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Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation

OMB No 1545-0052

2009

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 , 2009, and ending , 20

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 KLINGENSTEIN FUND		A Employer identification number 13-6077894
Number and street (or P O box number if mail is not delivered to street address) C/O LEE P. KLINGENSTEIN 31 OXFORD ROAD	Room/suite	B Telephone number (see page 10 of the instructions) (212) 476-9000
City or town, state, and ZIP code SCARSDALE, NY 10583		C If exemption application is pending, check here <input type="checkbox"/> D 1 Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>

H Check type of organization: ☒ Section 501(c)(3) exempt private foundation
☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 2,985,539.
J Accounting method: ☒ Cash ☐ Accrual
☐ Other (specify) _____
(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 ☐

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) (see page 11 of the instructions).)

	(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 (attach schedule). Check <input type="checkbox"/> if the foundation is not required to attach Sch. B.				
2 Interest on savings and temporary cash investments	74,097.	74,097.		ATCH 1
4 Dividends and interest from securities				
5a Gross rents				
b Net rental income or (loss)	-62,639.			
6a Net gain or (loss) from sale of assets not on line 10				
b Gross sales price for all assets on line 6a 141,124.				
7 Capital gain net income (from Part IV, line 2)				
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) (attach schedule)				
11 Other income (attach schedule)	-32,078.	-32,078.		ATCH 2
12 Total. Add lines 1 through 11	-20,620.	42,019.		
Operating and Administrative Expenses				
13 Compensation of officers, directors, trustees, etc.	0.			
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16a Legal fees (attach schedule)				
b Accounting fees (attach schedule)	9,035.	4,518.		4,517.
c Other professional fees (attach schedule)				
17 Interest				
18 Taxes (attach schedule) (see page 14 of the instructions)	3,997.	3,997.		
19 Depreciation (attach schedule) and depletion				
20 Occupancy				
21 Travel, conferences, and meetings				
22 Printing and publications				
23 Other expenses (attach schedule) ATCH 4	465.	95.		370.
24 Total operating and administrative expenses. Add lines 13 through 23	13,497.	8,610.		4,887.
25 Contributions, gifts, grants paid	523,835.			523,835.
26 Total expenses and disbursements. Add lines 24 and 25	537,332.	8,610.		528,722.
27 Subtract line 26 from line 12:				
a Excess of revenue over expenses and disbursements	-557,952.			
b Net investment income (if negative, enter -0-)		33,409.		
c Adjusted net income (if negative, enter -0-)			-0-	

For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions.

JSA ** ATCH 3

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Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value		
Assets	1	Cash - non-interest-bearing		85,502.	97,262.	97,262.
	2	Savings and temporary cash investments		239,196.	144,849.	144,849.
	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 (attach schedule) (see page 16 of the instructions)				
	7	Other notes and loans receivable (attach schedule)				
		Less: allowance for doubtful accounts				
	8	Inventories for sale or use				
	9	Prepaid expenses and deferred charges				
	10 a	Investments - U.S. and state government obligations (attach schedule)				
	b	Investments - corporate stock (attach schedule)				
	c	Investments - corporate bonds (attach schedule)				
	11	Investments - land, buildings, and equipment basis				
	Less: accumulated depreciation (attach schedule)					
12	Investments - mortgage loans					
13	Investments - other (attach schedule) ATCH 5	3,269,026.	2,793,661.	2,743,428.		
14	Land, buildings, and equipment basis					
	Less: accumulated depreciation (attach schedule)					
15	Other assets (describe)					
16	Total assets (to be completed by all filers - see the instructions. Also, see page 1, item I)	3,593,724.	3,035,772.	2,985,539.		
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 (attach schedule)				
	22	Other liabilities (describe)				
23	Total liabilities (add lines 17 through 22)					
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here <input type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.					
	24	Unrestricted				
	25	Temporarily restricted				
	26	Permanently restricted				
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. <input checked="" type="checkbox"/>					
	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	3,593,724.	3,035,772.		
	30	Total net assets or fund balances (see page 17 of the instructions)	3,593,724.	3,035,772.		
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	3,593,724.	3,035,772.		

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	3,593,724.
2	Enter amount from Part I, line 27a	2	-557,952.
3	Other increases not included in line 2 (itemize)	3	
4	Add lines 1, 2, and 3	4	3,035,772.
5	Decreases not included in line 2 (itemize)	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	3,035,772.

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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 SEE PART IV SCHEDULE					
b					
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) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))		
(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			
a					
b					
c					
d					
e					
2 Capital gain net income or (net capital loss)			2	-62,639.	
{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7					
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6):			3		
If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions). If (loss), enter -0- in Part I, line 8.					

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 page 18 of the 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	622,067.	4,523,512.	0.137519
2007	257,854.	4,101,909.	0.062862
2006	557,806.	3,871,657.	0.144074
2005	642,127.	4,031,820.	0.159265
2004	579,804.	4,395,139.	0.131919
2 Total of line 1, column (d)			2 0.635639
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 0.127128
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5			4 2,948,817.
5 Multiply line 4 by line 3			5 374,877.
6 Enter 1% of net investment income (1% of Part I, line 27b)			6 334.
7 Add lines 5 and 6			7 375,211.
8 Enter qualifying distributions from Part XII, line 4			8 528,722.

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 on page 18.

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see page 18 of the instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1.			
Date of ruling or determination letter: _____ (attach copy of ruling letter if necessary - see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b.		1	334.
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	
3 Add lines 1 and 2		3	334.
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	334.
6 Credits/Payments:			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	2,500.	
b Exempt foreign organizations-tax withheld at source	6b	0.	
c Tax paid with application for extension of time to file (Form 8868)	6c	0.	
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d	7	2,500.	
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> 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	2,166.	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax <input checked="" type="checkbox"/> 2,166. Refunded <input type="checkbox"/>	11		

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
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the 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
c 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?	X	
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 page 19 of the instructions) ▶ NY,		
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 on page 27)? 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

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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 page 20 of the 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?	13	X	
Website address <input type="checkbox"/> N/A				
14	The books are in care of <input type="checkbox"/> LEE P. KLINGENSTEIN Telephone no <input type="checkbox"/> 212-476-9000			
Located at <input type="checkbox"/> 31 OXFORD ROAD, SCARSDALE, NY ZIP + 4 <input type="checkbox"/> 10583				
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the year <input type="checkbox"/> 15			

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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Organizations relying on a current notice regarding disaster assistance check here <input type="checkbox"/>	1b	N/A
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," list the years <input type="checkbox"/>		
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 page 20 of the instructions.)	2b	N/A
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. <input type="checkbox"/>		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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.)	3b	X
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)? (see page 22 of the instructions) ☐ 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 page 22 of the instructions)? ☐ Yes ☒ No

Organizations relying on a current notice regarding disaster assistance check here ☒

5b

N/A

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? ☐ 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? ☐ Yes ☒ No

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

6b

X

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? ☐ Yes ☒ No

7b

N/A

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 (see page 22 of the instructions).

(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
ATTACHMENT 6		0.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1 - see page 23 of the instructions). 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 ☐

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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 (see page 23 of the instructions). If none, enter "NONE."

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		
Total number of others receiving over \$50,000 for professional services		NONE

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 NONE	
2	
3	
4	

Part IX-B Summary of Program-Related Investments (see page 23 of the instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.	Amount
1 NONE	
2	
All other program-related investments. See page 24 of the instructions.	
3 NONE	
Total. Add lines 1 through 3	

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Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see page 24 of the 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	2,832,863.
b	Average of monthly cash balances	1b	160,860.
c	Fair market value of all other assets (see page 24 of the instructions)	1c	0.
d	Total (add lines 1a, b, and c)	1d	2,993,723.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	2,993,723.
4	Cash deemed held for charitable activities. Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	44,906.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	2,948,817.
6	Minimum investment return. Enter 5% of line 5	6	147,441.

Part XI Distributable Amount (see page 25 of the 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	147,441.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	334.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	334.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	147,107.
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	147,107.
6	Deduction from distributable amount (see page 25 of the instructions)	6	
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	147,107.

Part XII Qualifying Distributions (see page 25 of the 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	528,722.
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	0.
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	0.
b	Cash distribution test (attach the required schedule)	3b	0.
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	528,722.
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 (see page 26 of the instructions)	5	334.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	528,388.

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.

Part XIII Undistributed Income (see page 26 of the instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				147,107.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years: 20 07, 20 06, 20 05		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004	246,871.			
b From 2005	643,775.			
c From 2006	560,483.			
d From 2007	257,854.			
e From 2008	622,067.			
f Total of lines 3a through e	2,331,050.			
4 Qualifying distributions for 2009 from Part XII, line 4: ► \$	528,722.			
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see page 26 of the instructions)		0.		
c Treated as distributions out of corpus (Election required - see page 26 of the instructions)	528,722.	ATCH 7		
d Applied to 2009 distributable amount	0.			0
e Remaining amount distributed out of corpus	147,107.			147,107.
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)				
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	2,712,665.			
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				
d Subtract line 6c from line 6b. Taxable amount - see page 27 of the instructions		0.		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see page 27 of the instructions			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) (see page 27 of the instructions)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	99,764.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	2,612,901.			
10 Analysis of line 9:				
a Excess from 2005	643,775.			
b Excess from 2006	560,483.			
c Excess from 2007	257,854.			
d Excess from 2008	622,067.			
e Excess from 2009	528,722.			

Form 990-PF (2009)

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Part XV Supplementary Information (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

<div>Recipient</div> <div>Name and address (home or business)</div>	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a Paid during the year ATTACHMENT 9				
Total.			▶ 3a	523,835.
b Approved for future payment				
Total.			▶ 3b	NONE

Form 990-PF (2009)

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				P or D	Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/ allowable	Cost or other basis	FMV as of 12/31/69	Adj. basis as of 12/31/69	Excess of FMV over adj basis		Gain or (loss)	
533.		BRISTOL MYERS SQUIBB LITIGATION PROCEEDS				P	VAR	03/20/2009
		PROPERTY TYPE: SECURITIES					533.	
140,591.		THRU COLUMBINE FAMILY LLC				P	VAR	VAR
		PROPERTY TYPE: SECURITIES					140,591.	
		THRU COLUMBINE FAMILY LLC					VAR	VAR
		203,763.					-203,763.	
TOTAL GAIN (LOSS)							<u>-62,639.</u>	

ATTACHMENT 1FORM 990PF, PART I - DIVIDENDS AND INTEREST FROM SECURITIES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>
INTEREST INCOME	39,699.	39,699.
DIVIDEND INCOME	34,398.	34,398.
TOTAL	<u>74,097.</u>	<u>74,097.</u>

ATTACHMENT 2FORM 990PF, PART I - OTHER INCOME

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
PORTFOLIO - NON-UBIT INCOME: THROUGH COLUMBINE FAMILY LLC ROYALTY INCOME	-32,097. 19.	-32,097. 19.
TOTALS	<u>-32,078.</u>	<u>-32,078.</u>

FORM 990PF, PART I - TAXES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
FOREIGN TAXES PAID	3,997.	3,997.
TOTALS	3,997.	3,997.

ATTACHMENT 4

FORM 990PF, PART I - OTHER EXPENSES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	CHARITABLE PURPOSES
NY STATE FILING FEE	250.		250.
PUBLIC INSPECTION AD	120.		120.
INVESTMENT ADVISORY FEES	95.	95.	
TOTALS	465.	95.	370.

FORM 990PF, PART II - OTHER INVESTMENTS

<u>DESCRIPTION</u>	<u>ATTACHMENT 5</u>	
	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
PARTNERSHIP INVESTMENT: COLUMBINE FAMILY LLC	2,793,661.	2,743,428.
TOTALS	<u>2,793,661.</u>	<u>2,743,428.</u>

KLINGENSTEIN FUND

13-6077894

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEESATTACHMENT 6

<u>NAME AND ADDRESS</u>	<u>TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION</u>	<u>COMPENSATION</u>	<u>CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS</u>	<u>EXPENSE ACCT AND OTHER ALLOWANCES</u>
LEE P. KLINGENSTEIN 31 OXFORD ROAD SCARSDALE, NY 10583	PRESIDENT 1.00	0.	0.	0.
PAUL H. KLINGENSTEIN 19 SEVENTH AVENUE SAN FRANCISCO, CA 94118	VICE PRESIDENT 1.00	0.	0.	0.
ALAN L. KLINGENSTEIN 924 WEST END ST., APT. 45 NEW YORK, NY 10025	TREASURER 1.00	0.	0.	0.
JOANNE K. ZIESING 55 WELLESLEY DRIVE NEW CANAAN, CT 06840	SECRETARY 1.00	0.	0.	0.
GRAND TOTALS		0.	0.	0.

FORM 990PF, PART XIII - DISTRIBUTION FROM CORPUS ELECTION

THE KLINGENSTEIN FOUNDATION HEREBY ELECTS TO TREAT \$528,722 OF THE QUALIFYING DISTRIBUTIONS OF THE FOUNDATION FOR THE YEAR ENDED DECEMBER 31, 2009 AS HAVING BEEN MADE OUT OF CORPUS IN ACCORDANCE WITH REGULATION 53.4942(A)-3(D)(2).

FOUNDATION MANAGER

DATE

FORM 990PF, PART XV - INFORMATION REGARDING FOUNDATION MANAGERS

LEE KLINGENSTEIN
PAUL KLINGENSTEIN
ALAN KLINGENSTEIN
JOANNE ZIESING

KLINGENSTEIN FUND
EIN #13-6077894
DECEMBER 31, 2009

FORM 990-PF

PART XV - GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR

ALL CONTRIBUTIONS MADE WERE FOR UNRESTRICTED CHARITABLE PURPOSES

<u>CASH DONATED TO THE FOLLOWING</u>	<u>AMOUNT</u>
92ND STREET YMHA	500
ACKERMAN INSTITUTE FOR THE FAMILY	1,000
ACLU	500
AMERICAN CANCER SOCIETY	500
AMERICAN CIVIL LIBERTIES UNION	700
AMERICAN JEWISH COMMITTEE	1,250
AMERICAN RED CROSS	100
AMERICARES	2,500
ANTI-DEFAMATION LEAGUE	1,000
ASPCA	1,000
BALTIMORE CHESAPEAKE BAY OUTWARD BOUND	1,000
BANK STREET COLLEGE OF EDUCATION	1,000
BERKSHIRE NATURAL RESOURCES COUNCIL	200
BLYTHEDALE CHILDREN'S HOSPITAL	5,000
BRAVO VAIL VALLEY MUSIC FESTIVAL	1,500
BUFFALO SEMINARY	250
CATHEDRAL SCHOOL	5,750
CENTRAL PARK CONSERVANCY	1,000
CENTRAL SYNAGOGUE	500
CHAPEL HAVEN	1,000
CITY HARVEST	1,000
CITY MEALS ON WHEELS	250
COALITION FOR A LIVABLE WEST SIDE	250
COLUMBIA UNIVERSITY SCHOOL OF LAW	250
COMMON CAUSE	500
CONGREGATION EMANU-EL OF WESTCHESTER	3,179
CORNELL JGSM	100
CORNELL LAW - PUBLIC INTEREST LAW	100
CORNELL LAW SCHOOL	4,100
DAMON RUNYON CANCER RESEARCH FUND	1,926
EAGLE VALLEY LAND TRUST	100
ELEPHANT VOICES	100
ELIZABETH MASCIA CHILD CARE CENTER	150
ELMWOOD FRANKLIN SCHOOL	100
EXPEDITIONARY LEARNING SCHOOLS	317,500
FACING HISTORY AND OURSELVES	100
FANNIE AND JOHN HERTZ FOUNDATION	10,000
FOOD BANK FOR NYC	500
FRESH AIR FUND	500
FRIENDS OF LAKE GARFIELD	500
GOUCHER COLLEGE	500
GRAND STREET SETTLEMENT	1,625

KLINGENSTEIN FUND

EIN #13-6077894

DECEMBER 31, 2009

FORM 990-PFPART XV - GRANTS AND CONTRIBUTIONS PAID DURING THE YEARALL CONTRIBUTIONS MADE WERE FOR UNRESTRICTED CHARITABLE PURPOSES

<u>CASH DONATED TO THE FOLLOWING</u>	<u>AMOUNT</u>
HAVERFORD SCHOOL	1,000
HEIFER PROJECT INTERNATIONAL	250
HORIZONS STUDENT ENRICHMENT PROGRAM	5,600
HOSPITAL FOR SPECIAL SURGERY	1,000
IDEAL SCHOOL OF MANHATTAN	100
JOHNS HOPKINS HOSPITAL	100
LEAGUE OF WOMEN VOTERS	300
LONG HOUSE	250
LWW NYS EDUCATION FUND	150
MAKE-A-WISH FOUNDATION	200
MANHATTAN INSTITUTE	1,000
MEALS ON WHEELS	500
MERCY CORPS	1,000
MONTEREY FIRE COMPANY	130
MONTEREY NEWS	100
MT. SINAI HOSPITAL	200
NARAL PRO-CHOICE AMERICA	500
NATIONAL BOARD OF REVIEW	1,200
NATIONAL PUBLIC RADIO FOUNDATION	1,000
NATURE CONSERVANCY	200
NEUBERGER/MUSEUM OF ART	1,000
NEW ORLEANS AREA HABITAT FOR HUMANITY	250
NEW YORK CARES	20
NEW YORK HISTORICAL SOCIETY	2,000
NEW YORK PHILHARMONIC	6,500
NORTH CAROLINA OUTWARD BOUND SCHOOL	1,000
NY PARKS & CONSERVATION ASSOC	250
NY TIMES NEEDIEST CASES FUND	1,000
NYC OUTWARD BOUND CENTER	1,000
ORB'S INTERNATIONAL	100
OUTWARD BOUND	6,000
PHILADELPHIA OUTWARD BOUND CENTER	1,000
PLANNED PARENTHOOD	1,250
PMC - THE JIMMY FUND	150
POLICE ATHLETIC LEAGUE	250
PRINCETON UNIVERSITY	20,375
RED CROSS	250
RIVERSIDE PARK FUND	1,000
ROSEWELL PARK CANCER INSTITUTE	100
SCAN NY	500
SCARSDALE POLICE BENEVOLENT ASSOC	100
SCARSDALE VOLUNTEER AMBULANCE CORP	100

KLINGENSTEIN FUND
EIN #13-6077894
DECEMBER 31, 2009

FORM 990-PF

PART XV - GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR

ALL CONTRIBUTIONS MADE WERE FOR UNRESTRICTED CHARITABLE PURPOSES

<u>CASH DONATED TO THE FOLLOWING</u>	<u>AMOUNT</u>
SEARCH FOR COMMON GROUND	100
SIERRA CLUB	500
SOUTHERN POVERTY LAW CENTER	100
ST JUDE CHILDREN'S RESEARCH HOSPITAL	250
SUMMER SEARCH NYC	6,000
TAFT SCHOOL	26,000
TAFT SCHOOL ANNUAL FUND	500
TAFT SCHOOL ALUMNI FUND	4,000
THE ACTORS FUND	350
THE ALLAN ROSENFELD SCHOLARS FUND	100
THE DOE FUND	250
THE HERTZBERG PALLIATIVE CARE INSTITUTE	100
THE LARK PLAY DEVELOPMENT CENTER	1,000
THE METROPOLITAN MUSEUM OF ART	500
THE SUMMER CAMP	100
THIRTEEN/WNET	100
THOMPSON ISLAND OUTWARD BOUND	1,000
THOMPSON ISLAND O/B EDUCATION CENTER	1,000
TRANSPORTATION ALTERNATIVES	1,000
TREATMENT ACTION GROUP	500
U C BERKELEY FOUNDATION	350
UJA - FEDERATION OF NY	10,000
UNIFORMED FIREFIGHTERS ASSOC	100
UNITED NEGRO COLLEGE FUND	100
UNITED WAY OF SCARSDALE EDGEMONT	1,500
US ENGLISH FOUNDATION	200
USO	700
VAIL VALLEY INSTITUTE	5,000
VAIL VALLEY MEDICAL CTR FOUNDATION	250
VISTING NURSE SERVICE OF NEW YORK	650
VOLUNTEERS OF AMERICA	500
WESTCHESTER COALITION FOR LEGAL ABORTION	50
WESTCHESTER COMMUNITY COLLEGE	550
WHITE PLAINS HOSPITAL MEDICAL CENTER	10,700
WNYC RADIO	20,580
WORLD WIDLIFE FUND	100
YALE LAW SCHOOL	500
TOTAL CASH CONTRIBUTED	<u>523,835</u>

Application for Extension of Time To File an
Exempt Organization Return

OMB No. 1545-1709

Department of the Treasury
Internal Revenue Service

► File a separate application for each return.

- If you are filing for an Automatic 3-Month Extension, complete only Part I and check this box ☒ X
- 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 KLINGENSTEIN FUND	Employer identification number 13-6077894
	Number, street, and room or suite no. If a P.O. box, see instructions C/O LEE P. KLINGENSTEIN 31 OXFORD ROAD	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. SCARSDALE, NY 10583	

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

<input type="checkbox"/> Form 990	<input type="checkbox"/> Form 990-T (corporation)	<input type="checkbox"/> Form 4720
<input type="checkbox"/> Form 990-BL	<input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust)	<input type="checkbox"/> Form 5227
<input type="checkbox"/> Form 990-EZ	<input type="checkbox"/> Form 990-T (trust other than above)	<input type="checkbox"/> Form 6069
<input checked="" type="checkbox"/> Form 990-PF	<input type="checkbox"/> Form 1041-A	<input type="checkbox"/> Form 8870

- The books are in the care of ► LEE P. KLINGENSTEIN

Telephone No ► 212 476-9000

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 08/15, 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 \$ 300
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 \$ 2500
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 \$ NONE

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

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

Form 8868 (Rev. 4-2009)

• If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only Part II and check this box ☒ **X**

Note. Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868.

• If you are filing for an **Automatic 3-Month Extension**, complete only Part I (on page 1)

Part II Additional (Not Automatic) 3-Month Extension of Time. Only file the original (no copies needed).

Type or print File by the extended due date for filing the return. See instructions.	Name of Exempt Organization KLINGENSTEIN FUND	Employer identification number 13-6077894
	Number, street, and room or suite no. If a P O box, see instructions. C/O LEE P. KLINGENSTEIN, 31 OXFORD ROAD	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. SCARSDALE, NY 10583	

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

<input type="checkbox"/> Form 990	<input checked="" type="checkbox"/> Form 990-PF	<input type="checkbox"/> Form 1041-A	<input type="checkbox"/> Form 6069
<input type="checkbox"/> Form 990-BL	<input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust)	<input type="checkbox"/> Form 4720	<input type="checkbox"/> Form 8870
<input type="checkbox"/> Form 990-EZ	<input type="checkbox"/> Form 990-T (trust other than above)	<input type="checkbox"/> Form 5227	

STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.

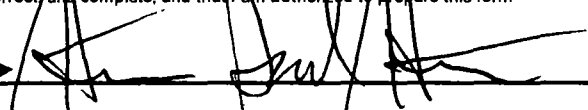


- The books are in the care of ☒ LEE P. KLINGENSTEIN
Telephone No. ☒ 212 476-9000 FAX No. ☐
- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ☐. If 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 is for.

- 4 I request an additional 3-month extension of time until 11/15/2010
- 5 For calendar year 2009, or other tax year beginning and ending
- 6 If this tax year is for less than 12 months, check reason ☐ Initial return ☐ Final return ☐ Change in accounting period
- 7 State in detail why you need the extension ALL INFORMATION NECESSARY TO FILE A COMPLETE AND ACCURATE RETURN IS NOT YET AVAILABLE.

8a 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.	8a \$ 300
8b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b \$ 2500
8c Balance Due. Subtract line 8b from line 8a. 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.	8c \$ None

Signature and Verification

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature  Title  Date 

HECHT AND COMPANY, P.C.
622 THIRD AVENUE
NEW YORK, NY 10017

Form 8868 (Rev 4-2009)