



## United States Air Force Academy Endowment Codicil Information

A last will and testament may be amended for a variety of reasons, including the addition of a charitable bequest to benefit the Academy, which is the focus of this informational piece. The definition of codicil is: “an addition or supplement to a will, either to add to, remove, or alter the provisions of the will.” A codicil to a will does not revoke your will, but merely changes one or more parts of the will. Both the will and the codicil are admitted to probate.

### How to Change a Will with a Codicil

Changing a will with a codicil is very similar to writing a will. In any codicil form there will be a title, an opening paragraph, the changes you are making, the proper signatures and statements of the person making the codicil (you, the “testator”), the witnesses, and the notary public.

Codicils must be executed in the same manner as a will. These requirements vary by state. All states require that the codicil be signed by the testator, and that there be witnesses, who generally must watch the testator and each other sign. Most states require two witnesses, but a few require three. There are also rules about who may, or may not, serve as a witness (typically someone under the age of majority, or who might inherit from the testator).

Not all states require that a will or a codicil be notarized, but notarization is a good idea. Having the signatures of the testator and the witnesses notarized may allow the codicil to be admitted to probate without having to track down the witnesses. There may also be certain statements that are required to be in the codicil above the signatures of the testator, the witnesses, and the notary.

A sample codicil is on the following page, which you may use to “fill in the blanks” to submit to your attorney for drafting the actual codicil.

### Should You Write a New Will?

Two situations that clearly mandate a new will: if you are making several changes to your will, or you already have one or more codicils. Your attorney may recommend a new will over a codicil in order to avoid potential confusion between two documents, thereby revoking the old will.

### Where to Keep Your Codicil

You should store your codicil with your will. If you filed your will with the probate court, you should file your codicil also. You should also keep a copy of the codicil, and give a copy to anyone else who has a copy of your will.

Disclaimer: The USAFA Endowment is not engaged in rendering legal or tax advisory service. For advice or assistance in specific cases, the services of an attorney and/or other professional advisors should be obtained.

Contact: Office of Gift Planning at the USAFA Endowment 719.472.2059 [legacy@usafaendowment.org](mailto:legacy@usafaendowment.org)

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# CODICIL TO WILL OF

\_\_\_\_\_  
I, \_\_\_\_\_, with a mailing address of \_\_\_\_\_ City of \_\_\_\_\_, State/Commonwealth of \_\_\_\_\_ (“Testator”) create this Codicil to my Last Will dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ (“Last Will”). I hereby republish and declare said Last Will as amended by this Codicil to be my Last Will.

**I. Declaration.** I hereby declare the following amendments in this Codicil:

I give and bequeath to the USAFA Endowment, Inc., at 3116 Academy Drive, USAF Academy, Colorado 80840, a charitable 501(c)(3) having the Federal ID of 26-0537053:

- a) the sum of \$ \_\_\_\_\_; OR
- b) a portion of my estate totaling \_\_\_\_\_ percent; OR
- c) all (or \_\_\_\_\_ percent) of the rest, residue, and remainder of my estate, both real and personal property which I may own or have right to dispose of at the time of my death; OR
- d) the following described real or personal property: \_\_\_\_\_.

**II. Terms.** All other terms, conditions, statements, and requests of the Last Will shall remain in effect. In every respect, I hereby ratify, reaffirm and republish my Last Will dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

IN WITNESS whereof I, the Testator, have authorized this Codicil on the undersigned date and in the presence of  Two (2) Witnesses  Two (2) Witnesses and a Notary Public.

**Testator’s Signature** \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_

Print Name \_\_\_\_\_

I declare, as Witness, the Testator executed this Codicil in my presence.

**Witness Signature** \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_

Print Name \_\_\_\_\_

I declare, as Witness, the Testator executed this Codicil in my presence.

**Witness Signature** \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_

Print Name \_\_\_\_\_



## NOTARY ACKNOWLEDGMENT

County/Parish of \_\_\_\_\_ }

State/Commonwealth of \_\_\_\_\_ }

**A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.**

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ personally appeared the

Testator, known as \_\_\_\_\_ [Testator's Name], of this Codicil and

acknowledged the foregoing to be (his/her) free act and deed, before me.

**Notary Public Signature** \_\_\_\_\_

Print Name \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(Seal)