

SAMPLE BEQUEST LANGUAGE

Official Name: Main Street Project Inc.

Charitable registration number: 107655094 RR0001.

Address: Attn: Director of Development. 661 Main Street, Winnipeg, MB R3B 1E3

Forms of Bequests

1. Rest and residue of estate. The Charity is given all or a percentage of what remains of the estate after paying debts, taxes, expenses, and other bequests.

"My Trustee* shall pay or transfer to Main Street Project Inc. all (or stated percentage) of the rest, residue, and remainder of my estate..."
2. Specific bequest.
 - A. Sum of money.

"My Trustee* shall pay or transfer to Main Street Project Inc. the sum of (amount)..."
 - B. Particular property(ies) such as real estate, stocks, bonds, jewelry, works of art, or other items. Unless the property is useful to the Charity, it will be sold, and the proceeds, less any appraisals and selling costs, applied per the terms of the bequest.

"My Trustee* shall pay or transfer to Main Street Project Inc. (description of property)..."
3. Contingent bequest. This gift takes place only if the Testator is not survived by certain individuals.

"If (name/s of primary beneficiary/ies) do/es not survive me, or shall die within ninety (90) days from the date of my death, or as a result of a common disaster, then my Trustee* shall pay or transfer to Main Street Project Inc. (describe amount of cash, property, or percentage of residual estate)..."
4. Charitable remainder trust. A designated portion of the estate property is used to fund the trust, which then pays the net income to the beneficiary(ies) identified in the donor's will. When the trust terminates (at the death of the beneficiary(ies) or at the end of a term of years), the trust principal is distributed to the Charity.

"I direct that my Trustee raise out of the capital of my estate the sum of \$_____ to be held and invested by the trustee of the trust funded with such sum and to pay to (name of spouse or other individual/s) all of the net income which accrues therefrom during (his, her, their) natural lifetime(s). Upon the death of_____, such trust fund shall be distributed to Main Street Project Inc. I appoint (name of person or institution) as trustee of this trust."

This language may be expanded to discuss more particularly the terms of the trust and use of the trust remainder.

5. Pledge language.

"I have pledged a gift of _____ to Main Street Project Inc. for the benefit of _____. To the extent that, at the time of my death, I shall not have paid the amount of such pledge in full, I direct my Trustee* to pay in full the unpaid balance of such pledge to Main Street Project Inc., or its successor organization."

Purposes of Bequests

Whatever the form of the bequest, it may be designated for unrestricted uses, for a restricted use, or to establish an endowment. Below are "purpose" clauses that can be added to any of the examples of bequest language listed above under "Forms of Bequest."

1. Unrestricted use

"...to be used for the general purposes of Main Street Project Inc." [*May also add, "... at the discretion of the Board of Directors."*]

2. Restricted use

"...to be used for (detailed description of what the donor wants the bequest to accomplish)."

Examples:

"...to be used for the Withdrawal Management Program."

"...to be used in support of the care of those who use the Emergency Shelter at Main Street Project."

Power to Vary Provision

It is recommended that the following paragraph be added if the bequest is for a restricted use.

"If, in the opinion of the Board of Directors of Main Street Project Inc., it should become impossible, inadvisable, or impractical to use this gift for the specified purpose(s), then the Board may in their discretion use the gift to the best advantage of the Main Street Project Inc., keeping in mind my original wishes. In any such alternative application, the support provided by this bequest shall be clearly identified with the name of DONOR NAME."

* Depending on the terminology commonly used in the province where the donor resides, "executor" or "liquidator" may be used instead of "trustee."