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Return of Private Foundation

OMB No 1545-0052

2009

Department of the Treasury
Internal Revenue Serviceor Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements

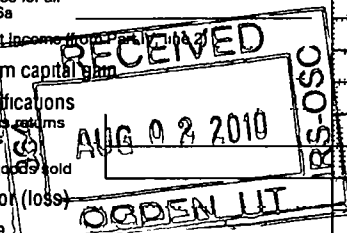
For calendar year 2009, or tax year beginning , and ending

G Check all that apply ☐ Initial return ☐ Initial return of a former public charity ☐ Final return
☐ Amended return ☐ Address change ☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.	Name of foundation THE VON DER HEYDEN FAMILY FOUNDATION		A Employer identification number 06-1410915
	Number and street (or P O box number if mail is not delivered to street address)	Room/suite	B Telephone number 212-571-2300
	25 CENTRAL PARK WEST		
	City or town, state, and ZIP code NEW YORK, NY 10023		
H Check type of organization ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation		C If exemption application is pending, check here ☐ D 1. Foreign organizations, check here ☐ 2. Foreign organizations meeting the 85% test, check here and attach computation ☐	
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 2,149,780. (Part I, column (d) must be on cash basis.)		E If private foundation status was terminated under section 507(b)(1)(A), check here ☐ F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐	
J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify) _____			

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received	484,848.		N/A	
	2 Check ☐ If the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	23.	23.		Statement 1
	4 Dividends and interest from securities	63,695.	63,695.		Statement 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10				
	b Gross sales price for all assets on line 6a				
	7 Capital gain net income from sale of assets		0.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit or (loss)					
11 Other income					
12 Total. Add lines 1 through 11	548,566.	63,718.			
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees Stmt 3	1,750.	438.		1,062.
	c Other professional fees				
	17 Interest				
	18 Taxes Stmt 4	1,000.	0.		0.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses				
	24 Total operating and administrative expenses. Add lines 13 through 23	2,750.	438.		1,062.
	25 Contributions, gifts, grants paid	803,388.			803,388.
26 Total expenses and disbursements. Add lines 24 and 25	806,138.	438.		804,450.	
27 Subtract line 26 from line 12	-257,572.				
a Excess of revenue over expenses and disbursements					
b Net investment income (if negative, enter -0-)		63,280.			
c Adjusted net income (if negative, enter -0-)			N/A		

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Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	34,306.	23,239.	23,239.
	2 Savings and temporary cash investments	211,460.	25,158.	25,158.
	3 Accounts receivable ▶			
	Less allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U S and state government obligations			
	b Investments - corporate stock Stmt 6	1,361,875.	1,334,499.	2,101,383.
	c Investments - corporate bonds			
11 Investments - land, buildings, and equipment basis ▶				
Less accumulated depreciation ▶				
12 Investments - mortgage loans				
13 Investments - other				
14 Land, buildings, and equipment basis ▶				
Less accumulated depreciation ▶				
15 Other assets (describe ▶)				
16 Total assets (to be completed by all filers)	1,607,641.	1,382,896.	2,149,780.	
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
23 Total liabilities (add lines 17 through 22)	0.	0.		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☒ X			
	and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted	1,607,641.	1,382,896.	
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☐			
	and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds			
28 Paid-in or capital surplus, or land, bldg, and equipment fund				
29 Retained earnings, accumulated income, endowment, or other funds				
30 Total net assets or fund balances	1,607,641.	1,382,896.		
31 Total liabilities and net assets/fund balances	1,607,641.	1,382,896.		

Part III Analysis of Changes in Net Assets or Fund Balances

1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	1,607,641.
2 Enter amount from Part I, line 27a	2	-257,572.
3 Other increases not included in line 2 (itemize) ▶ UNREALIZED GAIN ON DONATED STOCK	3	33,112.
4 Add lines 1, 2, and 3	4	1,383,181.
5 Decreases not included in line 2 (itemize) ▶ See Statement 5	5	285.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	1,382,896.

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Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co.)		(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo, day, yr)	(d) Date sold (mo, day, yr)
1a				
b	NONE			
c				
d				
e				

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

(i) F M V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a			
b			
c			
d			
e			

2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7
If (loss), enter -0- in Part I, line 7 } **2**

3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) { If gain, also enter in Part I, line 8, column (c)
If (loss), enter -0- in Part I, line 8 } **3**

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2008	684,894.	2,466,546.	.277673
2007	1,335,166.	3,042,650.	.438817
2006	1,119,140.	2,488,110.	.449795
2005	942,834.	2,247,028.	.419592
2004	919,050.	1,401,463.	.655779

2 Total of line 1, column (d) **2** 2.241656

3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years **3** .448331

4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5 **4** 1,753,724.

5 Multiply line 4 by line 3 **5** 786,249.

6 Enter 1% of net investment income (1% of Part I, line 27b) **6** 633.

7 Add lines 5 and 6 **7** 786,882.

8 Enter qualifying distributions from Part XII, line 4 **8** 804,450.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions.

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary-see instructions)		1	633.
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b			
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col (b)			
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		2	0.
3 Add lines 1 and 2		3	633.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	0.
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	633.
6 Credits/Payments			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	1,672.	
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c		
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d	7	1,672.	
8 Enter any penalty for underpayment of estimated tax. Check here ☐ if Form 2220 is attached	8		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9		
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	1,039.	
11 Enter the amount of line 10 to be credited to 2010 estimated tax ☒ 1,039. Refunded ☐	11	0.	

Part VII-A Statements Regarding Activities

	Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		X
1c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year. (1) On the foundation ☒ \$ 0. (2) On foundation managers ☒ \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☒ \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV.	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☒ CT		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

N/A

Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► N/A	13	X	
14	The books are in care of ► <u>KARL VON DER HEYDEN</u> Telephone no ► <u>212-571-2300</u> Located at ► <u>25 CENTRAL PARK WEST, NEW YORK, NY</u> ZIP+4 ► <u>10023</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year	15		N/A

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

	Yes	No
1a During the year did the foundation (either directly or indirectly)		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ Yes ☒ No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No	
(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	☐ Yes ☒ No	
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here	N/A	1b
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		1c X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))		
a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009?	☐ Yes ☒ No	
If "Yes," list the years ►		
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.)	N/A	2b
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ No	
b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)	N/A	3b
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?		4b X

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Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

☒

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

N/A

☐ Yes ☐ No

If "Yes," attach the statement required by Regulations section 53.4945-5(d).

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

☐ Yes ☒ No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

6b

X

If "Yes" to 6b, file Form 8870.

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

7b

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
See Statement 7		0.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1). If none, enter "NONE."

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over \$50,000

0

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Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)**3** Five highest-paid independent contractors for professional services. If none, enter "NONE."

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		
		0

Total number of others receiving over \$50,000 for professional services

0

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc

	Expenses
1 N/A	
2	
3	
4	

Part IX-B Summary of Program-Related Investments

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2

	Amount
1 N/A	
2	
All other program-related investments See instructions	
3	
Total. Add lines 1 through 3	0.

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Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
a	Average monthly fair market value of securities	1a	1,650,500.
b	Average of monthly cash balances	1b	129,930.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	1,780,430.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	1,780,430.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	26,706.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	1,753,724.
6	Minimum investment return. Enter 5% of line 5	6	87,686.

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6	1	87,686.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	633.
b	Income tax for 2009 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	633.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	87,053.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	87,053.
6	Deduction from distributable amount (see instructions)	6	0.
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	87,053.

Part XII Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	804,450.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	804,450.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	633.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	803,817.

Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				87,053.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004	851,031.			
b From 2005	832,145.			
c From 2006	996,894.			
d From 2007	1,185,133.			
e From 2008	563,263.			
f Total of lines 3a through e	4,428,466.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$	804,450.			
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				87,053.
e Remaining amount distributed out of corpus	717,397.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	5,145,863.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b Taxable amount - see instructions		0.		
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount - see instr			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	851,031.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	4,294,832.			
10 Analysis of line 9				
a Excess from 2005	832,145.			
b Excess from 2006	996,894.			
c Excess from 2007	1,185,133.			
d Excess from 2008	563,263.			
e Excess from 2009	717,397.			

Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

		Yes	No
1	Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?		
a	Transfers from the reporting foundation to a noncharitable exempt organization of		
	(1) Cash		X
	(2) Other assets		X
b	Other transactions		
	(1) Sales of assets to a noncharitable exempt organization		X
	(2) Purchases of assets from a noncharitable exempt organization		X
	(3) Rental of facilities, equipment, or other assets		X
	(4) Reimbursement arrangements		X
	(5) Loans or loan guarantees		X
	(6) Performance of services or membership or fundraising solicitations		X
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees		X
d	If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.		

[illegible]

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No

b If "Yes," complete the following schedule

(a) Name of organization	(b) Type of organization	(c) Description of relationship
N/A		

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer or trustee: Karl H. van der Aar Date: 7.27.10 Title: Trustee

Signature of officer or trustee

Date _____

Title

**Paid
Preparer's
Use Only**

Preparer's
signature

Firm's name (or yours if self-employed), address, and ZIP code **MCGRATH, DOYLE & PHAIR**
150 BROADWAY - SUITE 1915
NEW YORK, NY 10038

Date:

6	18	10
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☐ Check if self-employed

Preparer's identifying number

Employed	
EIN	▶

Phone no

Schedule B(Form 990, 990-EZ,
or 990-PF)Department of the Treasury
Internal Revenue Service**Schedule of Contributors**

▶ Attach to Form 990, 990-EZ, or 990-PF.

OMB No 1545-0047

2009

Name of the organization

THE VON DER HEYDEN FAMILY FOUNDATION

Employer identification number

06-1410915

Organization type (check one):

Filers of:

Section:

Form 990 or 990-EZ

☐ 501(c)() (enter number) organization☐ 4947(a)(1) nonexempt charitable trust not treated as a private foundation☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation☐ 501(c)(3) taxable private foundationCheck if your organization is covered by the **General Rule** or a **Special Rule**.**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.**General Rule**

- ☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

Special Rules

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year. ▶ \$ _____

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2 of its Form 990, or check the box on line H of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

LHA For Privacy Act and Paperwork Reduction Act Notice, see the Instructions
for Form 990, 990-EZ, or 990-PF.

Schedule B (Form 990, 990-EZ, or 990-PF) (2009)

Name of organization

Employer identification number

THE VON DER HEYDEN FAMILY FOUNDATION

06-1410915

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	KARL M. VON DER HEYDEN 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	\$ 231,420.	Person ☐ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
2	KARL M. VON DER HEYDEN 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	\$ 68,148.	Person ☐ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
3	KARL M. VON DER HEYDEN 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	\$ 185,280.	Person ☐ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
			Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)

Name of organization

Employer identification number

THE VON DER HEYDEN FAMILY FOUNDATION

06-1410915

Part II Noncash Property (see instructions)

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
1	1874 SHS IBM CORP	\$ 231,420.	11/06/09
2	3600 SHS INTEL CORP	\$ 68,148.	11/06/09
3	3000 SHS PEPSICO INC	\$ 185,280.	11/06/09
		\$	
		\$	
		\$	

Form 990-PF Interest on Savings and Temporary Cash Investments Statement 1

Source	Amount
JP MORGAN CHASE BANK	21.
MERRILL LYNCH	2.
Total to Form 990-PF, Part I, line 3, Column A	23.

Form 990-PF Dividends and Interest from Securities Statement 2

Source	Gross Amount	Capital Gains Dividends	Column (A) Amount
MERRILL LYNCH	63,092.	0.	63,092.
MERRILL LYNCH INSTL FUNDS (MMA)	603.	0.	603.
Total to Fm 990-PF, Part I, ln 4	63,695.	0.	63,695.

Form 990-PF Accounting Fees Statement 3

Description	(a) Expenses Per Books	(b) Net Invest- ment Income	(c) Adjusted Net Income	(d) Charitable Purposes
ACCOUNTING FEES - 2009	1,750. 0.	438. 0.		1,062. 0.
To Form 990-PF, Pg 1, ln 16b	1,750.	438.		1,062.

Form 990-PF Taxes Statement 4

Description	(a) Expenses Per Books	(b) Net Invest- ment Income	(c) Adjusted Net Income	(d) Charitable Purposes
EXCISE TAX	1,000.	0.		0.
To Form 990-PF, Pg 1, ln 18	1,000.	0.		0.

Form 990-PF	Other Decreases in Net Assets or Fund Balances	Statement	5
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Description	Amount
NON-DEDUCTIBLE PORTION OF CONTRIBUTIONS	285.
Total to Form 990-PF, Part III, line 5	285.

Form 990-PF	Corporate Stock	Statement	6
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Description	Book Value	Fair Market Value
SEE SCHEDULE ATTACHED	1,334,499.	2,101,383.
Total to Form 990-PF, Part II, line 10b	1,334,499.	2,101,383.

Form 990-PF	Part VIII - List of Officers, Directors Trustees and Foundation Managers	Statement	7
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Name and Address	Title and Avrg Hrs/Wk	Compensation	Employee Ben Plan Expense Contrib Account
KARL M. VON DER HEYDEN 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	TRUSTEE 1.50	0.	0. 0.
MARY ELLEN VON DER HEYDEN 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	TRUSTEE 1.50	0.	0. 0.
ELLEN M. GILLESPIE 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	TRUSTEES 0.25	0.	0. 0.
ERIC M. VON DER HEYDEN 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	TRUSTEES 0.25	0.	0. 0.
D.JAMES GILLESPIE 25 CENTRAL PARK WEST, APT. 24K NEW YORK, NY 10023	TRUSTEES 0.25	0.	0. 0.

HEIKE VON DER HEYDEN	TRUSTEES			
25 CENTRAL PARK WEST, APT. 24K	0.25	0.	0.	0.
NEW YORK, NY 10023				

Totals included on 990-PF, Page 6, Part VIII		0.	0.	0.
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Form 990-PF	Grants and Contributions Paid During the Year	Statement	8
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Recipient Name and Address	Recipient Relationship and Purpose of Grant	Recipient Status	Amount
PORTLAND ART MUSEUM 1219 SW PARK AVENUE PORTLAND, OR 97205	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,000.
THE NEW YORK PUBLIC LIBRARY 5TH AVENUE AT 42ND STREET NEW YORK, NY 10018	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	60,000.
NEW YORK BOTANICAL GARDENS 200TH ST AND KAZIMIROFF RD NEW YORK, NY 10458	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	200.
WILDLIFE CONSERVATION SOCIETY 2300 SOUTHERN BLVD BRONX, NY 10460	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	120.
NATIONAL OUTDOOR LEADERSHIP SCHOOL 284 LINCOLN ST LANDER, WY 82520	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,000.
THE ADVOCATES 650 3RD AVE SOUTH - STE 1240 MINNEAPOLIS, MN 55402	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	500.
MAKE A DIFFERENCE FOUNDATION C/O UNITED WAY PARTNER PO BOX 1941 SUWANEE, GA 30024	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,500.

NEW YORK PRESBYTERIAN 654 WEST 170TH ST NEW YORK, NY 10032	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	38,647.
ENVIRONMENTAL RESOURCE CENTER PO BOX 819 KETCHUM, ID 83340	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	75.
AMERICAN ACADEMY IN BERLIN 14 EAST 60TH STREET NEW YORK, NY 10022	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	527,500.
AMERICAN MUSEUM OF NATURAL HISTORY CENTRAL PARK WEST 79TH ST. NEW YORK, NY 10024	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	90.
AUDUBON OF NORTH CAROLINA 123 KINGSTON DR. CHAPILHILL, NC 27514	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,000.
CENTRAL PARK CONSERVANCY 14 EAST 60TH ST. NY, NY 10023	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,000.
COMMUNITY LIBRARY 415 SPRUCE AVENUE KETCHUM, ID 83340	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	100.
COMPANY OF FOOLS P.O. BOX 329 HAILEY, ID 83333	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	10,000.
CARNEGIE HALL SOCIETY INC 881 SEVENTH AVENUE NEW YORK, NY 10019	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	7,500.
DUKE UNIVERSITY - ANNAUL FUND BOX 90581 DURHAM, NC 27708	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	10,000.

GIRLS, INC. 120 WALL ST. NY, NY 10005	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,000.
LINFIELD COLLEGE 900 SE BAKER STREET MCMINNVILLE, OR 97128	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	7,000.
NATIONAL HUMANITIES CENTER P.O. BOX 12256 RTP, NC 27709-2256	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,000.
OREGON EPISCOPAL SCHOOL 6300 SW NICOL ROAD PORTLAND, OR 97223	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	5,345.
SHADY SIDE ACADEMY 423 FOX CHAPEL ROAD PITTSBURGH, PA 15238	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	100.
THE COMMUNITY SCHOOL P.O. BOX 2118 SUN VALLEY, ID 83353	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	38,000.
THE METROPOLITAN MUSEUM OF ART 1000 FIFTH AVENUE NEW YORK, NY 10028	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,515.
THE METROPOLITAN OPERA GUILD 70 LINCOLN CENTER PLAZA NEW YORK, NY 10018	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	34,755.
THE MUSEUM OF MODERN ART 11 WEST 53RD STREET NEW YORK, NY 10019	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,500.
THIRTEEN/WNET NEW YORK 450 WEST 33RD STREET NEW YORK, NY 10001	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	375.

WESTERN WATERSHEDS PROJECT BOX 1770 HAILEY, ID 83333	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	33,666.
WNYC RADIO ONE CENTER STREET NEW YORK, NY 10007	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	300.
YMCA OF GREATER NEW YORK 333 SEVENTH AVENUE NEW YORK, NY 10001	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	2,500.
SENIOR CONNECTION 360 WEST BOYLSTON ST WEST BOYLSTON, MA 01583	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	50.
SAWTOOTH BOTANICAL GARDEN 11 GIMLET RD KETCHUM, ID 83340	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	250.
SUN VALLEY SKI EDUCATION FOUNDATION PO BOX 203 SUN VALLEY, ID 83353	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	100.
FRIENDS OF THE JEWISH MUSEUM BERLIN 227 RIDGEVIEW ROAD PRINCETON, NJ 08540	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	1,000.
GERMAN AMERICAN HERITAGE FOUNDATION 719 6TH STREET NW WASHINGTON, DC 20001	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	500.
EARLHAM COLLEGE 801 NATIONAL ROAD WEST RICHMOND, VA 47374	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	10,000.
NATIONAL PARKS CONSERVATION ASSOCIATION 1300 19TH ST NW - STE 300 WASHINGTON, DC 20036	NO INDIVIDUALS GENERAL CHARITABLE	PUBLIC CHARITY	3,000.

SUN VALLEY SUMMER SYMPHONY	NO INDIVIDUALS	PUBLIC	100.
PO BOX 1914 SUN VALLEY, ID	GENERAL CHARITABLE	CHARITY	
83353			

THE PHILADELPHIA ORCHESTRA	NO INDIVIDUALS	PUBLIC	1,000.
260 SOUTH BROAD ST - STE 1600	GENERAL CHARITABLE	CHARITY	
PHILADELPHIA, PA 19102			

SUN VALLEY BALLET FOUNDATION	NO INDIVIDUALS	PUBLIC	100.
PO BOX 274 KETCHUM, ID 83340	GENERAL CHARITABLE	CHARITY	

Total to Form 990-PF, Part XV, line 3a

803,388.

THE VON DER HEYDEN FAMILY FOUNDATION
FORM 990-PF, INVESTMENTS IN COMMON STOCKS
December 31, 2009

<u>Shares</u>	<u>Common Stock</u>	<u>Book Value</u>	<u>Fair Value</u>
13,550	Altria Group Inc.	\$ 73,726	\$ 265,986
17,047	Intel Corp.	413,736	347,759
6,334	IBM Corporation	500,476	829,121
9,880	Philip Morris Int'l Inc	161,281	476,117
3,000	Pepsico Inc.	<u>185,280</u>	<u>182,400</u>
TOTALS		<u>\$ 1,334,499</u>	<u>\$ 2,101,383</u>

Form **8868**

(Rev. April 2009)

Department of the Treasury
Internal Revenue Service**Application for Extension of Time To File an
Exempt Organization Return**

► File a separate application for each return.

OMB No 1545-1709

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box ☒
 - If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form).
- Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.**

Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only ☐

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

Electronic Filing (e-file). Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit www.irs.gov/efile and click on *e-file for Charities & Nonprofits*.

Type or print File by the due date for filing your return. See instructions.	Name of Exempt Organization	Employer identification number
	THE VON DER HEYDEN FAMILY FOUNDATION	06-1410915
	Number, street, and room or suite no. If a P.O. box, see instructions. 25 CENTRAL PARK WEST, No. 24K	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. NEW YORK, NY 10023	

Check type of return to be filed (file a separate application for each return):

- | | | |
|---|---|------------------------------------|
| ☐ Form 990 | ☐ Form 990-T (corporation) | ☐ Form 4720 |
| ☐ Form 990-BL | ☐ Form 990-T (sec. 401(a) or 408(a) trust) | ☐ Form 5227 |
| ☐ Form 990-EZ | ☐ Form 990-T (trust other than above) | ☐ Form 6069 |
| ☒ Form 990-PF | ☐ Form 1041-A | ☐ Form 8870 |

KARL VON DER HEYDEN

- The books are in the care of ► 25 CENTRAL PARK WEST - NEW YORK, NY 10023

Telephone No. ► 212-571-2300

FAX No. ► _____

- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) _____. If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension will cover.

- 1** I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until August 15, 2010, to file the exempt organization return for the organization named above. The extension is for the organization's return for:
- ☒ calendar year 2009 or
- ☐ tax year beginning _____, and ending _____.

- 2** If this tax year is for less than 12 months, check reason: ☐ Initial return ☐ Final return ☐ Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a	\$	0.
b If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b	\$	672.
c Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	\$	0.

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

LHA For Privacy Act and Paperwork Reduction Act Notice, see Instructions.

Form **8868** (Rev. 4-2009)