**Accompanying Document to Soliciting, Accepting and Processing Gifts**

**and Grants from Private Sources**

**UPPS 03.05.01**

**ATTACHMENT V**

**Sample Language for an Endowment Donation**

**MOU: Gift of Property**

**MOU:** Title

I/We, donor name(s) , hereby give to Texas State University-San Marcos the following gift:

Real property described generally as (block, lot & tract information), and also known as (street address, city, county, state).

This property is to be sold by the University, with proceeds used to create the endowment name as a permanent endowment for benefit of the college/school/center. Funds distributed from the endowment shall be used to statement of use .

In accordance with the policies and procedures of the University, these endowment funds may be merged or comingled with other funds held by the University for investment purposes.  Funds approved for distribution from the endowment in a year may be expended for the purposes of the endowment in that year.  A portion of the funds not distributed may be designated, at the discretion of the University President and Vice President for Finance and Support Services, as a permanent addition to the principal of the endowment.

The endowment shall not become part of the General Fund of the State of Texas and shall not be subject to appropriation by the Legislature of the State of Texas.  All future additions to the endowment, made by any party, shall be subject to the provisions of the Memorandum of Understanding and shall be considered permanent endowment funds.  If in the mutual opinion of the University President and the Vice President for Finance and Support Services, future circumstances change so that the purposes for which the endowment is established become illegal, impracticable, or no longer able to be carried out, an alternative use, that is mutually agreed upon by the University administration and the University President, for the endowment payout may be designated to further the objective of the University in the spirit of my/our original purpose.

Annually, a prudent inflationary rate may be applied to the earnings of the endowment for the year. The resulting amounts may be designated as permanently restricted income and added to the principal of the endowment. For the purposes of the preceding language, earnings may be defined in a policy statement and may include interest, dividends, rents, issues, net annual realized profits, and net annual unrealized profits.

Donor Signature Date William A. Nance Date

Donor Name Vice President for Finance and Support Services

Address Texas State University-San Marcos

City, State, Zip Code

Donor Signature Date

Donor Name

Address

City, State, Zip Code

As with any decision involving your assets, we urge you to seek the advice of your professional counsel when considering a gift to Texas State University-San Marcos.