland Avenue, Menomonee Falls, Wisconsin \_\_\_\_\_ [description of gift] [restriction, if any]. [In addition, disclaimer language should be included indicating that if the parish is no longer in existence, then the proceeds should be distributed to the successor/merged parish and, if none, to the Archdiocese of Milwaukee.]

### **2. BASIC FORM OF CONTINGENT BEQUEST**

I give and bequeath \_\_\_\_\_ [description of gift] to \_\_\_\_\_ [name] if [he] [she] survives me by [\_\_\_\_\_] days] or, if [he] [she] does not [so] survive me, to St. Mary Parish, N89W16297 Cleveland Avenue, Menomonee Falls, Wisconsin [In addition, disclaimer language should be included indicating that if the parish is no longer in existence, then the proceeds should be distributed to the successor/merged parish and, if none, to the Archdiocese of Milwaukee.]

### **3. ALTERNATIVES FOR DESCRIPTION OF GIFT**

- a. the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_)
- b. an amount equal to [\_\_\_\_\_] % of the excess of (1) the date of death value of [my probate estate] or [all property includable in my gross estate for federal estate tax purposes] over (2) the sum of debts, administrative expenses and taxes properly payable from the principal by my estate [and/or revocable trust].
- c. any interest I may own at my death in [securities] [stocks] [bonds] issued by \_\_\_\_\_
- d. the number of shares of the [common] [preferred] stock of \_\_\_\_\_ which is the lesser of (1) the sum of the number of such shares I own when I execute this Will plus any shares received on those shares as a stock dividend or from a stock split from the date of this Will until my death and/or (2) the number of such shares which I own at my death.
- e. [all] [%\_\_\_\_\_] of the residue of my estate, both real and personal and wherever located.

4. ALTERNATIVES FOR RESTRICTIONS

- a. to be used as St. Mary Parish sees fit to carry out its faith-based mission
- b. I request, but create no legal obligation, that this gift be used for \_\_\_\_\_  
[parish school operations] [parish mission in Honduras] [parish school computer lab] [school music program] [first communion classes] [ \_\_\_\_\_ other]
- c. to be held in an endowment fund, to be named the \_\_\_\_\_ Fund, the income (but not the principal) of which may be used at the discretion of St. Mary Parish. For purposes of investment, the assets of this endowment fund may be commingled with other investment assets of St. Mary Parish.
- d. to be added to, and administered in accordance with the Education Endowment Fund, an endowment fund now being administered by St. Mary Parish.
- e. to be held in an endowment fund, to be named the \_\_\_\_\_ Fund, the income (but not the principal) of which shall be used \_\_\_\_\_. If it shall become impractical or impossible to use the income of the Fund for [this purpose] [these purposes], the income shall be used to enhance the faith-based mission of St. Mary Parish in such a manner as the parish determines in its absolute discretion best carries out my original intent. For purposes of investment, the assets of this endowment fund may be commingled with other investment assets of St. Mary Parish.

