

SAMPLE ENDOWMENT FORM AGREEMENT
(PRIMARILY FOR INDIVIDUALS)

[date]

Donor
Address
Address

Dear [Donor]:

The [recipient organization name] is very grateful for your recent generous [gift/pledge] to establish an endowment for the benefit of [*name unit or describe project*]. We are pleased to be able to formally acknowledge receipt of this gift.

It will be our honor to present this gift to the [recipient organization name]'s Board of Directors for their final acceptance. Your endowment will be known in perpetuity as [*name of endowment*], and we will acknowledge this name in connection with programs, activities, or publications [*alternatively, describe here in detail the specific program(s)*] supported by it. We look forward to reporting to you annually on this endowment.

As we discussed, it is your intention to pay [*describe the amount of payment; the type (cash, check, wire transfer, gift of shares of stock, deferred gift); and when payment will occur. Provide a detailed pledge schedule here, if applicable. If some or all payment(s) has/have been made, include date the [recipient organization name] received fund(s) and amount(s).*] [*If payment instructions needed: Payment instructions are attached to this agreement.*]

[*Include for pledges: We confirm our common understanding that this is a binding pledge on you and your estate, and that the [recipient organization name] may make commitments in reliance on this pledge. Also, w...*] We appreciate your understanding that while we are deeply appreciative of your support of our mission, the [recipient organization name] maintains exclusive discretion to determine the contents of its programs and exhibitions and to interpret its mission. We also confirm that this agreement does not permit commercial use of the [recipient organization name] name, logo, or trademarks.

[*Use if this gift does not fully fund the program, endowment, etc.: As you know, [the endowment] [may/will] require additional support which we will be seeking. If this is secured, we will appropriately recognize other contributors.*]

Your endowment will be identified in [recipient organization name] records as a discrete and permanent fund. Spending rules determined by the Board of Directors will determine what part of its annual income will be available for expenditure. Consistent with the best non-profit accounting and investment practices, the assets of all [recipient organization name] endowments

are commingled for investment purposes and managed in accord with the investment goals, objectives, and policies of the [recipient organization name].

If in the judgment of the Board of Directors it becomes impossible or impracticable to use the fund income for the purposes described in this letter, the income may be used in a manner that the Board of Directors determines will best accomplish your original intent. If this unlikely situation occurs during your lifetime, the [recipient organization name] will contact you in order to determine your preferences.

Because the [recipient organization name] is a trust instrumentality of the United States, the terms of any agreement may be subject to scrutiny by Congress or any other legally entitled entity. However [recipient organization name] will protect from disclosure proprietary, financial or personal information. The [recipient organization name] confirms, for Internal Revenue Service purposes, that no goods or services have been provided to you in connection with this gift. You may not transfer to another the recognition of your generosity that the [recipient organization name] has agreed to provide.

We intend, by this gift, to create a donor/donee relationship. Interpretation of this Agreement is subject to the laws of the state/commonwealth of [insert state name]. Should modification of this agreement be necessary, any amendment shall be made in writing and signed by both parties. This Agreement constitutes our full, mutual understanding concerning this gift. There are no other agreements or expectations.

The signatures below indicate that these understandings and commitments are accepted by all parties.

Thank you again. We are very grateful for your generous support and interest in [*name of College/School*]

SIGNED FOR THE [RECIPIENT ORGANIZATION NAME]: SIGNED BY THE DONOR[S]:

[School/College DoD - mandatory]

[Donor name # 1]

Vice President for External Affairs
[recipient organization name]
[required on all agreements]

[Donor name # 2, if needed]

[Name of Comptroller]
[title in full]
[required if \$1 million or more]

[Name of Chancellor/President]
[recipient organization name]
[required if \$5 million or more]

Exhibit A

Payment Instructions

[Attach the appropriate instructions]

[*if a check*: Please make checks payable to “[recipient organization name] Institution.”]

[*if a wire transfer*: Please send wire transfers, payable to “[recipient organization name] Institution,” as follows: *current instructions*]

[*if stock transfer*: Follow these instructions for transfers of stock to the [recipient organization name] Institution. [*current instructions*]]