

# Bequest Workbook

## Ensure what is left behind is a legacy.

CORA is providing this sample gift/bequest language with the caveat that the sample language is just that - sample language. It may not simply be “dropped” into your living trust or Will because it could conflict with your current estate plan. Additionally, terms used in the sample language (e.g. “trust estate”) may not dovetail with identical or similar terms used in your current estate plan. Because the authors of this sample language aren’t reviewing your entire estate plan they simply don’t know if the sample language will conflict with your current plan. CORA therefore advises you to consult with your own estate planning professional before adopting this language or incorporating it into your estate plan.

### A. Unrestricted Bequest

(Will) “I give to the C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California, outright, the following:

- (Cash Bequest) \_\_\_\_\_ dollars (\$ \_\_\_\_\_).”
- (Stock Gift) \_\_\_\_\_ shares of common stock of \_\_\_\_\_ Corporation.”
- (Percentage of Estate) \_\_\_\_\_ percent ( \_\_\_%) of the residue of my estate.”
- (Other) \_\_\_\_\_.”

(Trust) “The Trustee shall distribute the following outright to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California:

- (Cash Bequest) \_\_\_\_\_ dollars (\$ \_\_\_\_\_).”
- (Stock Gift) \_\_\_\_\_ shares of common stock of \_\_\_\_\_ Corporation.”
- (Percentage of Estate) \_\_\_\_\_ percent ( \_\_\_%) of the residue of the trust estate.”
- (Other) \_\_\_\_\_.”

### B. Bequest for Specific Purpose

(Will) “I give to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California, \_\_\_\_\_ dollars (\$ \_\_\_\_\_) (or the property herein described) for the following purpose (or purposes) (*insert desired clause – see samples below*). In the event that any of the purposes for which the funds paid pursuant to this bequest become frustrated, unreasonably burdensome, or impractical (as determined by the governing board of the C.O.R.A. – Community Overcoming Relationship Abuse, in its discretion), such funds shall be used for such other purpose (or purposes), which shall be as close as practical to the purpose (or purposes) set forth

herein, as determined by the governing board of the C.O.R.A. – Community Overcoming Relationship Abuse in its discretion.”

(Trust) “The Trustee shall distribute \_\_\_\_\_ dollars (\$ \_\_\_\_\_) (or the property herein described) to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California, for the following purpose (or purposes) (*insert desired clause – see samples below*). In the event that any of the purposes for which these funds are distributed become frustrated, unreasonably burdensome, or impractical (as determined by the governing board of the C.O.R.A. – Community Overcoming Relationship Abuse, in its discretion), such funds shall be used for such other purpose (or purposes), which shall be as close as practical to the purpose (or purposes) set forth herein, as determined by the governing board of the C.O.R.A. – Community Overcoming Relationship Abuse in its discretion.”

#### Sample “Purpose” Clauses

1. “...support and enhance the (*enter selected program*) at C.O.R.A. – Community Overcoming Relationship Abuse.”
2. “...increasing the permanent endowment funds of C.O.R.A. – Community Overcoming Relationship Abuse, the annual income to be used to support and enhance the mission of C.O.R.A. – Community Overcoming Relationship Abuse.”

### C. Gift of Residuary Estate

(Will) “I give the entire residue of my estate outright to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

(Trust) “The Trustee shall distribute the entire residue of the trust estate outright to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

### D. Contingent Gift of Residuary Estate

(Will) “I give the entire residue of my estate to my spouse \_\_\_\_\_ *name* \_\_\_\_\_ if (he/she) survives me. If my spouse does not survive me, I give the entire residue of my estate outright to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

(Providing “boilerplate” language for a Trust for this type of gift isn’t practical.)

### E. Gift Dependent of Estate Size

(Will) “I give the greater of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) or \_\_\_\_\_ percent (\_\_\_%) of the residue of my estate outright to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

(Trust) “The Trustee shall distribute the greater of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) or \_\_\_\_\_ percent (\_\_\_%) of the residue of the trust estate outright to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

### F. Gift to be Free of Taxes

“I direct that no estate or other transfer taxes reduce the amount or share of any gift to be made to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

## G. Provision for Pledge Payment

(Will) “If any portion of any pledge that I have made to, or for the benefit of, C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California, remains unsatisfied at my death, such unpaid portion shall be a claim against my estate by C.O.R.A. – Community Overcoming Relationship Abuse and shall be satisfied in full by my representatives.”

(Trust) “If any portion of any pledge that I have made to, or for the benefit of, C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California, remains unsatisfied at my death, such unpaid portion shall be a claim against the trust estate by C.O.R.A. – Community Overcoming Relationship Abuse and shall be satisfied in full by the Trustee.”

## H. Specific Bequest

(Will) “I give the following property (*indicate specific property*) outright C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

(Trust) “The Trustee shall distribute the following property (*indicate specific property*) outright to C.O.R.A. – Community Overcoming Relationship Abuse, a California nonprofit corporation, San Mateo, California.”

Real or personal property gifts (real estate, artwork, collections, and personal effects) are also accepted by CORA in many instances. However, it is advisable to discuss such a gift with us first.

*For further assistance contact:*

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***This document is intended as a general guide for use by attorneys.***