

CHRIST EPISCOPAL CHURCH'S.
POLICY ON INTER VIVOS AND TESTAMENT
GIFTS ("CHRIST CHURCH'S GIFTS POLICY")

Purpose

Christ Episcopal Church ("CEC") is an organized parish of the Episcopal Diocese of Texas ("the Diocese" or "DOT") and the Episcopal Church of the United States of America ("the National Church"). CEC sees a need for the formation and establishment of a written policy on acceptance, rejection and revocation of acceptance of inter vivos and testamentary gifts ("Gifts Policy") which will be applicable now and in the future. Currently the National Church and DOT do not have a written gifts policy, although many of their respective related institutions such as hospitals and seminaries do. The National Church and DOT encourage individual churches, both missions and parishes, to develop written gifts policies. CEC does not desire to apply this gifts policy to regular income pledges or non-pledge cash gifts.

Acceptance Process

When a donor desires to make a Gift to CEC, he or she should contact the priest-in-charge of CEC, whether vicar or rector, and obtain a current copy of the Gifts policy. The donor shall explain to the priest-in-charge the nature and conditions of his or her prospective Gift.

If the property is real estate, the donor should provide a written legal description of the property, a copy of any owner's title policy, and any written appraisals.

If the property is a security, e.g., stock, bond, etc., the donor should provide a copy of any prospectus available from the company issuing the security and written information from the issuing company or the broker holding the security for the donor the procedures necessary to make the transfer.

If the property is a good, e.g., automobile, computer or some other physical object that is manufactured or sold in commerce, the donor should provide a copy of any title applicable to the good, a written description of the good and any warranties that are transferable.

If the property is an intangible, e.g., copyright, trademark, etc., the donor should provide a copy of any legal documents creating the intangible and written information on what procedures are necessary to make the transfer.

If the property is a service to be provided, e.g., a commercially or professionally offered service for which the donor is paying for use by CEC, or is himself/herself providing, the donor should provide a written description of the service and any warranties that are transferable.

If the property will be transferred by testamentary transfer, the donor shall obtain a copy of the written description of CEC's legal name from the priest-in-charge and instructions from CEC's chancellor (lawyer) for the proper wording to be used in the donor's will.

If the property is income from an inter vivos trust, the donor shall provide a copy of the existing

or proposed trust and obtain a copy of the written description of CEC's legal name from the priest-in-charge and instructions from CEC's chancellor (lawyer) for the proper wording to be used in the donor's trust.

If CEC does not have a chancellor, then CEC shall use DOT's chancellor, or such vice-chancellor as DOT's chancellor shall assign. After the initial information is provided, the priest-in-charge shall present the donor's Gift offer to the Vestry for its review at a regular Vestry meeting. CEC's chancellor should also be provided with the same information in enough time prior to such meeting for him or her to formulate an opinion on the legal problems (if any) of accepting the prospective Gift. The Vestry shall have the authority to accept or reject a Gift from a prospective donor with the advice and consent of the priest-in-charge and the chancellor. The Vestry shall also have the authority to revoke its acceptance with the advice and consent of the priest-in-charge and the chancellor, even if the donor fails to comply with all of the requirements of this policy.

Conditions of Acceptance

Each donor who applies for acceptance of his or her Gift understands that the granting of his or her application is made on the following conditions and may be revoked if the donor, deceased donor's estate or deceased donor's next of kin fails to meet, follow or maintain the status of any of these conditions, as applicable, set forth below:

CEC will dispose of any Gift as it sees fit, without notice to the donor, if the Gift breaks down or ceases to be useful.

On testamentary gifts, CEC should be kept informed of the exact wording of the provision in the will that makes the testamentary transfer of the Gift to CEC. CEC also should be informed when that wording is changed, including a change that revokes the prospective testamentary transfer. CEC also should be kept informed of the location of the original of the will containing reference to the Gift.

This policy is subject to the Constitution and Canons of DOT and the Constitution and Canons of the National Church.

This policy is subject to the gift policies, if any, of DOT and the National Church.

This policy may be amended or modified by CEC without notice to any donor, deceased donor's estate or deceased donor's next of kin.

The donor, the donor's estate, and the donor's next of kin shall have no judicially enforceable right to force acceptance of a Gift or to reverse revocation of acceptance by CEC. It is a privilege and not a right to give to CEC or any other church.

Church Administrative Review

Although it is understood by the donor, the donor's estate and the donor's next of kin that they have no judicially enforceable rights with respect to the above described privilege of giving, in the event the donor, the donor's estate or the donor's next of kin is denied the privilege of giving a particular Gift or has the privilege revoked as to a particular Gift, the aggrieved party may request a review of that original denial or revocation by the Vestry. There shall be no further Church administrative review beyond the Vestry. No court may review these decisions because the privilege made the subject of this policy is not a property right, and any administrative review through church hierarchy as set forth in this paragraph will necessarily require the review of the Episcopal Church's religious precepts and principles. Therefore, judicial review is prohibited by Article I, Section 6 of the Texas Constitution and the First and Fourteenth Amendments of the United States Constitution.

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Enacted by the Vestry of Christ Episcopal Church on this 10th day o Mayf, 2016

CHRIST EPISCOPAL CHURCH

By: _____
Linda Dozier,
Senior Warden