

THE UNIVERSITY OF ALABAMA®

Sample Bequest Language

Thank you for considering a bequest to The University of Alabama. Your estate-planning documents should be drafted or amended with the help of an attorney; however, The University of Alabama Office of Planned Giving welcomes the opportunity to assist you and your attorney in crafting gift language that will fit your situation and achieve your desired impact at the University.

As you determine which area of the University you wish to support through your estate plan, please ensure that all correspondence, legal documents, and distributions use the following full legal name and contact information:

The Board of Trustees of The University of Alabama
Tax ID Number: 63-6001138
Attention: Office of Planned Giving
Box 870123
Tuscaloosa, Alabama 35487

There are numerous options for selecting the appropriate language for your particular situation based on multiple factors including:

- Will you be executing a Memorandum of Agreement with the University (or an affiliated entity) that spells out the parameters of the gift fund you will be establishing?
- Will you be creating or adding to an endowment that will exist in perpetuity and be restricted for a particular purpose (scholarship, professorship, support fund, etc.)?
- Will you be designating the bequest to a particular area (school, college, department, unit, etc.) or for a particular purpose but not endowing the gift?
- Will the University (or an affiliated entity) be a primary beneficiary or contingent beneficiary?
- Will the University (or an affiliated entity) receive a specific bequest (based on a certain dollar amount, percentage of the estate, particular property, etc.), or will it receive a residual amount remaining after other specific bequests have been fulfilled?

All of these questions factor into the language that should be used. Many of the various options are addressed below. The most definitive way to ensure that your intentions are clearly defined is to establish your particular bequest designation through a separate Memorandum of Agreement executed directly with the University. We recommend this path so that your will can simply reference that the bequest go to the fund with all details spelled out in this separate agreement between you and the University. This will also allow the University to document your gift intentions and potentially recognize you as a member of the Denny Society.

It is also important to note that with a Memorandum of Agreement in place, the minimum required to establish a particular type of endowment is set at current levels. In the absence of the Memorandum of Agreement, the minimum required to establish the endowment will be as of the

date the bequest is received at the University—which is usually several years later. The current minimums to establish an endowment are as follows:

Faculty/Program Support

- Deanship – \$3 million
- Faculty Chair – \$1.5 million
- Professorship – \$500,000
- Visiting Professorship – \$250,000
- Research Fund/Eminent Faculty Scholar Fund – \$100,000
- Program Support Fund/Library Fund/Award Fund – \$25,000

Scholarships/Fellowships

- Distinguished Presidential Scholarship – \$1 million
- Distinguished Graduate Fellowship – \$500,000
- Eminent Scholarship – \$300,000
- Graduate Fellowship – \$200,000
- Scholarship – \$25,000

Lectureships

- Distinguished Lectureship – \$250,000
- Lecture Series – \$100,000

Bequest

Bequest with separate Memorandum of Agreement in place between the donor and the University:

“I give, devise, and bequeath to The Board of Trustees of The University of Alabama (percentage of estate, specific dollar amount, specific property, or residual of estate) to be used at The University of Alabama in accordance with the terms of the most recent documentation I have on file with the University regarding this gift.

NOTE: If multiple gift funds have been established with multiple Memoranda of Agreement in place, additional detail will be required to specify how much of the bequest is to be placed in each fund.

If you elect to not use a separate Memorandum of Agreement, and want to simply include the designation in the will, one of the following options should be used:

Bequest to establish endowment fund with income to be restricted:

“I give, devise, and bequeath to The Board of Trustees of The University of Alabama (percentage of estate, specific dollar amount, specific property, or residual of estate). This bequest will be used to create the (Name of Endowment) Fund and shall be added to the

University's endowment to be held in perpetuity with the spendable income therefrom to be utilized for (description of restricted purpose specified by testator—e.g., scholarships, faculty support, etc., to benefit a specific school, college, department, unit, etc.). If the amount realized from the bequest does not meet the minimum level required to establish an endowment for the desired purpose, this bequest will be utilized for a similar purpose as identified by the president of The University of Alabama.”

Bequest that does not create an endowment but has a designation within the University:

“I give, devise, and bequeath to The Board of Trustees of The University of Alabama (percentage of estate, specific dollar amount, specific property, or residual of estate). This bequest shall be utilized for (description of restricted purpose specified by testator—e.g., scholarships, faculty support, etc., to benefit a specific school, college, department, unit, etc.).”

Bequest that does not create an endowment and has no designation within the University:

“I give, devise, and bequeath to The Board of Trustees of The University of Alabama (percentage of estate, specific dollar amount, specific property, or residual of estate) for unrestricted use (or for other purpose specified by the testator).”

NOTE: By furnishing these paragraphs, neither The University of Alabama nor The Board of Trustees of The University of Alabama intends to give legal advice. We strongly encourage those interested in drafting a will to seek competent legal counsel experienced in will draftsmanship.

Contingent Bequest

Contingent bequest to create an endowment with income to be restricted:

“I give, devise, and bequeath to (primary named beneficiary), (percentage of estate, specific dollar amount, specific property, or residual of estate), but if he (she) shall not be living at the time of my death, then I give, devise, and bequeath such property to The Board of Trustees of The University of Alabama. This bequest will be used to create the (Name of Endowment) Fund and shall be added to the University's endowment to be held in perpetuity with the spendable income therefrom to be utilized for (description of restricted purpose specified by testator—e.g., scholarships, faculty support, etc., to benefit a specific school, college, department, unit, etc.). If the amount realized from the bequest does not meet the minimum level required to establish an endowment, this bequest will be utilized for a similar purpose as identified by the president of The University of Alabama.”

Contingent bequest that does not create an endowment but has a designation within the University:

“I give, devise, and bequeath to (primary named beneficiary), (percentage of estate, specific dollar amount, specific property, or residual of estate), but if he (she) shall not be living at the time of my death, then I give, devise, and bequeath such property to The Board of Trustees of The University of Alabama to be utilized for (description of restricted purpose specified by

testator—e.g., scholarships, faculty support, etc., to benefit a specific school, college, department, unit, etc.).”

Contingent bequest that does not create an endowment and has no designation within the University:

“I give, devise, and bequeath to (primary named beneficiary), (percentage of estate, specific dollar amount, specific property, or residual of estate), but if he (she) shall not be living at the time of my death, then I give, devise, and bequeath such property to The Board of Trustees of The University of Alabama for unrestricted use (or for other purpose specified by the testator).”

NOTE: By furnishing these paragraphs, neither The University of Alabama nor The Board of Trustees of The University of Alabama intends to give legal advice. We strongly encourage those interested in drafting a will to seek competent legal counsel experienced in will draftsmanship.

Codicil

Codicil to last will and testament to create an endowment with income to be restricted:

“I hereby amend my last will and testament, executed on the ____ day of _____, in the year _____. I direct that all provisions of the will remain in effect, but in addition I give, devise, and bequeath (percentage of estate, specific dollar amount, specific property, or residual of estate) to The Board of Trustees of The University of Alabama. This bequest will be used to create the (Name of Endowment) Fund and shall be added to the University’s endowment to be held in perpetuity with the spendable income therefrom to be utilized for (description of restricted purpose specified by testator—e.g., scholarships, faculty support, etc., to benefit a specific school, college, department, unit, etc.). If the amount realized from the bequest does not meet the minimum level required to establish an endowment, this bequest will be utilized for a similar purpose as identified by the president of The University of Alabama.”

Codicil to last will and testament that does not create an endowment but has a designation within the University:

“I hereby amend my last will and testament, executed on the ____ day of _____, in the year _____. I direct that all provisions of the will remain in effect, but in addition I give, devise, and bequeath (percentage of estate, specific dollar amount, specific property, or residual of estate) to The Board of Trustees of The University of Alabama to be utilized for (description of restricted purpose specified by testator—e.g., scholarships, faculty support, etc., to benefit a specific school, college, department, unit, etc.).”

Codicil to last will and testament that does not create an endowment and without a designation within the University:

“I hereby amend my last will and testament, executed on the ____ day of _____, in the year _____. I direct that all provisions of the will remain in effect, but in addition I give, devise, and bequeath (percentage of estate, specific dollar amount, specific property, or residual of estate) to The Board of Trustees of The University of Alabama for unrestricted use (or for other

purpose specified by the testator) to be used at the discretion of the president of The University of Alabama.”

NOTE: By furnishing these paragraphs, neither The University of Alabama nor The Board of Trustees of The University of Alabama intends to give legal advice. We strongly encourage those interested in drafting a will to seek competent legal counsel experienced in will draftsmanship.