

MEMORANDUM OF CHARITABLE INTENT

This Memorandum is made this ____ day of ____, 2023 by _____ (hereinafter referred to as “the donor”) to the Topeka Community Foundation, Topeka, Kansas (hereinafter referred to as “Foundation”).

WHEREAS, the Donor has designated the Foundation as the recipient of part of their estate and the Donor wishes to direct and advise as to the distribution of this gift and other future gifts.

WHEREAS, the Donor understands that all gifts made to the Foundation will be subject to the Bylaws, policies and procedures of the Foundation; and

WHEREAS, the Foundation has represented to the Donor that it will manage the gifts made by the Donor and make distributions of this gift in accordance with this Memorandum, subject to the Bylaws, policies and procedures of the Foundation,

NOW, THEREFORE, the Foundation represents that it has received this Memorandum, and that it will make distributions as provided herein and in accordance with Donors’ directions, which are stated as follows:

1. Endowment of Gift(s): The gift(s) from the Donor to the Foundation shall be used to establish the “_____ Fund.” The Donor stipulates that the gifts to the Foundation be endowed, and that the Foundation shall retain and invest all gifts from the Donor and only distribute annually from the Fund according the Foundation’s spending policy.
2. Distributions: The distributions from the fund as determined by the Foundation’s spending policy shall be granted from time to time but at least annually as provided below:
 - A. Distribution to: _____: _____ percent (____%) of the annual distribution amount shall be distributed to _____, Topeka, KS. The Donor directs that the distribution be used to support _____.
 - B. Distribution to: _____: _____ percent (____%) of the annual distribution amount shall be distributed to _____, Topeka, KS. The Donor directs that the distribution be used to support _____.
3. Publications. The Donor agrees to be listed in the publications of the Foundation at the discretion of the Foundation. All distributions made by the Foundation shall be given in the name of “_____.”

4. Nondiscrimination. By creating a fund with the Foundation, the Donor understands that the Foundation operates based on the values of inclusion and nondiscrimination, and dollars may not be used in conflict with these values.
5. Variance Power. The Donor recognizes and acknowledges that this is a request to establish a Memorandum of Charitable Intent, and that pursuant to the Bylaws of the Foundation, the Board of Directors may periodically evaluate the Funds, and if it is determined that continued payment for the specified charitable purpose has become unnecessary, obsolete, incapable of fulfillment, impractical or contrary to compliance requirements for the Foundation to retain its tax exempt status, the Board has the discretion to alter the distribution of the Funds. The Donor acknowledges the authority of the Board of Directors to alter distribution, but requests that to the maximum extent possible the purposes stated in this Memorandum be followed.

The parties have signed this Memorandum the day and year first above written.

DONOR

TOPEKA COMMUNITY FOUNDATION

Marsha Pope
President