

# U.S. Legacy Income Trusts®

Trust I.2, Trust II.2 and Trust III.2

Supplement dated May 17, 2024

to the Information Statement dated

January 1, 2024

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Effective May 17, 2024, Ren has changed the location of their principal offices. Accordingly, all references to "8910 Purdue Road, Suite 500, Indianapolis, IN 46268" are deleted from the Information Statement and replaced with "8888 Keystone Crossing, Suite 1200, Indianapolis, IN 46240."

# U.S. Legacy Income Trusts®

Trust I.2, Trust II.2 and Trust III.2

Supplement dated March 3, 2024

to the Information Statement dated

January 1, 2024

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Effective March 3, 2024, the Gift Trust, the Trustee, Eaton Vance and Placement Agent have changed the location of their principal offices. Accordingly, all references to "Two International Place, Boston, MA 02110" are deleted from the Information Statement and replaced with "One Post Office Square, Boston, MA 02109."

On February 8, 2024, the Board of Directors of the U.S. Charitable Gift Trust appointed a new director, Amy N. Danforth. The below is added under "Board of Directors" in the "Directors and Officers" section of the Information Statement:

"**Amy N. Danforth**, Retired Executive Vice President, Fidelity Investments. Former President of Fidelity Charitable. Board Chair of Literations, Boston, Massachusetts. Former Board Chair, Room to Grow, Boston, Massachusetts. Past Stewardship lead for Old North Church, Marblehead, Massachusetts."

# U.S. Legacy Income Trusts®

## Trust I.2, Trust II.2 and Trust III.2

### Information Statement

January 1, 2024

U.S. Legacy Income Trusts® are pooled income funds established by U.S. Charitable Gift Trust® (Gift Trust), a tax-exempt public charity offering donor-advised funds. This statement of information (Information Statement) describes the offering of U.S. Legacy Income Trust I.2, U.S. Legacy Income Trust II.2 and U.S. Legacy Income Trust III.2 (collectively, Trusts).

As described herein, each Trust generally provides persons transferring acceptable property to the Trust (Donors) with the opportunity to:

- Contribute cash and/or acceptable securities to fund unit participation accounts in the Trust (Trust Accounts);
- Achieve non-recognition of capital gains on contributions of appreciated assets;
- Receive a federal income tax deduction based on the charitable remainder portion of the contributed asset value;
- Provide monthly distributions of tax-advantaged income for life to up to ten individual income beneficiaries designated by the Donor; and
- Following the death of a Trust Account's last-surviving individual income beneficiary, make grants to qualified charitable organizations selected by the Donor or the Donor's designee through the donor-advised fund sub-account of the Gift Trust into which the Trust Account converts.

Eaton Vance Management (Eaton Vance) is the sponsor of the Trusts and the Gift Trust. Eaton Vance Trust Company (Trustee), a Maine trust company affiliated with Eaton Vance, is trustee and investment adviser of the Trusts and the common trust fund in which the Trusts invest, and trustee of the Gift Trust. Eaton Vance Distributors, Inc. (Placement Agent), a broker-dealer affiliated with Eaton Vance, is placement agent for the Trusts and the Gift Trust. Ren, a charitable gift services administrator not affiliated with Eaton Vance, is the administrator of the Trusts and the Gift Trust.

U.S. Legacy Income Trusts®

Tax-advantaged income for life | Legacy of charitable giving

## U.S. Legacy Income Trusts

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As of this date, the U.S. Legacy Income Trusts® described in this statement of information (Trusts) and U.S. Charitable Gift Trust® (Gift Trust) have registered in all states that require registration under relevant securities and nonprofit laws and in the District of Columbia.

Audited financial statements for the preceding year of the Gift Trust and the common trust fund in which the Trusts invest are available upon request. The Gift Trust makes contributions to other charitable organizations that are not affiliated with the Gift Trust; a list of all such organizations to which over \$5,000 in contributions have been made during the most recent calendar year is available to the public as part of the Gift Trust's annual information filing with the U.S. Internal Revenue Service (IRS) on Form 990.

Below are certain state notifications:

**Financial and other information about U.S. Charitable Gift Trust's purpose, programs and activities can be obtained by contacting the Wealth Strategies Group of Eaton Vance Distributors, Inc. at Two International Place, Boston, MA 02110, 617-672-8500, and [www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org) or, for residents of the following states, as stated below.**

**Florida:** CH No. 11116. A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE, WITHIN THE STATE, 1-800-HELP-FLA OR [www.FloridaConsumerHelp.com](http://www.FloridaConsumerHelp.com).

**Kansas:** Reg No. 286-555-8. A copy of the financial report for the preceding year is on file with the Secretary of State.

**Maryland:** For the cost of postage and copying, from the Secretary of State.

**Michigan:** MICS No. 23992.

**Mississippi:** The official registration and financial information of U.S. Charitable Gift Trust may be obtained from the Mississippi Secretary of State's office by calling 1-888-236-6167.

**New Jersey:** INFORMATION FILED WITH THE ATTORNEY GENERAL CONCERNING THIS CHARITABLE SOLICITATION AND THE PERCENTAGE OF CONTRIBUTIONS RECEIVED BY THE CHARITY DURING THE LAST REPORTING PERIOD THAT WERE DEDICATED TO THE CHARITABLE PURPOSE MAY BE OBTAINED FROM THE ATTORNEY GENERAL OF THE STATE OF NEW JERSEY BY CALLING (973) 504-6215 AND IS AVAILABLE ON THE INTERNET AT [www.state.nj.us/lps/ca/charfrm.htm](http://www.state.nj.us/lps/ca/charfrm.htm).

**New York:** A copy of U.S. Charitable Gift Trust's most recently filed financial report is available from the Charities Registry on the New York State Attorney General's website at [www.charitiesnys.com](http://www.charitiesnys.com) or, upon request, by contacting the New York State Attorney General, Charities Bureau, 28 Liberty Street, New York, NY 10005, or U.S. Charitable Gift Trust at Two International Place, Boston, MA 02110. You may obtain additional information on charitable organizations from the New York State Office of the Attorney General at [www.charitiesnys.com](http://www.charitiesnys.com) or (212) 416-8401.

**North Carolina:** Financial information about U.S. Charitable Gift Trust and a copy of its license are available from the State Solicitation Licensing Branch at 1-888-830-4989 (within North Carolina) or (919) 814-5400 (outside of North Carolina).

**Pennsylvania:** The official registration and financial information of U.S. Charitable Gift Trust may be obtained from the Pennsylvania Department of State by calling toll-free, within Pennsylvania, 1-800-732-0999.

**Virginia:** From the State Office of Consumer Affairs in the Department of Agriculture and Consumer Services, P.O. Box 1163, Richmond, VA 23218.

**Washington:** From the Charities Program at 1-800-332-4483, or [www.sos.wa.gov/charities](http://www.sos.wa.gov/charities).

**West Virginia:** West Virginia residents may obtain a summary of the registration and financial documents of U.S. Charitable Gift Trust from the Secretary of State, State Capitol, Charleston, WV 25305.

**Wisconsin:** A financial statement of the charitable organization disclosing assets, liabilities, fund balances, revenue and expenses for the preceding fiscal year will be provided to any person upon request.

CONTRIBUTIONS ARE DEDUCTIBLE FOR FEDERAL INCOME TAX PURPOSES IN ACCORDANCE WITH APPLICABLE LAW.

**REGISTRATION IN A STATE DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION OF U.S. CHARITABLE GIFT TRUST BY THE STATE.**

The U.S. Charitable Gift Trust has retained Eaton Vance Distributors, Inc., a professional fundraising firm, which will receive, as costs, expenses and fees, a portion of the funds raised through this solicitation campaign.

Alaska: A copy of the financial statement of the charitable organization for whom the solicitation is being made and a copy of the contract will be provided upon request.

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**Colorado:** Reg. No. 20033005497. Colorado residents may obtain copies of registration and financial documents from the office of the Secretary of State, 303-894-2200, [www.sos.state.co.us](http://www.sos.state.co.us).

**Georgia:** A copy of the financial statement of the charitable organization for whom the solicitation is being made will be provided upon request. The contract disclosing the financial arrangements between the paid solicitor and the charity is on file with and available from the Secretary of State.

**Illinois:** Contracts and reports regarding U.S. Charitable Gift Trust are on file with the Illinois Attorney General. **Kansas:** Reg No. 286-555-8.

**Maine:** Information regarding the respective percentages that will be paid to the charitable organization and to the fundraising firm is available from the Department of Professional and Financial Regulation, 35 State House Station, Augusta, Maine 04333, 207-624- 8500.

**North Carolina:** Financial information about the solicitor and a copy of its license are available from the state Solicitation and Licensing Branch at 1-888-830-4989.

**Virginia:** The professional solicitor conducting this campaign, Eaton Vance Distributors, Inc., files a financial report for each campaign it conducts. Copies of these financial reports are available from the Virginia Office of Consumer Affairs, P.O. Box 1163, Richmond, VA 23218.

**Washington:** Additional financial disclosure information can be obtained from the Office of the Secretary of State, (800) 332-GIVE. Eaton Vance Distributors, Inc. is located at Two International Place, Boston, MA 02110, Tel. 617-672-8500.

**Vermont:** Information regarding the respective percentages that will be paid to the charitable organization and to the fundraising firm is available at the Attorney General's web site, <https://ago.vermont.gov/>.

**REGISTRATION IN A STATE DOES NOT IMPLY ENDORSEMENT, APPROVAL OR RECOMMENDATION OF EATON VANCE DISTRIBUTORS, INC. BY THE STATE.**

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# U.S. Legacy Income Trust I.2

# U.S. Legacy Income Trust II.2

# U.S. Legacy Income Trust III.2

## Overview

U.S. Legacy Income Trusts® (Legacy Income Trusts) are pooled income funds established by U.S. Charitable Gift Trust® (Gift Trust), a tax-exempt public charity offering donor-advised funds. The Gift Trust launched the first Legacy Income Trusts in 2019 with the introduction of U.S. Legacy Income Trust I, U.S. Legacy Income Trust II, U.S. Legacy Income Trust III, U.S. Legacy Income Trust IV and U.S. Legacy Income Trust V (Original Trusts). The Original Trusts are no longer offered and do not accept new contributions. On January 1, 2022, the Gift Trust introduced U.S. Legacy Income Trust I.2 (Trust I.2), U.S. Legacy Income Trust II.2 (Trust II.2), U.S. Legacy Income Trust III.2 (Trust III.2), U.S. Legacy Income Trust IV.2 (Trust IV.2) and U.S. Legacy Income Trust V.2 (Trust V.2) (collectively, Currently Offered Trusts) as successors to the Original Trusts. This statement of information (Information Statement) describes the offering of Trust I.2, Trust II.2 and Trust III.2 (collectively, Trusts).

Under Section 642(c)(5) of the U.S. Internal Revenue Code of 1986, as amended (Code), a pooled income fund is a trust maintained by a qualified public charity to which donors transfer qualifying property for investment on a commingled basis with property transferred by other donors. Each donor to a pooled income fund designates one or more beneficiaries to receive an income interest for life based on the returns of the trust, and irrevocably commits the remainder interest upon the death of the donor's last-surviving individual income beneficiary to or for the use of the sponsoring charity. On an ongoing basis, the Trusts intend to meet the requirements to qualify as pooled income funds set forth in the Code, Treasury regulations, revenue rulings and other guidance.

As described in more detail below in this Information Statement, each Trust generally provides persons transferring acceptable property to the Trust (Donors) with the opportunity to:

- Contribute cash and/or acceptable securities to fund unit participation accounts in the Trust (Trust Accounts);
- Achieve non-recognition of capital gains on contributions of appreciated assets;
- Receive a federal income tax deduction based on the charitable remainder portion of the contributed asset value;
- Provide monthly distributions of tax-advantaged income for life to up to ten individual income beneficiaries designated by the Donor; and
- Following the death of a Trust Account's last-surviving individual income beneficiary, make grants to qualified charitable organizations selected by the Donor or the Donor's designee (Donor Advisor) through the donor-advised fund sub-account of the Gift Trust (Charitable Account) into which the Trust Account converts.

Each Trust follows the same investment strategy, investing through Legacy Income Common Trust Fund (Common Trust), a common trust fund in which each Legacy Income Trust participates. The Trusts differ from one another by minimum initial contribution amount, annual fees and expenses, and applicable service arrangements.

Eaton Vance Management (Eaton Vance) is the sponsor of the Trusts and the Gift Trust. Eaton Vance Trust Company (Trustee), a Maine trust company affiliated with Eaton Vance, is trustee and investment adviser of the Trusts and the Common Trust, and trustee of the Gift Trust. Eaton Vance Distributors, Inc. (Placement Agent), a broker-dealer affiliated with Eaton Vance, is placement agent for the Trusts and the Gift Trust. Ren (Administrator), a charitable gift services administrator not affiliated with Eaton Vance, is administrator of the Trusts and the Gift Trust.

The Legacy Income Trusts are distinguished from other pooled income funds in part by investing in the Common Trust's proprietary equity income strategy. Investing in the Common Trust's proprietary equity income strategy offers potential advantages over the fixed income or blended fixed income and equity investment strategies commonly employed by other pooled income funds, including the opportunity to realize higher total returns, higher and more consistent distributions to income beneficiaries, and more favorable income tax treatment of distributions to income beneficiaries. Distributions to the Trusts' income beneficiaries are expected to consist primarily of qualified dividend income (QDI), which is currently subject to individual federal income tax at rates up to 23.8% compared to maximum rates of 40.8% for taxable interest income (in each case, stated maximum rates include the 3.8% federal net investment income tax applicable to high-income individual taxpayers).

All Trust activities and Donors' participation in the Trusts are subject to the requirements of state and federal laws, the terms and conditions of the Trusts' declarations of trust (Declarations of Trust), the current Information Statement, the Donor's completed U.S. Legacy Income Trust Advised Donor Application (Application) and any Additional Contribution Forms submitted by each Donor. The Gift Trust's Board of Directors (Board of Directors) reserves the right to modify the Trusts' program at any time, and subject to the provisions of the Declarations of Trust and state and federal law. A copy of the Declaration of Trust of each Trust and the Gift Trust may be obtained by calling Eaton Vance or the Administrator at the numbers at the end of this Information Statement.

Each Trust consists solely of amounts transferred by Donors, and maintains for each Donor a Trust Account that reflects the units of participation in the Trust attributable to the property transferred by the Donor and the attributable share of Trust Account income for each income beneficiary designated by the Donor. Each initial income beneficiary receives income distributions on a monthly basis for life. Following an income beneficiary's death, his or her share of the Trust Account's income distributions will be reallocated among the Trust Account's surviving individual income beneficiaries (if any) as specified by the Donor upon initial funding. Upon the death of the Trust Account's last-surviving individual income beneficiary, the Trust Account will convert into a Charitable Account established as a sub-account of one of the donor-advised funds offered by the Gift Trust (Donor-Advised Funds). See "Charitable Accounts" for additional information.

As charitable giving vehicles, the Trusts should not be treated as, and are not designed to compete with, investments made for private gain. The intention to benefit the Gift Trust and one or more qualified charitable organizations eligible to be supported by the Gift Trust should be a significant part of a Donor's decision to contribute to a Trust.

## Tax Considerations

The following is a summary of certain U.S. federal, state and local tax consequences to Donors and income beneficiaries of the Trusts. This summary is limited to the consequences to Donors and income beneficiaries who are United States persons and focuses primarily on the consequences to Donors and income beneficiaries who are individuals. The summary does not address the U.S. federal, state and local or non-U.S. tax consequences to Donors and income beneficiaries of the Trusts who are not United States persons, within the meaning of Section 7701(a)(30) of the Code. In addition, the summary does not address all aspects of taxation that may be relevant to a particular Donor or income beneficiary in light of such person's particular tax circumstances, or to certain types of entities subject to special rules under the federal tax laws, such as regulated investment companies, banks, insurance companies, personal holding companies, organizations subject to the imposition of tax on unrelated business income and dealers in securities. Accordingly, each prospective Donor and income beneficiary should consult such person's own tax advisors as to the specific tax consequences of contributing property to and/or receiving income distributions from a Trust, including the application and effect of state and local income and other tax laws.

The following summary is based on existing provisions of the Code, existing and proposed Treasury regulations, and existing administrative interpretations and court decisions. Future legislation, Treasury regulations, administrative interpretations or court decisions could significantly change such authorities. Any such change could have retroactive application and therefore could apply to transactions that have taken place before such change occurs.

The Code contains a number of ambiguities that will be resolved only by future legislative, administrative or court action. In addition, on certain questions there are no relevant Treasury regulations, administrative interpretations or controlling court decisions. Accordingly, no assurance can be given that the U.S. Internal Revenue Service (IRS) will not challenge the tax treatment of certain matters discussed herein or, if it does, that it will not be successful. No rulings have been requested or received from the IRS as to any of the matters discussed herein.

Prospective Donors and income beneficiaries are hereby notified that (i) the discussion of tax issues in this Information Statement, as it may be amended or supplemented from time to time, is written to support the offering of the Trusts and (ii) prospective Donors and income beneficiaries should seek advice based on their particular circumstances from an independent tax advisor.

THIS SUMMARY IS NOT INTENDED AS A SUBSTITUTE FOR CAREFUL TAX PLANNING. NONE OF THE TRUSTS, THE COMMON TRUST, THE GIFT TRUST, THE BOARD OF DIRECTORS, MORGAN STANLEY, EATON VANCE, THE TRUSTEE, THE PLACEMENT AGENT, ANY OTHER AFFILIATES OF MORGAN STANLEY OR EATON VANCE, THE ADMINISTRATOR, ANY SERVICING AGENT (DEFINED BELOW) OR ANY OF THEIR COUNSEL OR CONSULTANTS ASSUMES ANY RESPONSIBILITY FOR THE U.S. FEDERAL, STATE OR LOCAL OR NON-U.S. TAX CONSEQUENCES OF A DONOR'S CONTRIBUTION OF PROPERTY TO A TRUST OR AN INCOME BENEFICIARY'S RECEIPT OF INCOME DISTRIBUTIONS FROM A TRUST.

**Recognition of Capital Gains.** Under current federal income tax law, Donors do not recognize capital gains (and therefore do not owe capital gains taxes) on transfers to a Trust of appreciated property that meets the Trusts' qualification for acceptance. To avoid capital gains recognition for Donors, the Trusts do not accept contributions of debt-encumbered property.



**Charitable Income Tax Deductions.** Donors are eligible to receive an itemized federal income tax deduction for the charitable remainder portion of their contributions to a Trust. The amount of a Donor's allowable itemized federal income tax deduction (hereafter, federal income tax deduction) equals the fair market value (FMV) of the contributed property at the time of contribution, less the present value at such time of the lifetime income interests of the Donor's Trust Account income beneficiaries. The present value of the lifetime income interests is based on the FMV of the Donor's contributed property, the age (as of the nearest birthday) of the Trust Account's individual income beneficiaries at the time of contribution, the number of the Trust Account's individual income beneficiaries and an assumed annual rate of return for the Trust based on a methodology prescribed in the Treasury regulations. For contributions to a Trust prior to completion of the Trust's third tax year, the assumed annual rate of return in determining the present value of lifetime income interests equals the highest annual average of the monthly rate under Section 7520 of the Code for the three years preceding the calendar year in which the contribution to the Trust is made (rounded to the nearest 2/10ths of one percent), less one percentage point (3.8% for contributions to a Trust in 2024). For contributions to a Trust following completion of the Trust's third tax year, the assumed annual rate of return used in determining the present value of lifetime income interests will equal the Trust's highest yearly rate of return for the preceding three tax years, as determined pursuant to applicable Treasury regulations.

A Donor may designate himself or herself, his or her spouse, other family members or other natural persons living at the time of the Trust Account's initial funding as an income beneficiary. In general, the younger and greater the number of individual income beneficiaries designated by a Donor, the smaller the Donor's charitable income tax deduction. See the attached Appendix for sample calculations of Donors' charitable income tax deductions as a percentage of the contribution value.

In addition to natural persons living at the time of initial funding, a Donor may designate the Gift Trust as an income beneficiary of his or her Trust Account. As provided in the Treasury regulations, no additional federal income tax deduction is allowed to a Donor for the value of the income interest allocated to the Gift Trust, either upon contribution to the Trust or upon the payment of income to the Gift Trust over the term of the Trust Account.

If a Trust Account has multiple Donors, each Donor's federal income tax deduction is determined based on the property he or she contributes to the Trust (unless the Donors are married and file a joint federal income tax return, in which case the Donors' federal income tax deduction is determined based on the property contributed to the Trust by the Donors individually and/or jointly). In determining the timing of a Donor's federal income tax deduction, contributions to a Trust are deemed effective on the date accepted by the Trust in good order. Generally, a physical contribution (i.e., a check or stock certificate with a properly executed stock power) is deemed effective when postmarked by the U.S. Postal Service. Contributions transmitted via a private carrier (e.g., FedEx or UPS) are deemed effective when received by the Trust. The Trustee has the ultimate authority to determine when a Trust contribution is deemed effective for tax purposes.

Except as noted below, the FMV of publicly traded securities contributed to a Trust is the mean of the high and low trading prices as reported on the date the contribution is deemed effective. For contributions of mutual fund shares, FMV is the closing net asset value of the shares on the date the contribution is deemed effective. If a Donor contributes publicly traded securities to a Trust and the amount of the Donor's federal income tax deduction for all non-cash charitable contributions is more than \$500, the Donor's contribution of publicly traded securities must be reported on Section A of IRS Form 8283, which must be attached to the income tax return on which the Donor first claims a deduction for the contribution. Securities for which market quotations are readily available on an established securities market are not treated as publicly traded securities for valuation purposes if they are subject to any restrictions that materially affect the value of the securities to the donor or prevent the securities from being freely traded. Valuations of such securities, referred to in the remainder of this paragraph as "non-publicly traded" securities, contributed to a Trust (if approved by the Trustee) may need to be determined by an independent qualified appraisal. For federal income tax deductions of \$5,000 or less attributable to contributions of non-publicly traded securities to a Trust, the Donor is not required to obtain a qualified appraisal, but must complete Section A of Form 8283 and attach the form to the income tax return on which the Donor first claims a deduction for the contribution, if the amount of the Donor's federal income tax deduction for all non-cash charitable contributions is more than \$500. For federal income tax deductions of more than \$5,000, but not more than \$10,000, attributable to contributions of non-publicly traded stock (a subset of non-publicly traded securities) to a Trust, the Donor is not required to obtain a qualified appraisal, but must attach a partially completed appraisal summary (using Section B of Form 8283) to the income tax return on which the Donor first claims a deduction for the contribution. Subject to a narrow exception for rare and unusual circumstances in which it is impossible for a Donor to obtain the required signature, a representative of the Trust must also sign Section B of the Form 8283. For deductions of more than \$10,000 attributable to contributions of non-publicly traded stock to a Trust and deductions of more than \$5,000 attributable to contributions of all other non-publicly traded securities, the Donor is required to obtain a qualified appraisal prior to filing the income tax return on which the deduction is first claimed, and the Donor must attach to his or her return a fully completed appraisal summary (using Section B of Form 8283) with an appraiser's signature and, subject to the exception described above, the signature of a representative of the Trust. For deductions of more than \$500,000 attributable to contributions of non-publicly traded stock or other non-publicly traded securities, the appraisal must also be attached to the Donor's income tax return. The Form 8283 reporting requirements described in this paragraph differ in certain respects for Donors that are entities (rather than individuals).

The federal income tax deduction available to individual taxpayers in the tax year of contribution for qualified charitable gifts to public charities is generally limited to not more than 60% of the taxpayer's "contribution base" (essentially, federal adjusted gross income, hereafter referred to as AGI) for cash gifts, not more than 50% of the taxpayer's AGI for gifts of appreciated property for which the Donor elects to base the charitable deduction on the FMV of the property less the amount of the property's appreciation from cost or other tax basis, and not more than 30% of the taxpayer's AGI for gifts of appreciated property for which the Donor elects to base the charitable deduction on the FMV of the contributed property (rather than FMV less the amount of appreciation). Corporate deductions for gifts to qualified public charities are generally limited to 10% of corporate taxable income as specially calculated. For both individual and corporate taxpayers, gifts to qualified public charities not deductible in the year of contribution may be carried forward and deducted, subject to the applicable limitations, in the five-year period after the year of contribution. Under current law, taxpayers who elect the standard federal income tax deduction, rather than itemizing their federal income tax deductions, are not entitled to deduct their charitable gifts for federal income tax purposes. Charitable contributions are not a preference item for purposes of the federal alternative minimum tax.

In addition to the federal income tax deduction for qualified gifts to charity available to individual taxpayers who itemize their deductions, a number of states and local jurisdictions that tax individual income also permit resident individual taxpayers to deduct or receive a tax credit for qualified gifts to charity. In certain cases, available state and local income tax deductions or credits for qualified charitable gifts are available only to taxpayers who itemize their federal income tax deductions. State and local jurisdictions that permit deductions or credits for qualified charitable gifts generally follow the same or similar limitations on the amount of qualified charitable gifts to public charities that may be deducted in the tax year of contribution (60% of the taxpayer's AGI for cash gifts; 50% of the taxpayer's AGI for gifts of appreciated property for which the charitable deduction is based on FMV less the amount of appreciation; and 30% of the taxpayer's AGI for other gifts of appreciated property) and the same or similar carryforward provisions. Certain state and local jurisdictions apply a 50% of AGI limit, instead of the 60% federal limit, on permissible charitable deductions in the year of contribution for cash gifts.

Certain state and local jurisdictions also phase out itemized deductions, in whole or in part, at higher taxpayer income levels.

**Gift, Estate and Generation-Skipping Transfer Taxes.** The charitable remainder portion of contributions to a Trust qualifies for the unlimited deduction from federal gift and estate tax for qualified gifts to charity. The federal generation-skipping transfer (GST) tax is not applicable to gifts to charity. Accordingly, Donors are not subject to federal gift, estate or GST tax on the charitable remainder portion of Trust contributions.

Depending on the Donor's relationship to the designated income beneficiaries, Donors may be subject to federal gift or estate tax on the income interest portion of contributions to a Trust; naming certain individuals as income beneficiaries may also have GST tax implications for the Donor or income beneficiaries (see discussion below). A contribution to a Trust Account for which the Donor is the sole income beneficiary will not result in any federal gift or GST tax obligations at the time of contribution, but must be reported by the Donor on a federal gift tax return. When the Donor dies, the value of the Donor's Trust Account as of the Donor's date of death will be included in the Donor's estate for federal estate tax purposes; however, the Donor's estate will be able to claim an offsetting charitable deduction for the entire amount included, with the result that the Donor's estate will not be subject to federal estate tax on the value of the Trust Account.

When a Donor names an individual other than himself or herself or the Donor's spouse as an initial income beneficiary, that designation is treated as a completed gift to the income beneficiary for federal gift tax purposes at the time of the Donor's Trust contribution. If the recipient is the Trust Account's sole initial income beneficiary, the value of the Donor's gift to the income beneficiary for federal gift tax purposes will equal the FMV of the Donor's Trust Account contribution less the amount of the Donor's charitable income tax deduction, as measured before applying the year-of-contribution limitations on deductibility described above. The Donor will be subject to gift tax at the 40% federal gift tax rate to the extent that (i) the Donor's total gifts to the income beneficiary in that calendar year exceed the federal annual gift tax exclusion amount (in 2024, \$18,000 per recipient (or \$36,000 per recipient if the Donor's spouse agrees to join in the gift)) and (ii) the cumulative lifetime amount of the Donor's gifts to individuals not covered by the annual gift tax exclusion, the gift tax marital deduction or other permitted exceptions from gift tax exceeds the federal lifetime gift tax exemption amount (in 2024, \$13,610,000 for an individual and \$27,220,000 for a married couple). Annual gift tax exclusion and lifetime gift and estate tax exemption amounts are indexed for inflation. Subject to a future change in law, the lifetime gift and estate tax exemption amount will revert to 2017 levels (\$5,490,000 for individual taxpayers and \$10,980,000 for a married couple), adjusted for inflation, on January 1, 2026.

When a Donor names an individual other than himself or herself or the Donor's spouse as a future income beneficiary, the gift, estate and GST tax treatment of the beneficiary's income interest will vary based on whether the Donor retains the right, exercisable by will, to revoke the income interest. If the beneficiary's income interest is irrevocable, the present value of the future income interest at the time of contribution is treated as a completed gift, exposing the Donor to potential gift tax liability in the year of contribution on the same basis as described in the previous paragraph for completed gifts of initial income interests. If the recipient is the Trust Account's sole future income beneficiary, the value of the Donor's gift to the future income beneficiary for federal gift tax purposes will equal the present value at contribution of the Trust Account's aggregate income interests (equal to the FMV of the Donor's Trust Account contribution less the amount of the Donor's federal income tax deduction, as measured before applying the year-of-contribution deductibility limits described above) less the present value at contribution of the Trust Account's aggregate income interests as computed without regard to the income interest of the future income beneficiary.

If a Donor retains the right, exercisable by will, to revoke the income interest of a future income beneficiary whose interest takes effect at or after the Donor's death, the transfer is, for gift, estate and GST tax purposes, incomplete until the Donor dies. If the income beneficiary survives the Donor and the income interest is not revoked by will, the value of the beneficiary's income interest at the time of the Donor's death will be includible in the Donor's estate for estate tax purposes and may generate estate tax (or have GST tax consequences as discussed below) for the Donor's estate. Amounts included in a Donor's taxable estate are subject to tax at the federal estate tax rate (currently 40%) to the extent that the value of the estate, reduced by permitted deductions and increased by the cumulative lifetime amount of the Donor's prior taxable gifts, exceeds the applicable federal lifetime gift and estate tax exemption amount.

When a Donor designates his or her spouse as an initial income beneficiary, the designation is treated as a completed gift of a terminable interest that qualifies for the gift tax marital deduction only if the Donor makes a qualified terminable interest property (QTIP) election on a federal gift tax return. If the Donor's spouse is the Trust Account's last-surviving individual income beneficiary and a QTIP election has been made, the value of the Trust Account at the time of the spouse's death will be includible in the spouse's estate for estate tax purposes, and an estate tax charitable deduction will be available for the remainder interest passing to the Gift Trust.

When a Donor designates his or her spouse as a future income beneficiary, it is not clear that a QTIP election can be made at the time of the designation. If the Donor reserves the right to revoke the spouse's future income interest by provision of will, however, the present value of the spouse's future income interest as of the date of the Donor's death (assuming that the spouse survives the Donor) will qualify for the estate tax marital deduction if a QTIP election for the spouse's future income interest is made on the Donor's estate tax return.

If a Donor designates as an income beneficiary a grandchild or another individual treated as being two or more generations removed from the Donor (sometimes known as a "skip person") for purposes of the federal GST tax, distributions from the Trust to the beneficiary may be subject to GST tax if the Donor has not allocated GST exemption to the beneficiary's income interest on a gift or estate tax return. The GST exemption amount in 2024 is \$13,610,000 for an individual and \$27,220,000 for a married couple. The GST exemption amount is indexed annually for inflation. Subject to a future change in law, the GST exemption amount will revert to 2017 levels (\$5,490,000 for individual taxpayers and \$10,980,000 for a married couple), adjusted for inflation, on January 1, 2026. Where applicable, the federal GST tax is levied in addition to gift or estate taxes that apply, and is not a substitute for them. The rules governing the federal GST tax are complex. Donors who are considering naming a skip person as an income beneficiary should consult their own tax advisors regarding the associated GST tax consequences.

When a Donor makes a contribution to a Trust account with multiple income beneficiaries, the federal gift, estate and GST tax consequences of such contribution may be more complicated.

In addition to the federal gift, estate and GST taxes that may apply, a number of states impose estate, GST and/or inheritance taxes. In addition, Connecticut imposes a gift tax on resident taxpayers' gifts to individuals in excess of permitted exemptions and exclusions. **All Donors should consult their own tax advisors regarding potential federal, state, local or non-U.S. gift, estate, GST, inheritance and other tax consequences of their contributions to a Trust.**

The Trusts are prohibited from bearing any Donor's or income beneficiary's federal, state, local or non-U.S. gift, estate, GST, inheritance or other tax liability. To comply with this prohibition, the Application requires each Donor to agree that the Donor will arrange for the payment of any taxes due in connection with the Donor's Trust Account out of a source other than the Trust and indemnify the Trust and the Trustee for any and all liability for such tax.

**Taxation of the Common Trust and the Trusts.** As a common trust fund, the Common Trust is not subject to federal income tax. The Trusts are each subject to federal income tax on their proportionate share of the income and gains of the Common Trust, net of allowable deductions. As pooled income funds, the Trusts may deduct from taxable income and gains the amount of their distributions to income beneficiaries, the amount of net realized long-term gains set aside permanently for charitable purposes and certain categories of Trust expenses. The Trusts are subject to tax on the amount of their undistributed net short-term capital gains, if any. Because the Trusts generally allocate net short-term capital gains to distributable income, the Trustee does not expect the Trusts to ordinarily incur tax on net short-term capital gains. A Trust may elect to treat distributions to income beneficiaries made within the first 65 days following the close of a tax year as if paid on the last day of such tax year. The Trustee anticipates that the Trusts will normally have sufficient deductions on an annual basis to avoid entity-level tax.

**Treatment of Distributions to Income Beneficiaries.** Trust income distributed to income beneficiaries will generally retain its character at the Trust level, and may include QDI, non-qualified dividend income, taxable interest income and net realized short-term capital gains. The Trustee anticipates that Trust distributions to income beneficiaries will consist primarily of QDI.

QDI received by an individual is generally subject to federal income tax at the rates applicable to long-term capital gains (currently ranging to a maximum of 20%). In order for income received by Trust income beneficiaries to be QDI, the Common Trust must meet holding period and other requirements with respect to dividends received. A dividend will not be treated as QDI (i) if the dividend is received with respect to any share of stock held for fewer than 61 days during the 121-day period beginning at the date which is 60 days before the date on which such share becomes ex-dividend with respect to such dividend (or, in the case of certain preferred stock, held for fewer than 91 days during the 181-day period beginning 90 days before such date), (ii) to the extent that the recipient is under an obligation (whether pursuant to a short sale or

otherwise) to make related payments with respect to positions in substantially similar or related property, (iii) if the recipient elects to have the dividend income treated as investment interest or (iv) if the dividend is received from a foreign corporation that is (a) not eligible for the benefits of a comprehensive income tax treaty with the U.S. (with the exception of dividends paid on stock of such a foreign corporation that is readily tradable on an established securities market in the U.S.) or (b) treated as a passive foreign investment company. Payments in lieu of dividends, such as payments pursuant to securities lending arrangements, also do not qualify to be treated as QDI.

Dividends not treated as QDI, taxable interest income and net realized short-term capital gains of individual taxpayers are subject to federal income tax at the ordinary income rates (current maximum of 37%).

The investment income and gains of individual taxpayers whose modified AGI exceeds a specified threshold amount is generally also subject to the 3.8% federal tax on "net investment income." Including the net investment income tax, the highest federal income tax rate currently applicable to individual taxpayers is 23.8% for QDI and 40.8% for non-qualified dividends, taxable interest income, net realized short-term capital gains and other forms of ordinary income subject to the net investment income tax.

Distributions to income beneficiaries in excess of a Trust's distributable net income for federal income tax purposes are not subject to federal income tax. Annual distributions to income beneficiaries may include, in addition to QDI, amounts taxable as non-qualified dividends, taxable interest and net realized short-term capital gains, as well as nontaxable distributions.

In addition to the federal income taxes that apply to Trust distributions to income beneficiaries, most states, and certain local jurisdictions, impose income taxes on their residents' investment income and gains. With limited exceptions, QDI is treated the same as non-qualified dividends and taxable interest income for state and local tax purposes.

Each Trust furnishes annually to each income beneficiary a report containing a Schedule K-1 to IRS Form 1041 that indicates the income beneficiary's share for such year of the Trust's taxable income or loss and other tax items (including the Trust's allocated share of the taxable income or loss and other tax items of the Common Trust) for use in the preparation of the income beneficiary's income tax returns. The amount of income distributed to an income beneficiary of a Trust is determined in accordance with the Trust's Declaration of Trust and applicable Massachusetts law. For federal tax purposes, in contrast, the taxable income of a Trust and its income beneficiaries is determined in accordance with applicable federal income tax law. As a result, the Trustee expects that the amount of taxable income reported each year on an income beneficiary's Schedule K-1 will generally differ from the amount of net income distributed to the beneficiary. For example, distributions to income beneficiaries that are attributable to dividends received on non-U.S. investments subject to foreign tax withholding are generally based on the amount of dividends received net of such tax. However, an income beneficiary's allocable share of Trust dividends for federal tax purposes, as reported on the income beneficiary's Schedule K-1, will generally include the income beneficiary's allocable share of the foreign tax withheld. As a result, an income beneficiary's taxable income may exceed the amount of distributions received by the income beneficiary. In such instance, an income beneficiary will generally be able to claim a federal income tax credit for the income beneficiary's allocable share of the foreign withholding tax. Where applicable, an income beneficiary's allocable share of this credit will be reported on the income beneficiary's Schedule K-1.

**Treatment of Trust Account Conversions and Grants to Other Charitable Organizations.** Following the death of a Trust Account's last-surviving individual income beneficiary, neither the conversion of the Trust Account to a Charitable Account nor the subsequent granting of gifts to other qualified charitable organizations through the Charitable Account will entitle the Donor, the Donor Advisor or any other party to claim a charitable deduction.

**Contributions of Stock Acquired by Exercising Incentive Stock Options.** A contribution to a Trust of stock acquired by exercising incentive stock options may be treated as a disqualifying disposition of the stock for purposes of Code Section 421(b) if the contribution occurs either within two years of the date upon which the options were granted or within one year of the date of exercise of the options. Donors who transfer stock acquired by exercising incentive stock options in a disqualifying disposition must treat as compensation (subject to taxation as ordinary income) the difference between the disposition price of the stock and the price at which the stock was acquired upon exercise of the option. A prospective Donor holding stock acquired by exercising incentive stock options should consult with his or her own tax advisors to determine if the contribution of such stock to a Trust will constitute a disqualifying disposition under Code Section 421(b). None of the Trusts, the Common Trust, the Gift Trust, the Board of Directors, Morgan Stanley, Eaton Vance, the Trustee, the Placement Agent, any other affiliates of Morgan Stanley or Eaton Vance, the Administrator or any Servicing Agent will be responsible for any taxes, loss or other damage incurred by a Donor as a result of any disqualifying disposition of stock acquired by exercising incentive stock options.

# Contributions to the Trusts

**Method of Contribution.** Eligible Donors may contribute to a Trust by following the instructions in the Application, a copy of which may be found at [www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org).

**Eligible Donors.** Donors to the Trusts may include individuals and U.S. trusts, estates, corporations and other U.S. legal entities. If accepted by the Trustee, contributions to a single Trust Account may be made by multiple Donors, such as spouses who each contribute securities they own in their individual names.

Donors may choose the name of their Trust Accounts, subject to the Board of Directors' discretion to not approve or to change a proposed name.

**Acceptable Contributions.** The Trusts accept contributions of cash and unrestricted publicly traded securities that have been held by the Donor for more than one year, including stocks, bonds (other than federally tax-exempt bonds) and shares of mutual funds, exchange-traded funds (ETFs) and closed-end funds (other than funds holding federally tax-exempt bonds). Subject to Trustee approval, the Trusts may accept contributions of publicly traded securities that are subject to restrictions. Notwithstanding the foregoing, all contributions must be liquid in nature in the hands of the applicable Trust, and the Trusts reserve the right to decline any contribution that the Trustee determines, in its sole discretion, may take an extended period of time for a Trust to liquidate. The Trusts do not accept contributions of privately-held securities or cryptocurrency. A Donor with questions regarding whether a proposed contribution is acceptable should contact the Gift Trust or the Administrator prior to making the contribution.

The minimum contribution amount required to open a Trust Account varies by Trust: \$20,000 for Trust I.2, \$250,000 for Trust II.2 and \$1,000,000 for Trust III.2. For this purpose, the FMV of securities contributed to a Trust is determined as described in "Tax Considerations – Charitable Income Tax Deductions." The Trustee may, in its sole discretion, grant waivers from the Trusts' minimum initial contribution amounts for Donors who are employees of Eaton Vance, Morgan Stanley or their affiliates, members of their immediate families or as the Trustee otherwise determines appropriate to facilitate the efficient administration of the Trusts. In addition to the differences in minimum initial contribution amounts, the Trusts also differ from one another by the amount of their annual fees and expenses and applicable service arrangements. See "Fees and Expenses" and "Service Providers - Servicing Agents" for additional information.

If the Application submitted on behalf of a Donor indicates that the Donor intends to make an initial contribution to one Trust, but the amount of the Donor's contribution would satisfy the minimum initial contribution requirement of a different Trust subject to lower servicing and/or administrative fees, the Administrator generally intends to notify the Donor of his or her contribution's eligibility for acceptance to the lower-fee Trust. Each Donor has ultimate responsibility for determining to which Trust (among those for which the Donor's contribution is eligible for acceptance) each of his or her contributions is made.

For each of the Trusts, additional contributions of at least \$5,000 may be made to existing Trust Accounts. Additional contributions to existing Trust Accounts are subject to the same designation of income beneficiaries and the same allocation of distributions among such beneficiaries as the Trust Account's original contribution. Donors making additional Trust contributions for which they seek to designate different income beneficiaries or a different allocation of distributions among the beneficiaries must establish a new Trust Account.

Each contribution of cash or acceptable securities to open a Trust Account must be accompanied by a completed Application. Each additional contribution to an existing Trust Account must be accompanied by a completed Additional Contribution Form. These forms may be accessed on the Trusts' website at [www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org). Completed forms may be delivered to the Administrator by the U.S. Postal Service, private carrier service, email or fax transmission. Other documents required to effect the transfer of the contributed property must also be delivered to the Administrator, as applicable.

Cash contributions must be denominated in U.S. dollars, and may be delivered either by check or wire. Checks should be made out to U.S. Charitable Gift Trust/FFC: U.S. Legacy Income Trust, and delivered to U.S. Legacy Income Trusts, c/o Ren, 8910 Purdue Road, Suite 500, Indianapolis, IN 46268. For additional information, including wire instructions, please review the "Contributing to a U.S. Legacy Income Trust" instructions in the Application or call the Administrator at 1-844-898-0800.

For proposed contributions of publicly traded securities by prospective Donors, the Administrator, on behalf of the Trustee, will determine whether the securities proposed for contribution are acceptable. Because contributed securities are generally sold as soon as practicable after the securities are received in good order and the Donor's completed Application or Additional Contribution Form, as the case may be, is processed, the primary consideration in determining whether a security is acceptable for contribution is normally its liquidity, rather than compatibility with the Trusts' investment objective or other investment considerations. To comply with federal law, the Trusts do not accept any contributions of federally tax-exempt securities or shares of funds holding federally tax-exempt securities. The Trusts also do not accept contributions of securities that have been held by the Donor for one year or less, debt-encumbered, depreciable or depletable property, employee stock options or certain other types of property that might affect the tax status of the Trust or adversely affect the interests of other Trust beneficiaries. All transferred property must be free and clear of any liens, encumbrances or other adverse claims.

Prospective Donors who are members of the board of directors, officers or other employees (or related persons of any of these) with respect to an issuer of securities being considered for contribution to a Trust should be aware of the matters discussed below in this section under "– Issuer Compliance Considerations for Directors, Officers, Other Employees and Related Persons." Prospective Donors who are Statutory



Insiders (as defined below) or 5% shareholders with respect to an issuer of securities being considered for contribution to a Trust should be aware of the matters discussed below in this section under “– Securities Laws Considerations for Statutory Insiders and 5% Shareholders.” Prospective Donors considering contributing stock acquired by exercising incentive stock options either within two years of the date upon which the options were granted or within one year of the date of exercise should be aware of the matters discussed above under “Tax Considerations – Contributions of Stock Acquired by Exercising Incentive Stock Options.”

Instructions for delivery of securities may be accessed under “Contributing to a U.S. Legacy Income Trust” in the Application or by calling the Administrator at 1-844-898-0800.

**Proceeds of Contributions.** The Trust Accounts of Donors contributing cash will be credited with units of participation in the applicable Trust equal to the amount of cash contributed divided by the net asset value (NAV) per unit of such Trust on the date the contribution is deemed effective. The Trust Accounts of Donors contributing acceptable securities will be credited with units of participation in the applicable Trust reflecting the net proceeds (gross proceeds less brokerage commissions and any other fees) received upon settlement of the sale of such securities by the Administrator, as determined by the Trustee in its sole discretion, divided by the NAV per unit of the applicable Trust on the date the sale proceeds are used to acquire Trust units. Donors contributing securities face the risk that the net proceeds received from the sale of the securities they contribute may be materially less than the value of the securities at time of contribution and/or the NAV per unit of the applicable Trust on the date the sale proceeds are used to acquire Trust units may be materially higher than on the date of contribution. While the Administrator will endeavor to sell contributed securities and use the proceeds to acquire Trust units as soon as practicable after the securities are received in good order and the Donor’s completed Application or Additional Contribution Form, as the case may be, is processed, neither the timeliness of any sale transaction nor the number of Trust units that are acquired with the proceeds received can be guaranteed. The initial value of a Donor’s Trust Account may be higher or lower than the value of the Donor’s contributed securities for purposes of calculating the Donor’s federal income tax deduction.

Following each contribution’s acceptance, the Administrator will provide the Donor with a written acknowledgement of the contribution, in accordance with applicable Treasury regulations. The acknowledgement will include the date of contribution, the amount of any cash contributed and, in the case of contributed securities, a description of the securities contributed. The acknowledgement will include a provisional calculation, prepared by the Administrator, of the charitable remainder portion of the Donor’s contribution for purposes of determining the Donor’s federal income tax deduction. Each Donor is responsible for reviewing and confirming the calculation with his or her own tax advisors.

Each contribution, once accepted by the Trustee, represents an irrevocable commitment to the applicable Trust. **Contributions are not refundable and are subject to the exclusive legal control of the Trust, the Trustee and the Board of Directors.** Property submitted for contribution that is not accepted will be returned to the prospective Donor, without interest, as soon as practicable.

**Issuer Compliance Considerations for Directors, Officers, Other Employees and Related Persons.** Issuers of securities commonly impose internal compliance pre-approval and reporting requirements, blackout periods and restrictions on permitted transactions in the issuer’s securities and related instruments by the issuer’s directors, officers, other employees and their related persons. Issuers’ compliance obligations are designed in part to protect against unlawful trading on the basis of material non-public information. Members of the board of directors, officers and other employees of an issuer and their related persons may be prevented from contributing securities of such issuer or related instruments to a Trust during certain periods or on an ongoing basis, and such transactions may be subject to internal compliance pre-approval and/or reporting. None of the Trusts, the Common Trust, the Gift Trust, the Board of Directors, Morgan Stanley, Eaton Vance, the Trustee, the Placement Agent, any other affiliates of Morgan Stanley or Eaton Vance, the Administrator or any Servicing Agent shall have any responsibility for a Donor’s issuer pre-approval or reporting requirements or assume any liability or expenses resulting from any violations or alleged violations by a Donor of any issuer’s compliance practices and policies.

**Securities Laws Considerations for Statutory Insiders and 5% Shareholders.** Subject to limited exceptions, every person who is a beneficial owner, directly or indirectly, of more than 10% of a class of an issuer’s equity securities registered under Section 12 of the Securities Exchange Act of 1934, as amended (Exchange Act), or who is a director or officer of such an issuer (Statutory Insider), is required to pay over to such issuer any “short-swing profits” realized from any purchase and sale or sale and purchase of equity securities of such issuer within a six-month period, pursuant to the short-swing liability provisions of Section 16(b) of the Exchange Act (Section 16). Under Section 30(h) of the Investment Company Act of 1940, as amended, the same disgorgement requirement applies to short-swing profits realized on transactions in securities of a registered closed-end fund by a Statutory Insider of the fund.

There is no clear guidance regarding whether a contribution of securities to a pooled income fund should be treated as a sale of such securities for purposes of Section 16. Therefore, a Donor who contributes to a Trust securities of an issuer of which the Donor is a Statutory Insider may be subject to disgorgement of short-swing profits if the Donor purchased or purchases securities of the same issuer within six months of the contribution. Each Donor who is a Statutory Insider of an issuer of securities that he or she contributes to a Trust and who has had or anticipates transactions in the securities of such issuer within six months of the contribution (either before or after) should consult with counsel as to whether the Donor may be subject to disgorgement of short-swing profits under Section 16.

In addition to potentially being subject to short-swing profit disgorgement, a Donor who is a Statutory Insider of an issuer of securities contributed to a Trust is required to file a Form 4, Statement of Changes in Beneficial Ownership, with the U.S. Securities and Exchange Commission (SEC) and with the national securities exchange on which the securities are registered within two business days after the contribution of such securities to the Trust. Donors owning more than 5% of a class of stock that has been registered under Section 12 of the Exchange Act who contribute securities of the same issuer to a Trust should also consult with their counsel regarding the potential obligation to amend their Schedule 13D or Schedule 13G filings to report the contribution.

Gift transactions are not considered sales for purposes of Rule 144. Accordingly, in connection with contributing to a Trust, a Donor who is an affiliate of an issuer of securities he or she contributes to the Trust is not required to file a Form 144 or to comply with the volume limitations under Rule 144. A Trust that receives publicly traded securities contributed by an affiliate of the issuer should generally be able to sell such securities immediately upon receipt, provided that the transactions in the contributed securities by the Trust and the Donor, on a combined basis, comply with the Rule 144 volume limitations and any required holding periods (with tacking permitted). In connection with a Donor's contribution of publicly traded securities of an issuer of which the Donor is an affiliate, a Trust may require the Donor to enter into an agreement with the Trust prohibiting the Donor from making other dispositions of the contributed securities if such dispositions would interfere with the Trust's ability to sell such securities.

None of the Trusts, the Common Trust, the Gift Trust, the Board of Directors, Morgan Stanley, Eaton Vance, the Trustee, the Placement Agent, any other affiliates of Morgan Stanley or Eaton Vance, the Administrator or any Servicing Agent shall have any responsibility for any Donor's reporting requirements under federal securities laws or assume any liability or expenses resulting from any violations or alleged violations by a Donor of the federal securities laws.

## Distributions to Income Beneficiaries

Each Trust Account is limited to not more than ten individual income beneficiaries. A Donor may designate himself or herself, his or her spouse, other family members or other natural persons living at the time of the Trust Account's initial funding as an income beneficiary. A Donor may also designate the Gift Trust as an income beneficiary of his or her Trust Account. If a Donor designates the Gift Trust as an income beneficiary, the Donor or successor Donor Advisor may direct the disposition of the attributable Gift Trust assets among qualified charitable organizations by following the instructions in the Application.

For a Trust Account with multiple individual income beneficiaries, the Donor may elect to allocate income distributions among them either concurrently (two or more income beneficiaries share in distributions at the same time), consecutively (upon the death of one income beneficiary, a new income beneficiary takes his or her place) or a combination (income is first allocated concurrently, then reallocated after the death of one or more initial income beneficiaries to include one or more new income beneficiaries). The Gift Trust's percentage participation in a Trust Account's income distributions, if any, will remain the same throughout the term of the Trust Account.

Once established at initial funding, the designation of a Trust Account's income beneficiaries and the allocation of distributions cannot be changed by the Donor or any other party, subject to the following exception. The Application includes an election whereby a Donor can retain the power, exercisable solely by will, to revoke the income interests of one or more future income beneficiaries whose income interests would otherwise become effective at or after the Donor's death. Reserving the right to revoke future income interests may have important gift, estate and GST tax implications for a Donor. See "Tax Considerations – Gift, Estate and Generation-Skipping Transfer Taxes."

Before receiving distributions, each individual income beneficiary is required to provide the Administrator with a completed IRS Form W-9 or other applicable U.S. tax form in good order. Amounts payable to an individual income beneficiary for whom this requirement has not been met will be held by the Administrator until a completed Form W-9 or other applicable U.S. tax form in good order has been received.

The Trusts distribute the entire amount of their attributable financial accounting net income to income beneficiaries each year. In determining a Trust's financial accounting net income, the Trustee generally allocates any net realized short-term capital gains (but not other realized or unrealized capital gains) to income. Certain Trust expenses, including all servicing fees and a portion of the administrative fees applicable to Trust I.2, are charged against income, reducing amounts available for distribution to Trust income beneficiaries. Other Trust expenses, including all advisory and trustee fees, all miscellaneous expenses and the amount of each Trust's administrative fees as computed based on the administrative fee rate applicable to Trust II.2 and Trust III.2, are charged against principal value. While not reducing current income, allocating certain expenses against principal reduces Trust assets available for future income generation and charitable purposes. Different Trusts have different income distribution rates, reflecting differences in the amount of Trust expenses allocated against income.

Distributions to income beneficiaries are normally accrued on a daily basis and paid monthly, shortly after each month end. Distributions accrued each day vary among a Trust's income beneficiaries based on the number of Trust units in their respective Trust Accounts and, for Trust Accounts with multiple income beneficiaries, the current allocation of distributions among the Trust Account's income beneficiaries. When a Donor contributes to a Trust, the associated income beneficiaries will begin participating in the Trust's daily distribution accruals once the Trust Account is credited with units of participation for the amount contributed, the timing of which is based on when the Donor's completed Application or Additional Contribution Form, as the case may be, is processed and the final settlement of any sales of securities contributed. The distribution paid to a Trust Account's income beneficiaries following each month-end will reflect the amount of the Trust Account's accrued daily distributions for such month. Any net income earned by a Trust during a given tax year that remains undistributed at the end of such tax year is distributed by the Trust within 65 days of the close of such year.

The Trusts' daily dividend accruals and monthly distributions are based on projections of annual net income, rather than the net income earned on a particular day or over a particular month. This practice enables the Trusts to minimize month- to-month fluctuations in

distribution rates. Variations among the Trusts in their distribution rates reflect differences in the amount of Trust expenses. Distributions are subject to year-end adjustments based on the actual amount of annual net income and other factors.

The Trustee seeks to manage the Trusts' annual net income and the amount of monthly distributions by varying the Common Trust's exposure to dividend-paying stocks and the receipt of dividend income. The Trusts' distribution rates are subject to review by the Trustee at least once annually, seeking growth over time with inflation. In considering potential changes in the Trusts' distribution rates, the Trustee will assess the Trusts' long-term earnings potential and seek to balance the interests of current and future income beneficiaries and the charitable remainder interests. While the Trusts seek to provide tax-advantaged monthly distributions to income beneficiaries growing over time with inflation and increasing amounts available for charitable purposes upon termination of beneficiaries' income interests, the Trusts' overall investment results are subject to market risk and are not guaranteed by any person. Distributions to income beneficiaries may fluctuate with changes in economic conditions, may not grow over time at rates consistent with inflation and may decline. The tax character of distributed Trust income may vary. As a result, income beneficiaries cannot rely upon a Trust to provide them with a particular level of after-tax income.

Each individual income beneficiary may direct the Administrator to deposit distributions directly into his or her bank or brokerage account. In the absence of wire instructions for an income beneficiary's bank or brokerage account, the Administrator will, unless otherwise instructed, provide distributions to an income beneficiary in the form of a check delivered via the U.S. Postal Service to the income beneficiary's mailing address.

Trust distributions to an individual income beneficiary will end with the last monthly payment preceding the income beneficiary's death. Distributions to which the income beneficiary would have been entitled if he or she had survived to the next payment date will not be paid to the income beneficiary's estate, but will instead be paid to the remaining income beneficiaries designated by the Donor or, if none, to the Trust Account's successor Charitable Account. Each individual income beneficiary should request that his or her executor, personal representative or other legal representative notify the Administrator as soon as practicable after the income beneficiary's death. It shall be an obligation of each income beneficiary's estate to refund to the applicable Trust any distributions made to the income beneficiary after the income beneficiary's date of death.

The rights of Trust Account income beneficiaries to receive income may not be sold, pledged, assigned (other than to the Gift Trust) or redeemed.

## The Trusts' Investment Program

The Trusts are managed toward an investment objective of total return, seeking:

- To realize long-term returns that equal or exceed global equity market returns;
- To provide income beneficiaries with tax-advantaged monthly distributions growing over time with inflation; and
- To increase amounts available for charitable purposes upon termination of Trust Account income interests.

Each Trust pursues its investment objective by investing exclusively in Legacy Income Common Trust Fund, a common trust fund established, maintained and managed by the Trustee as an investment vehicle solely for use by the Legacy Income Trusts and such other pooled income funds of the Gift Trust and other qualified charitable organizations that the Trustee determines to accept. The Common Trust is not available to other investors. The Trustee does not charge a fee for its services to the Common Trust and pays the Common Trust's customary expenses.

The Common Trust invests in a proprietary actively managed equity income strategy directed and managed by the Trustee. Investments normally include both U.S. and non-U.S. dividend-paying stocks. In selecting investments for the Common Trust's portfolio, the Trustee considers, among other factors, a company's earnings and cash flows, the strength of its business franchises, estimates of net asset value, dividend prospects and the anticipated timing and federal income tax treatment of dividend distributions. Many of these considerations are subjective, and the Trustee's decisions may cause the Common Trust to incur losses or to miss profit opportunities on which it may otherwise have capitalized. The factors the Trustee considers and investment methods the Trustee uses may change over time.

The Common Trust may, at times, invest a significant portion of its assets in securities of issuers in a single industry, sector of the economy, country or geographic region if stocks of companies in that industry, sector, country or region meet the Common Trust's investment criteria. If the investments of the Common Trust are concentrated in a particular industry, sector, country or region, the Common Trust and, therefore the Trusts, may be subject to greater risk than if the Common Trust's investments were more broadly diversified. To the extent the Common Trust's portfolio consists significantly of stocks in particular industries, sectors, countries or regions, the Common Trust and the Trusts will be more exposed to the particular risks associated with those industries, sectors, countries or regions.

The Common Trust normally invests primarily in common stocks that the Trustee believes, at the time of purchase, pay dividends that are eligible for treatment as QDI for federal income tax purposes. See "Tax Considerations – Treatment of Distributions to Income Beneficiaries."



As an element of its investment strategy, the Common Trust utilizes dividend-capture investing, seeking to generate incremental total return and QDI. In dividend-capture investing, the Common Trust buys dividend-paying stocks prior to their ex-dividend dates, holds the stocks for more than 60 days to qualify for QDI treatment and then sells the stocks on or after their ex-dividend dates. Based on the results of academic research, in-house empirical studies and the performance of Eaton Vance's dedicated equity harvest strategy, the Trustee believes that a well-executed dividend-capture program can be additive to investment returns. By utilizing dividend-capture investing, the Common Trust may also receive more QDI over a given period of time than a buy-and-hold strategy investing in the same or similar securities. Use of dividend-capture investing does, however, expose the Common Trust, and indirectly the Trusts, to higher portfolio turnover, increased trading costs and greater potential for net realized capital loss or gain, particularly during periods of rapid stock price movement. Because dividend opportunities are not evenly spread across industries, sectors, countries or regions in which the Common Trust invests, use of dividend-capture investing may expose the Common Trust, and indirectly the Trusts, to higher levels of portfolio concentration risk.

While the Trusts seek to provide tax-advantaged monthly distributions to income beneficiaries growing over time with inflation and increasing amounts available for charitable purposes upon termination of beneficiaries' income interests, the Trusts' overall investment results are subject to market risk and are not guaranteed by any person. Distributions to income beneficiaries may fluctuate with changes in economic conditions, may not grow over time at rates consistent with inflation and may decline. The tax character of distributed Trust income may vary. The principal amount available for charitable purposes upon termination of a Trust Account's income interests may be higher or lower than the value of the Trust Account at initial funding.

The portfolio managers of the Common Trust and the Trusts are Charles Gaffney, Derek DiGregorio and Douglas Rogers.

- Charles Gaffney is a managing director of Morgan Stanley Investment Management (MSIM) and a Vice President of the Trustee. He serves as a portfolio manager on the Eaton Vance Core Growth team. He is responsible for buy and sell decisions, portfolio construction and risk management for a number of Eaton Vance U.S. core equity strategies. He is a member of the Eaton Vance Equity Strategy Committee. He joined Eaton Vance in 2003 and has 28 years of investment experience.
- Derek DiGregorio is an executive director of MSIM and a Vice President of the Trustee. He serves as a portfolio manager on the Eaton Vance Specialty Solutions team on a number of Eaton Vance global and domestic equity income portfolios, with particular experience in dividend investing, equity portfolio tax management and equity portfolio strategy implementation. He began his career in the investment management industry in 2006 with Eaton Vance and has 18 years of investment experience.
- Douglas Rogers is an executive director of MSIM and a Vice President of the Trustee. He serves as a portfolio manager on the Eaton Vance Core Growth team. He is responsible for buy and sell decisions, portfolio construction and risk management for Eaton Vance growth equity strategies. In addition, he covers the capital markets, consumer finance, diversified financial services, and internet software and services industries. He joined Eaton Vance in 2001 and has 25 years of investment experience.

## Valuation of Net Assets

The Common Trust and each Trust value their net assets once each business day, as of the close of market trading on the New York Stock Exchange, which is generally 4:00 PM Eastern time. The NAV of each Trust consists of the Trust's attributable share of the net assets of the Common Trust, plus or minus the value of any directly held assets or liabilities. The value of a Trust unit is obtained by dividing the Trust's NAV by the number of units of the Trust that are then outstanding. The value of a Trust Account equals the number of Trust units attributable to such Trust Account multiplied by the Trust's NAV per unit. The Trusts' website, which is available at [www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org), includes daily updated information for each Trust showing the current NAV per unit, as well as the Trust's current monthly income distribution per unit and annualized current distribution rate, expressed as a percentage of both the Trust's current and initial NAV per unit.

For contributions to a Trust, the Donor's Trust Account will be issued that number of units as is equal to the amount of contributed cash and/or the net proceeds received from the sale of the Donor's contributed securities divided by the Trust's NAV per unit on the date the contribution is deemed effective. The number of units assigned to a Trust Account, once determined, will be fixed until the death of the Trust Account's last-surviving individual income beneficiary, subject to adjustment only if the Trust Account's Donor makes a subsequent contribution. The value of a Trust Account's units will fluctuate with changes in the Trust's NAV per unit, and no assurance can be given as to their ultimate value.

# Charitable Accounts

Upon the death of a Trust Account's last-surviving individual income beneficiary, the Trust Account will convert into a Charitable Account established as a sub-account of one of the Gift Trust's Donor-Advised Funds. At that time, the Administrator will redeem the Trust Account's units of the Trust for cash and deposit the proceeds to fund the successor Charitable Account. If a Donor already has a Donor-Advised Fund sub-account with the Gift Trust, the Donor may designate that as the successor Charitable Account or may designate a separate Donor-Advised Fund sub-account with the Gift Trust as the successor Charitable Account.

The Donor, or successor Donor Advisor designated by the Donor, may select among the following options for the disposition of the Charitable Account's assets:

- The immediate distribution of all Charitable Account assets to support one or more (but no more than ten) qualified charitable organizations specified by the Donor or successor Donor Advisor;
- The establishment of an endowment providing annual distributions to support one or more (but no more than ten) qualified charitable organizations specified by the Donor or successor Donor Advisor;
- The distribution of the Charitable Account's assets to support one or more qualified charitable organizations as then selected and on a timeframe as then determined by the Donor Advisor;
- The distribution of the Charitable Account's assets to the Gift Trust's general fund to support one or more qualified charitable organizations as then determined by the Board of Directors. The Donor or successor Donor Advisor may request that (i) the Charitable Account's assets be used to support one or more categories of permitted charitable purposes (e.g., medical research or education) from which the Board of Directors will choose specific qualified charitable organizations or (ii) the Board of Directors choose the charitable purpose and specific qualified charitable organizations.

For the first, second and fourth of the above options, the selection of the qualified charitable organizations (or the Gift Trust's general fund) to be supported and the manner of support may be either irrevocable (i.e., once made, cannot be changed later by the Donor or successor Donor Advisor) or revocable (i.e., can be changed at any time prior to disbursement from the Charitable Account).

A Donor may designate as successor Donor Advisor one or more of his or her spouse, children, other descendants, heirs or representatives, to be assigned the rights of Donor Advisor to the Charitable Account upon the Donor's death, incapacity, other disqualification or earlier assignment by the Donor. When succeeding by death or incapacity, the successor Donor Advisor must provide written notification and sufficient proof, which may include a certified death certificate, to the Administrator of the Donor's (or other predecessor Donor Advisor's) death or incapacity to succeed to the rights of Donor Advisor to the Charitable Account. Successor Donor Advisors must be of legal age and competent to serve. Successor Donor Advisors may, in turn, name successors to serve effective upon their own death, incapacity, other disqualification or earlier assignment.

If a Charitable Account has two or more Donor Advisors at the same time, their rights as Donor Advisors will be exercisable individually (i.e., each Donor Advisor has individual authority).

Grants from a Charitable Account of the proceeds received from a Trust Account may be made only after the Trust Account has been closed. The Administrator will endeavor to effect such transfers as soon as practicable. The initial value of an amount transferred from a Trust Account to a Charitable Account will be based on the net proceeds received from the redemption of the associated Trust units.

All grants from Charitable Accounts are subject to the Gift Trust's determination that the grant recipient is a qualified charitable organization and that the grant otherwise meets all applicable legal requirements. Grants may be made only to U.S. charitable organizations that are tax-exempt under Code Section 501(c)(3) and that are either public charities or private operating foundations under Code Section 170(b)(1)(A). Grants may not be made from a Charitable Account to any (i) private non-operating foundation, (ii) non-functionally integrated Type III supporting organization or (iii) Type I, Type II or Type III functionally integrated supporting organization if a Donor or Donor Advisor of the Charitable Account (or any related parties) directly or indirectly controls any supported organization of the supporting organization. Grants from a Donor's Charitable Account may not be used in whole or in part to provide, directly or indirectly, any "more than incidental benefit" to the Charitable Account's Donors, Donor Advisors, any family members of the Donors or Donor Advisors, or certain entities related to such persons (Disqualified Persons). Likewise, a Donor's Charitable Account and grants from the Charitable Account may not be used in whole or in part to carry out, directly or indirectly, any "excess benefit transaction" with any Disqualified Persons of the Charitable Account. The Charitable Accounts are also subject to other legal restrictions. The Board of Directors has ultimate discretion and responsibility for determining that grants from Charitable Accounts satisfy all legal requirements.

The Gift Trust has received a determination from the IRS that it is a tax-exempt organization as described in Section 501(c)(3) of the Code and a public charity as described in Sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code. Each Donor-Advised Fund maintains its own investment objective, which it pursues by investing primarily in registered investment companies sponsored and advised by Eaton Vance and its affiliates. Unless a Donor or successor Donor Advisor otherwise requests, each new Charitable Account will be established as a sub-account of Growth & Income Fund, a Donor-Advised Fund of the Gift Trust seeking total return by investing primarily in income-producing equity securities and investment-grade obligations.

For more information about the Gift Trust and the Donor-Advised Funds, please see the Donor-Advised Funds' Gifting Booklet, which can be accessed at [www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org) or by calling the Administrator at 1-844-898-0800.

## Service Providers

**Sponsor.** Eaton Vance Management is the sponsor of the Trusts and the Gift Trust. Eaton Vance is an indirect, wholly-owned subsidiary of Morgan Stanley and an affiliate of the Trustee and the Placement Agent. Eaton Vance receives no compensation from the Trusts or the Common Trust, but is compensated by the Gift Trust's Donor-Advised Funds for investment advisory services provided. Eaton Vance is located at Two International Place, Boston, Massachusetts 02110.

**Trustee.** Eaton Vance Trust Company is trustee of the Trusts, the Common Trust and the Gift Trust, and investment adviser to the Trusts and the Common Trust. In connection with serving as trustee of the Trusts, the Common Trust and the Gift Trust, the Trustee maintains custody of each of their net assets. Chartered in Maine in 2004, the Trustee is a non-depository trust company that provides personal and investment trust services. It is an indirect, wholly-owned subsidiary of Morgan Stanley and an affiliate of Eaton Vance and the Placement Agent. The Trustee receives compensation from the Trusts for serving as investment adviser and trustee as set forth under "Fees and Expenses." The Trustee does not charge a fee for its services to the Common Trust or the Gift Trust, and pays the Common Trust's customary expenses. The Trustee is located at Two International Place, Boston, Massachusetts 02110.

**Administrator.** Ren is the administrator of the Trusts and the Gift Trust. The Administrator is a charitable gift services administrator not affiliated with Morgan Stanley or Eaton Vance. The Administrator receives compensation for the Trusts as set forth under "Fees and Expenses." The Administrator is located at 8910 Purdue Road, Suite 500, Indianapolis, Indiana 46268.

**Servicing Agents.** The Trusts include provision for each Donor to designate on his or her Application a registered broker-dealer, registered investment advisor or other entity acceptable to the Trustee (Servicing Agent) to provide the Donor and/or the Donor's income beneficiaries with advice regarding their philanthropic and estate-planning goals and strategies, assistance with administrative matters relating to Trust Accounts and/or related services. The servicing fees set forth under "Fees and Expenses" are paid to the Placement Agent and passed through by the Placement Agent to the Servicing Agents designated by the Donors. The Placement Agent makes payments to Servicing Agents quarterly in arrears. Donors and income beneficiaries may change their designated Servicing Agents among eligible providers by contacting the Administrator.

**Placement Agent.** Eaton Vance Distributors, Inc., a broker-dealer registered with the SEC, is placement agent for the Trusts and the Gift Trust. It is an indirect, wholly-owned subsidiary of Morgan Stanley and an affiliate of Eaton Vance and the Trustee. The Placement Agent receives no compensation from the Common Trust, but does receive servicing fees from the Trusts as set forth under "Fees and Expenses" that the Placement Agent passes through to the Servicing Agents as described above. The Placement Agent also receives fundraising and servicing fees from the Gift Trust out of which the Placement Agent compensates financial advisors assisting in maintaining and servicing Charitable Accounts. The Placement Agent is located at Two International Place, Boston, Massachusetts 02110.

**Auditors.** Deloitte & Touche LLP, 200 Berkeley Street, Boston, Massachusetts 02116, serves as independent auditors of the Trusts, the Common Trust and the Gift Trust. The Board of Directors has the right to change auditors in its sole discretion.

**Legal Counsel.** Choate, Hall & Stewart LLP serves as legal counsel to the Gift Trust. Choate, Hall & Stewart LLP also acts as counsel to Eaton Vance and certain of its affiliates with respect to certain matters. Except to the limited extent that Choate, Hall & Stewart LLP may have a separate and independent engagement with a Donor to a Trust, Choate, Hall & Stewart LLP does not represent the interests of any Donor in connection with the Trusts' offering or the ongoing advice provided to the Gift Trust, Eaton Vance or its affiliates. No independent counsel has been retained to represent the Donors. Prospective Donors should seek their own legal, tax and financial advice before making a contribution to a Trust.

# Trust Information and Reports

The Trusts maintain a free public website, accessible at [www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org) where current information about the Trusts may be obtained, including the Trusts' current Information Statement and Application and the current Gifting Booklet and Application of the Donor-Advised Funds. The Trusts' website shows, for each Trust, the current daily NAV per unit, current monthly income distribution per unit, annualized current distribution rate, expressed as a percentage of both the Trust's current and initial NAV per unit, and the Common Trust's most recent annual report containing audited financial statements.

For each contribution to a Trust, the Administrator will provide the Donor with a written acknowledgement of the contribution, in accordance with applicable Treasury regulations. The acknowledgement will include the date of contribution, the amount of any cash contributed and, in the case of contributed securities, a description of the securities contributed. The acknowledgement will include a provisional calculation, prepared by the Administrator, of the charitable remainder portion of the Donor's contribution for purposes of determining the Donor's federal income tax deduction. Each Donor is responsible for reviewing and confirming the calculation with his or her own tax advisors.

On a quarterly basis, the Administrator prepares a statement for each current individual income beneficiary showing the ending balance of the Trust Account position of which he or she is the current income beneficiary and the amount of income distributions paid to the income beneficiary during the quarter. Notification of availability and a link to the statement normally are sent electronically to the income beneficiary's email address; upon request, a copy of the statement will also be sent by mail to the income beneficiary's address of record.

After the end of each Trust's tax year, which is the calendar year, each income beneficiary receiving Trust income distributions during the year receives a report containing a Schedule K-1 to IRS Form 1041 that indicates the income beneficiary's share for such year of the Trust's taxable income or loss and other tax items (including the Trust's allocated share of the taxable income or loss and other tax items of the Common Trust) for use in the preparation of the income beneficiary's personal income tax returns.

## Fees and Expenses

Contributions to the Trusts are not subject to any commissions or other subscription costs. The Trusts are subject to ongoing fees and expenses, including fees paid to the Trustee for serving as investment adviser and trustee of the Trusts and to the Administrator for administrative services provided. As indicated below, each Trust pays investment advisory and trustee fees at the same rate, and administrative fees that vary based on the Trust's minimum initial contribution amount. The Trusts provide compensation, varying by Trust, to the Placement Agent and, indirectly, to Servicing Agents, for providing services to the Trusts' Donors and Income beneficiaries. The Trusts' fees are subject to review and approval by the Board of Directors and may change over time. The Trustee does not charge a fee for its services to the Common Trust and pays the Common Trust's customary expenses.

The Trusts' minimum initial contribution amounts and current fees and estimated other expenses are as follows<sup>1</sup>:

	U.S. Legacy Income Trust I.2	U.S. Legacy Income Trust II.2	U.S. Legacy Income Trust III.2
Minimum Initial Contribution <sup>2</sup>	\$20,000	\$250,000	\$1,000,000
Annual Expenses:			
Advisory Fee	0.55%	0.55%	0.55%
Trustee Fee	0.10%	0.10%	0.10%
Administrative Fee	0.33%	0.10%	0.10%
Servicing Fee	0.75%	0.50%	0.25%
Miscellaneous Expenses	0.07%	0.07%	0.07%
Total Annual Expenses	1.80%	1.32%	1.07%

<sup>1</sup> In addition to the Trusts, the Currently Offered Trusts include two other Legacy Income Trusts, Trust IV.2 and Trust V.2, that follow the same investment strategy as the Trusts, but are subject to different minimum initial contribution amounts, annual fees and expenses, and applicable service arrangements. Additional information regarding Trust IV.2 and Trust V.2, including their current Information Statement, is available on the Trusts' website, [www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org).

<sup>2</sup> The Trustee may, in its sole discretion, grant waivers from the Trusts' minimum initial contribution amounts for Donors who are employees of Eaton Vance, Morgan Stanley or their affiliates, members of their immediate families or as the Trustee otherwise determines appropriate to facilitate the efficient administration of the Trusts.

Expenses are stated as a percentage of the Trust's average daily net assets. Miscellaneous expenses include audit, registration and other fees and expenses incurred by the Trusts. Certain Trust expenses, including all servicing fees and a portion of the administrative fees applicable to Trust I.2, are charged against income, reducing amounts available for distribution to Trust income beneficiaries. Other Trust expenses, including all advisory and trustee fees, all miscellaneous expenses and the amount of each Trust's administrative fees as computed based on the administrative fee rate applicable to Trust II.2 and Trust III.2, are charged against principal value. While not reducing current income, charging expenses against principal reduces the amount of Trust net assets on which future income and total return are generated.

If the Application submitted on behalf of a Donor indicates that the Donor intends to make a contribution to one Trust, but the amount of the contribution would qualify for a different Trust subject to lower servicing and/or administrative fees, the Administrator generally intends to notify the Donor of his or her contribution's eligibility for acceptance to the lower-fee Trust. Each Donor has ultimate responsibility for determining to which Trust (among those for which the Donor's contribution is eligible for acceptance) each of his or her contributions is made. See "Contributions to the Trusts – Acceptable Contributions."

## Directors and Officers

**Board of Directors.** The Board of Directors of the Gift Trust appoints and oversees the performance and compensation of all service providers to the Trusts, the Donor-Advised Funds and the Gift Trust, approves the investment guidelines of the Trusts and the Donor-Advised Funds, and takes actions to maintain the Trusts' status as pooled income funds and the Gift Trust's status as a tax-exempt organization and a public charity under federal income tax law. The Board of Directors maintains ultimate control over all aspects of the Trusts' offering and operations, including the power to replace the Trustee. The current Directors are as follows:

**Kathleen L. Ames**, Director of Mary W. Harriman Foundation and the Ralph Lowell Society of WGBH. Advisor, Brookline Education Foundation. Life Trustee, Concord Academy, Concord, Massachusetts. Former Chair, Brookline School Committee.

**Jeffrey P. Beale**, Retired Vice President and Chief Administrative Officer of Eaton Vance Corp. Director, First Literacy, Boston. Trustee, Collections Committee Chair and Executive Committee Member of Peabody Essex Museum, Salem, Massachusetts. Treasurer, and Director of The Samaritan Charitable Society of Salem, Massachusetts. Former Trustee, Dana-Farber Cancer Institute.

**Stephen W. Clarke**, President and Chief Philanthropy Officer, U.S. Charitable Gift Trust. Managing Director, Morgan Stanley Investment Management. Director and Treasurer, Expect Miracles Foundation. Member, Undergraduate Economics Advisory Board, University of Massachusetts, Amherst. Member, Development Committee Alzheimer's Association (MA & NH Chapter).

**John Griffin**, Retired partner of PricewaterhouseCoopers LLP. Former Director of various organizations, including Expect Miracles Foundation (formerly, Mutual Funds Against Cancer), the Arc of Greater Plymouth and the Massachusetts Down Syndrome Congress.

**Michelle A. Kinch**, Assistant Professor, Tuck School of Business at Dartmouth College. Independent Trustee, IndexIQ Funds. Board member, Hale Education. Former Chair, Massachusetts Convention Center Authority.

**Katharine Leness**, Partner/Owner of Fund Liquidation Solutions. Trustee, Fessenden School, West Newton, Massachusetts. Advisor, Brookline Education Foundation.

A majority of the Directors are unaffiliated with Morgan Stanley and Eaton Vance, and no Director is affiliated with the Administrator. Vacancies on the Board of Directors are filled by the remaining Directors. A majority of the Directors who are not affiliated with Morgan Stanley or Eaton Vance must concur with the appointment of any new unaffiliated Director. Donors and income beneficiaries do not have voting rights or the right to participate in the selection of Directors. In accordance with federal tax law applicable to pooled income funds, the Directors are not eligible to be Donors or income beneficiaries of the Trusts.

**Officers.** In addition to delegating certain functions to Eaton Vance, the Trustee, the Administrator and the Placement Agent, the Board of Directors has appointed certain officers to take actions on behalf of the Trusts and the Gift Trust. The officers of the Trusts and the Gift Trust, each of whom is an officer of Eaton Vance or the Placement Agent, are as follows: Stephen W. Clarke, President and Chief Philanthropy Officer; Lawrence L. Fahey, Chief Administrative Officer and Vice President; Stephanie Rosander, Secretary; Michael Askew, Assistant Secretary; Desmond Gallacher, Vice President; A. John Murphy, Vice President; James Kirchner, Treasurer; and Michael Shattuck, Assistant Treasurer.

**Limitation of Liability.** Under the Declarations of Trust of the Trusts and the Gift Trust, the Directors do not have liability for their actions or omissions, nor for actions or omissions of the Trusts' and the Gift Trust's officers, employees or agents to whom administrative or investment authority may be delegated, except as may be caused by the Directors' bad faith or reckless indifference in the performance of their duties. The Trusts and the Gift Trust maintain insurance policies to protect the Trusts and the Gift Trust, the Board of Directors and the officers.

The Trusts and the Gift Trust will indemnify the Directors against any liability to the fullest extent allowed by applicable law. The Trusts and the Gift Trust may also indemnify and hold harmless certain service providers, their agents and nominees from any claims, losses, liabilities or expenses (including reasonable counsel fees and expenses), except as may arise from bad faith or reckless indifference in the performance of their duties. The Trustee does not have liability for its actions or omissions, except to the extent that such actions or inactions constitute bad faith or reckless indifference in the performance of its duties.

## Disclosures

- All Trust activities and the participation of Donors and income beneficiaries in the Trusts are subject to the requirements of state and federal law, the terms and conditions of the Trusts' Declarations of Trust, the Trusts' current Information Statement, the completed Application and any Additional Contribution Forms submitted by each Donor. The Board of Directors reserves the right to modify the Trusts' program at any time, subject to the provisions of the Trusts' Declarations of Trust and state and federal law.
- Any contribution to a Trust, once accepted by the Trustee, represents an irrevocable commitment. Contributions cannot be rescinded or changed, and are subject to the exclusive legal control of the Trust, the Trustee and the Board of Directors.
- Donors to the Trusts should be motivated by charitable intent. As charitable giving vehicles, the Trusts should not be treated as, and are not designed to compete with, investments made for private gain. An intention to benefit the Gift Trust and one or more qualified charitable organizations eligible for support by the Gift Trust should be a significant part of the decision to contribute to a Trust.
- The tax consequences of contributing to a Trust will vary based on individual circumstances. Prospective Donors should consult their own tax advisors. Nothing in this Information Statement should be construed as tax advice.
- Distributions to income beneficiaries are not guaranteed by any party, and are subject to investment risk. In considering potential changes in annual distribution rates, the Trustee will assess the Trusts' long-term earnings potential and seek to balance the interests of current and future income beneficiaries and the charitable remainder interests.
- Neither the Trusts nor the Gift Trust has been registered under federal securities laws, pursuant to available exemptions.
- Neither the Trusts nor the Gift Trust is guaranteed or insured by the United States or any of its agencies or instrumentalities. Contributions are not insured by the Federal Deposit Insurance Corporation and are not deposits or other obligations of, or guaranteed by, any depository institution.
- The Placement Agent is a paid solicitor of the Trusts and the Gift Trust, receiving compensation as described herein and in the Donor-Advised Funds' Gifting Booklet.

# Appendix

## Allowable Itemized Federal Income Tax Deduction for Trust Donors (% of Contribution Value)

Individual Income Beneficiary Age	One Individual Income Beneficiary	Two Individual Income Beneficiaries	Ten Individual Income Beneficiaries
0	7.068%	4.172%	2.806%
10	9.250%	5.999%	4.069%
20	13.109%	8.681%	5.906%
30	18.095%	12.495%	8.562%
40	25.090%	17.951%	12.408%
50	34.236%	25.564%	17.942%
60	45.384%	35.791%	25.811%
70	58.645%	49.012%	36.779%
80	72.827%	64.542%	51.235%
90	85.087%	79.344%	67.522%
100	92.195%	88.866%	80.580%

The indicated percentages apply to U.S. individual taxpayers contributing property to a Trust in 2024, and reflect applicable federal guidelines for determining the deductibility of contributions to a pooled income fund prior to completion of the fund's third tax year. Ages of individual income beneficiaries are based on the nearest birthday as of the date of contribution. Deduction percentages shown above for multiple individual income beneficiaries assume they are the same age. Where not the same age, the allowable deduction is based primarily on the age of the youngest beneficiary and increases (toward the single beneficiary deduction percentage) as the age differential widens and the number of individual income beneficiaries is reduced. The federal income tax deduction available to individual taxpayers in the tax year of contribution for qualified charitable gifts to public charities is generally limited to not more than 60% of the taxpayer's "contribution base" (essentially, federal adjusted gross income, hereafter referred to as AGI) for cash contributions, 50% of the Donor's AGI for gifts of appreciated property for which the Donor elects to base the charitable deduction on the fair market value of the property less the amount of the property's appreciation from cost or other tax basis, and 30% of the Donor's AGI for other gifts of appreciated property, with the balance carried forward for up to five years after the year the gift is made. See "Tax Considerations – Charitable Income Tax Deductions" for additional information.

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## Contact Information

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### Administrator

**U.S. Legacy Income Trusts**  
c/o Ren  
8910 Purdue Road, Suite 500  
Indianapolis, IN 46268  
Tel: 1-844-898-0800  
Fax: 1-877-227-3479  
[www.uscharitablegifttrust.org](http://www.uscharitablegifttrust.org)  
[uslit@reninc.com](mailto:uslit@reninc.com)

### Sponsor

**Eaton Vance Management**  
Two International Place  
Boston, MA 02110  
Tel: 1-800-225-6265  
[eatonvance.com](http://eatonvance.com)

### Trustee and Investment Adviser

**Eaton Vance Trust Company**  
Two International Place  
Boston, MA 02110

### Placement Agent

**Eaton Vance Distributors, Inc.**  
Two International Place  
Boston, MA 02110



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