

**First Codicil to Last Will and Testament
of**

This First Codicil is made to my Last Will and Testament, executed _____ .

Part I. I give the sum of \$ _____, as a specific cash bequest, to the King of Glory Lutheran Church Foundation, Dallas, Texas, to be added to the Foundation as an undesignated gift.

OR

I give _____ percent (___%) of the residue of my estate to the King of Glory Lutheran Church Foundation, Dallas, Texas, to be added to the Foundation as an undesignated gift.

Part II. Except as revised by this First Codicil, I do in all respects reaffirm, republish, ratify, confirm, and declare my Last Will and Testament, executed _____.

THIS I MAKE AND PUBLISH as the First Codicil to my Last Will and Testament, hereunto subscribing my name in the presence of _____ and _____ who have, at my request and in my presence and in the presence of each other, also subscribed their names hereto as attesting witnesses, on this the _____ day of _____, 20__.

_____, Testator

We, the undersigned persons, of lawful age, have on this day at the request of _____, witnessed his signature to the foregoing First Codicil to his Last Will and Testament in the presence of each of us, and we have, at the same time and in his presence and in the presence of each other, subscribed our names hereto as attesting witnesses.

WITNESS:

ADDRESS:

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared _____, _____, and _____, known to me to be the testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me duly sworn, the said _____, testator, declared to me and to the said witnesses in my presence that said instrument is his First Codicil to his Last Will and Testament, and that he had willingly made and executed it as his free act and deed for the purposes therein expressed; and the said witnesses, each on his oath stated to me, in the presence and hearing of the said testator, that the said testator had declared to them that the said instrument is his First Codicil to his Last Will and Testament, and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said testator and at his request; that he was at that time eighteen (18) years of age or over and was of sound mind; and that each of said witnesses was then at least fourteen (14) years of age.

Witness

_____, Testator

Witness

SUBSCRIBED AND SWORN TO before me by the said _____, testator, and by the said _____ and _____, witnesses, this the _____ day of _____, 20__.

(seal)

Notary Public, State of Texas

(Version 2018)

SEE INSTRUCTIONS ON NEXT PAGE

INSTRUCTIONS FOR COMPLETION OF THE “ONE-PAGE CODICIL”

The document you see on the other side is a “Codicil” to your present “Last Will and Testament”, and as such, it operates as an amendment to that Will. Unless there are other unrelated amendments you wish to make to your present Will, the language in the sample is intended to show you two (2) different approaches which you might want to take for a planned gift to the King of Glory Foundation, but we also want to give you some precautions to observe.

Formalities Required: The formalities required for the execution of a valid Codicil are exactly the same as those required for your Will. That is, your Codicil must be signed in the presence of two (2) unrelated witnesses and a notary public, and all four of you must be in the same room at the same time, throughout the execution process. It is generally the notary’s responsibility to ask or otherwise cover all of the various questions or elements in the “self-proving affidavit” which occupies the bottom half of the page. Once those steps are all taken, then the notary should be the last person to sign the Codicil.

Types of Bequests: The sample Codicil shows two (2) of the most common approaches toward charitable “Planned Giving” which would appear in the Will of a person wishing to make charitable gifts:

- (1) the “specific cash bequest” of a fixed dollar amount, and
- (2) a percentage of your residuary estate.

Precautions and Opportunities: The question which should always be approached carefully is “Where in the Will would this new language fit?” For example, your Will may not presently have any other “specific bequests”; if not, then it probably would be necessary to establish a separate section of your Will for the KOG bequest (as well as any others).

Also, if you plan to give a percentage of your “estate”, there is always the question of how does one measure his or her “estate”? The sample Codicil uses the term “residue of my estate”, which, in general, refers to a person’s net worth upon death, after subtraction of debts, administration expenses, and all “non-probate” assets, such as life insurance or anything else having a specific beneficiary designation (including joint bank accounts). In other words, such items are ignored in the calculation of your “residuary estate”. Therefore, it is always important (and recommended) to have someone else work with you (at least to review what you have done if you wish to prepare the “one-page Codicil” yourself); the services of either your regular attorney or a specialist in Wills and estate planning would be helpful.

Fortunately, there are several attorneys in the congregation who devote substantial time to Wills and other estate planning matters, and who have agreed to donate their time to those persons who wish to make a Planned Gift to the KOG Foundation by using a Codicil similar to the one attached. If there are other changes that you want to make, a Codicil covering more than just the charitable gift(s) would be needed, or it may be preferable to write an entirely new Will. In that case, the attorneys who have agreed to donate their time would carve out the portion attributable to the charitable bequest(s), and would charge you only for the portion of the total time which was involved in matters other than the charitable bequest(s).

If you already have a Wills and estates attorney, we suggest that you consult with that person, and also make that person aware of the other document on this website which may be of assistance to him or her, the “Attorney’s Guide to the King of Glory Foundation”.

Again, thank you for considering making this addition to your estate planning, and we think you will find that it is a relatively simple process (but not quite as simple as may be inferred from the sample material on the first page!)