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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**Department of the Treasury  
Internal Revenue Service

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 <b>JMR BARKER FOUNDATION</b>		A Employer identification number <b>13-6268289</b>	
	C/O JAMES R. BARKER		B Telephone number <b>978-282-4776</b>	
	Number and street (or P O box number if mail is not delivered to street address) <b>10 NAOMI DRIVE</b>		Room/suite	
	City or town, state, and ZIP code <b>GLOUCESTER, MA 01930</b>		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"/> E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/> F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>	
H Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation				
I Fair market value of all assets at end of year (from Part II, col (c), line 16) <b>\$ 60,704,326.</b> (Part I, column (d) must be on cash basis)				
J Accounting method: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual <input type="checkbox"/> 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	0.		N/A	
	2 Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	222,597.	222,597.		STATEMENT 1
	4 Dividends and interest from securities	554,847.	554,847.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	2,174,327.			
	b Gross sales price for all assets on line 6a				
	7 Capital gain net income (from Part IV, line 2)		2,174,327.		
	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	11,451.	11,451.		STATEMENT 3	
12 Total. Add lines 1 through 11	2,963,222.	2,963,222.			
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	114,583.	108,854.		5,729.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees STMT 4	65,464.	13,093.		52,371.
	b Accounting fees STMT 5	39,610.	7,922.		31,688.
	c Other professional fees				
	17 Interest	7,439.	7,439.		0.
	18 Taxes STMT 6	116,902.	116,473.		429.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 7	206,803.	147,147.		59,656.
	24 Total operating and administrative expenses. Add lines 13 through 23	550,801.	400,928.		149,873.
	25 Contributions, gifts, grants paid	4,548,216.			3,060,216.
26 Total expenses and disbursements. Add lines 24 and 25	5,099,017.	400,928.		3,210,089.	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	-2,135,795.				
b Net investment income (if negative, enter -0-)		2,562,294.			
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			99,250.	33,307.	33,307.
	2 Savings and temporary cash investments			17,818,449.	11,756,210.	11,756,210.
	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				33,518.	33,518.
	10a Investments - U.S. and state government obligations STMT 10			5,613,871.	6,749,357.	7,171,060.
	b Investments - corporate stock STMT 11			4,160,608.	5,809,615.	5,474,258.
	c Investments - corporate bonds					
Liabilities	11 Investments - land, buildings, and equipment basis ▶					
	Less accumulated depreciation ▶					
	12 Investments - mortgage loans					
	13 Investments - other STMT 12			5,288,560.	10,800,241.	16,903,095.
	14 Land, buildings, and equipment basis ▶					
	Less accumulated depreciation ▶					
	15 Other assets (describe ▶ STATEMENT 13)			14,166,821.	14,078,514.	19,332,878.
	16 Total assets (to be completed by all filers)			47,147,559.	49,260,762.	60,704,326.
	17 Accounts payable and accrued expenses			28,000.	28,000.	
	18 Grants payable			2,826,555.	1,667,500.	
Net Assets or Fund Balances	19 Deferred revenue					
	20 Loans from officers, directors, trustees, and other disqualified persons					
	21 Mortgages and other notes payable					
	22 Other liabilities (describe ▶ STATEMENT 14)			102,439.	228,873.	
	23 Total liabilities (add lines 17 through 22)			2,956,994.	1,924,373.	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ <input checked="" type="checkbox"/>					
	and complete lines 24 through 26 and lines 30 and 31.					
	24 Unrestricted			44,190,565.	47,336,389.	
	25 Temporarily restricted					
	26 Permanently restricted					
	Foundations that do not follow SFAS 117, check here ▶ <input type="checkbox"/>					
	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			44,190,565.	47,336,389.		
31 Total liabilities and net assets/fund balances			47,147,559.	49,260,762.		

## 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	44,190,565.
2 Enter amount from Part I, line 27a	2	-2,135,795.
3 Other increases not included in line 2 (itemize) ▶ SEE STATEMENT 9	3	5,281,619.
4 Add lines 1, 2, and 3	4	47,336,389.
5 Decreases not included in line 2 (itemize) ▶	5	0.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	47,336,389.

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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 FIDELITY INVESTMENTS	P	VARIOUS	VARIOUS
b K-1 VARIOUS INVEST PARTNERS	P	VARIOUS	VARIOUS
c K-1 VARIOUS INVEST PARTNERS	P	VARIOUS	VARIOUS
d FIDELITY INVESTMENTS	P	VARIOUS	VARIOUS
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			2,184,890.
b			-70,382.
c			59,164.
d			655.
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			2,184,890.
b			-70,382.
c			59,164.
d			655.
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	2,174,327.
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	N/A

**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	2,747,506.	64,068,228.	.042884
2007	1,922,471.	69,712,814.	.027577
2006	2,083,692.	60,574,894.	.034399
2005	2,898,003.	46,724,182.	.062024
2004	3,022,394.	43,260,095.	.069866

  

2 Total of line 1, column (d)	2	.236750
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	.047350
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	56,048,510.
5 Multiply line 4 by line 3	5	2,653,897.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	25,623.
7 Add lines 5 and 6	7	2,679,520.
8 Enter qualifying distributions from Part XII, line 4 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.	8	3,210,089.

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**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 <input type="checkbox"/> and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of 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	25,623.
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	25,623.
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	25,623.
6 Credits/Payments:			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	95,518.	
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	95,518.	
8 Enter any penalty for underpayment of estimated tax. Check here <input checked="" 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	69,895.	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax	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
b 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
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. <input type="checkbox"/> \$ 0. (2) On foundation managers. <input type="checkbox"/> \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. <input type="checkbox"/> \$ 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) <input type="checkbox"/> <u>NY</u>		
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

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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 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 <b>N/A</b>	13	X	
14	The books are in care of <b>MAUREEN KEYES</b> Telephone no. <b>(978) 282-4776</b> Located at <b>10 NAOMI DRIVE, GLOUCESTER, MA</b> ZIP+4 <b>01930</b>			
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 <b>15</b> <b>N/A</b>			

**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 checked="" type="checkbox"/> Yes <input 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)? Organizations relying on a current notice regarding disaster assistance check here <input type="checkbox"/>	1b	X
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 <b>N/A</b>	2a	
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.) <b>N/A</b>	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 <b>N/A</b>		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3a	
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) <b>N/A</b>	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

6b

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

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

7b

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

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.

(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 15		114,583.	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		

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	
3 All other program-related investments. See instructions.	
<b>Total.</b> Add lines 1 through 3 <span style="float: right;">0.</span>	

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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	41,245,676.
b	Average of monthly cash balances	1b	15,656,365.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	56,902,041.
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	56,902,041.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	853,531.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	56,048,510.
6	Minimum investment return. Enter 5% of line 5	6	2,802,426.

**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	2,802,426.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	25,623.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	25,623.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	2,776,803.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	2,776,803.
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	2,776,803.

**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	3,210,089.
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	3,210,089.
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	25,623.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	3,184,466.

**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.

**JMR BARKER FOUNDATION**  
**C/O JAMES R. BARKER**

Form 990-PF (2009)

13-6268289

Page 9

**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				2,776,803.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			1,778,990.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ \$ 3,210,089.				
a Applied to 2008, but not more than line 2a			1,778,990.	
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				1,431,099.
e Remaining amount distributed out of corpus	0.			
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	0.			
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				1,345,704.
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	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008				
e Excess from 2009				

Form 990-PF (2009)

923581  
02-02-10

N/A

- |  |               |  |            |
|--|---------------|--|------------|
|  | 4942(i)(3) or |  | 4942(i)(5) |
|--|---------------|--|------------|

- (4) Gross investment income

[illegible]

**Part XV** **Supplementary Information (Complete this part only if the foundation had \$5,000 or more in assets at any time during the year-see the instructions.)**

**1 Information Regarding Foundation Managers:**

- a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000). (See section 507(d)(2).)

NONE

- b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest.

NONE

**2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:**

Check here ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.

- a The name, address, and telephone number of the person to whom applications should be addressed:

SEE FOOTNOTE ATTACHED

- b The form in which applications should be submitted and information and materials they should include:

SEE FOOTNOTE ATTACHED

- c Any submission deadlines:

SEE FOOTNOTE ATTACHED

- d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

SEE FOOTNOTE ATTACHED

**Part XV** **Supplementary Information** (continued)

<b>3 Grants and Contributions Paid During the Year or Approved for Future Payment</b>				
Recipient Name and address (home or business)	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
<b>a Paid during the year</b> <b>SEE ATTACHED STATEMENT</b>				
<b>Total</b>				<b>3a 3060216.</b>
<b>b Approved for future payment</b> <b>SEE ATTACHED STATEMENT</b>				
<b>Total</b>				<b>3b 1488000.</b>



<b>Part XVII</b>	<b>Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations</b>
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- |          |  | Yes   |
|----------|--|-------|
| <b>1</b> | Did the organization directly or indirectly engage in any of the following described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?  |       |
| <b>a</b> | Transfers from the reporting foundation to a noncharitable exempt organization of:   |       |
|          | (1) Cash   | 1a(1) |
|          | (2) Other assets   | 1a(2) |
| <b>b</b> | Other transactions:  |       |
|          | (1) Sales of assets to a noncharitable exempt organization   | 1b(1) |
|          | (2) Purchases of assets from a noncharitable exempt organization   | 1b(2) |
|          | (3) Rental of facilities, equipment, or other assets   | 1b(3) |
|          | (4) Reimbursement arrangements   | 1b(4) |
|          | (5) Loans or loan guarantees   | 1b(5) |
|          | (6) Performance of services or membership or fundraising solicitations   | 1b(6) |
| <b>c</b> | Sharing of facilities, equipment, mailing lists, other assets, or paid employees   | 1c    |
| <b>d</b> | 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. |       |

	Yes	No
1a(1)		X
1a(2)		X
1b(1)		X
1b(2)		X
1b(3)		X
1b(4)		X
1b(5)		X
1b(6)		X
1c		X

[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

Date \_\_\_\_\_

➔ Title

Preparer's  
signature

Date \_\_\_\_\_

☐ Check if self-employed

Preparer's identifying number

Firm's name (or yours  
if self-employed),  
address, and ZIP code

RSM MCGILADREY, INC.  
80 CITY SQUARE  
BOSTON, MA 02129-3742

EIN ▶

Phone no. 617-912-9000

Form **990-PF** (2009)

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FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

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SOURCE	AMOUNT
VARIOUS ACCOUNTS	222,597.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	222,597.

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FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

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SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
VARIOUS ACCOUNTS	554,847.	0.	554,847.
TOTAL TO FM 990-PF, PART I, LN 4	554,847.	0.	554,847.

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FORM 990-PF OTHER INCOME STATEMENT 3

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DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
VARIOUS PARTNERSHIPS	11,451.	11,451.	
TOTAL TO FORM 990-PF, PART I, LINE 11	11,451.	11,451.	

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FORM 990-PF LEGAL FEES STATEMENT 4

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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
LEGAL FEES	65,464.	13,093.		52,371.
TO FM 990-PF, PG 1, LN 16A	65,464.	13,093.		52,371.

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FORM 990-PF	ACCOUNTING FEES	STATEMENT	5
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	39,610.	7,922.		31,688.
TO FORM 990-PF, PG 1, LN 16B	39,610.	7,922.		31,688.

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FORM 990-PF	TAXES	STATEMENT	6
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FEDERAL EXCISE TAX	92,916.	92,916.		0.
FOREIGN TAXES	15,408.	15,408.		0.
PAYROLL TAXES	8,578.	8,149.		429.
TO FORM 990-PF, PG 1, LN 18	116,902.	116,473.		429.

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FORM 990-PF	OTHER EXPENSES	STATEMENT	7
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DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
TRAVEL & ENTERTAINMENT	21,793.	5,448.		16,345.
CONSULTING EXPENSE	27,136.	1,357.		25,779.
ADMINISTRATIVE EXPENSES	18,455.	923.		17,532.
PRECIOUS METALS	16,465.	16,465.		0.
OTHER PORTFOLIO EXPENSES	122,954.	122,954.		0.
TO FORM 990-PF, PG 1, LN 23	206,803.	147,147.		59,656.

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	FOOTNOTES	STATEMENT	8
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## PART XV, LINE 2- GUIDELINES FOR SUBMISSION OF GRANT REQUESTS

BEFORE A FORMAL PROPOSAL SUBMISSION IS MADE, AN ORGANIZATION REQUESTING A GRANT FROM THE FOUNDATION SHOULD SUBMIT A PRELIMINARY LETTER OF INQUIRY. THIS LETTER SHOULD BRIEFLY DESCRIBE THE PROGRAMS OF THE SPONSORING ORGANIZATION, INDICATE THE AMOUNT REQUESTED AND WHAT WILL BE ACCOMPLISHED



AS A RESULT OF THE GRANT. THIS INFORMATION SHOULD BE DETAILED ENOUGH TO ENABLE THE FOUNDATION TO DETERMINE WHETHER THE GRANT REQUEST SHOULD BE CONSIDERED FURTHER. IF THE PROPOSAL IS WITHIN THE FOUNDATION'S CURRENT INTERESTS, ADDITIONAL INFORMATION INCLUDING A BUDGET FOR THE PROJECT, AUDITED FINANCIAL STATEMENTS AND AN IRS DETERMINATION LETTER WILL BE REQUESTED.

GENERALLY, GRANTS MADE BY THE FOUNDATION RANGE IN SIZE FROM \$1,000 TO \$1,000,000. ALTHOUGH MANY OF OUR GRANTS ARE MADE IN THE GREATER NEW YORK AREA, INQUIRIES FROM ALL PARTS OF THE UNITED STATES ARE WELCOME.

THE MEETING OF THE BOARD OF DIRECTORS FOR CONSIDERATION OF PROPOSALS IS NORMALLY HELD IN DECEMBER. INITIAL LETTERS OF OF INQUIRY MUST BE SUBMITTED BY NOVEMBER 1ST IN ORDER TO BE CONSIDERED.

JMR BARKER FOUNDATION  
10 NAOMI DRIVE  
GLOUCESTER, MA 01930  
(978) 282-4776  
MARGARET B. CLARK  
PRESIDENT

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FORM 990-PF	OTHER INCREASES IN NET ASSETS OR FUND BALANCES	STATEMENT	9
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DESCRIPTION	AMOUNT
BOOK-TAX DIFFERENCE IN ACTIVITY FROM FLOW-THROUGHS	106,431.
ADJUST UNREALIZED GAINS TO ACTUAL	5,175,188.
TOTAL TO FORM 990-PF, PART III, LINE 3	5,281,619.

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FORM 990-PF	U.S. AND STATE/CITY GOVERNMENT OBLIGATIONS	STATEMENT	10
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DESCRIPTION	U.S. GOV'T	OTHER GOV'T	BOOK VALUE	FAIR MARKET VALUE
US TREASURY TIPS NOTE 2.3750%	X		1,040,587.	1,210,068.
US TREASURY TIPS NOTE 1.625%	X		1,595,643.	1,690,055.
US TREASURY TIPS NOTE 3.875%	X		0.	0.
US TREASURY TIPS NOTE 2.125%	X		4,113,127.	4,270,937.
TOTAL U.S. GOVERNMENT OBLIGATIONS			6,749,357.	7,171,060.
TOTAL STATE AND MUNICIPAL GOVERNMENT OBLIGATIONS				
TOTAL TO FORM 990-PF, PART II, LINE 10A			6,749,357.	7,171,060.

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FORM 990-PF	CORPORATE STOCK	STATEMENT	11
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DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
EQUITIES	5,809,615.	5,474,258.
TOTAL TO FORM 990-PF, PART II, LINE 10B	5,809,615.	5,474,258.

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FORM 990-PF	OTHER INVESTMENTS	STATEMENT	12
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DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
OTHER INVESTMENTS	COST	8,531,563.	14,418,733.
AUSTRALIAN GOVERNMENT BONDS 5.750%	COST	2,268,678.	2,484,362.
TOTAL TO FORM 990-PF, PART II, LINE 13		10,800,241.	16,903,095.

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FORM 990-PF	OTHER ASSETS	STATEMENT	13
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DESCRIPTION	BEGINNING OF YR BOOK VALUE	END OF YEAR BOOK VALUE	FAIR MARKET VALUE
INVESTMENT IN MUTUAL FUNDS	14,063,879.	14,008,666.	19,263,030.
INTEREST RECEIVABLES	102,942.	69,848.	69,848.
TO FORM 990-PF, PART II, LINE 15	14,166,821.	14,078,514.	19,332,878.

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FORM 990-PF	OTHER LIABILITIES	STATEMENT	14
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DESCRIPTION	BOY AMOUNT	EOY AMOUNT
DEFERRED TAX LIABILITY	102,439.	228,873.
TOTAL TO FORM 990-PF, PART II, LINE 22	102,439.	228,873.

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FORM 990-PF                      PART VIII - LIST OF OFFICERS, DIRECTORS                      STATEMENT 15  
    TRUSTEES AND FOUNDATION MANAGERS

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NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN- SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
JAMES R. BARKER 10 NAMOI DRIVE GLOUCESTER, MA 01930	VP, CFO & DIRECTOR 20.00	114,583.	0.	0.
RICHARD KAHN 224 WEST LAKE DRIVE MONTAUK, NY 11954	DIRECTOR 0.00	0.	0.	0.
W.B. BARKER 23910 NORTH LINE CAMP SAN ANTONIO, TX 78255	VP & DIRECTOR 0.00	0.	0.	0.
MARGARET BARKER CLARK P.O. BOX 743 SAXTONS RIVER, VT 05154	PRESIDENT & DIRECTOR 0.00	0.	0.	0.
JOHN W. HOLMAN, JR. HINTZ, HOLMAN & ROBILLARD, INC, 4 CONNELL DRIVE, SUITE 5100 BERKELEY HTS, NJ 07922	DIRECTOR 0.00	0.	0.	0.
ROBERT P. CONNOR 120 BROMPTON ROAD GARDEN CITY, NY 11530	TR/ ASST SECR & DIRECTOR 0.00	0.	0.	0.
MAUREEN A. HOPKINS 1370 AVENUE OF THE AMERICAS NEW YORK, NY 10019	SECRETARY 0.00	0.	0.	0.
MARGARET S. BARKER MOORE 5301 APACHE CREEK COVE AUSTIN, TX 78735	DIRECTOR 0.00	0.	0.	0.
WILLIAM S. BARKER 6 WILSON STREET NORTH BILLERICA, MA 01862	DIRECTOR 0.00	0.	0.	0.
TROY Y. MURRAY 47 WINGATE ROAD WELLESLEY, MA 02481	DIRECTOR 0.00	0.	0.	0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		114,583.	0.	0.

**JMR Barker Foundation****EIN 13-6268289****Schedule of Program Grants or Contributions****2009 Form 990-PF, Part XV, Line 3a**

<u>Charitable Organization</u>	<u>Relationship To Foundation</u>	<u>Foundation Status</u>	<u>Purpose of Grant or Contribution</u>	<u>2009 Grant</u>
Rockport Chamber Music Festival	None	None	General	100,000
St Peter's Preparatory School	None	None	General	500
Child, Inc	None	None	General	110,000
Soli Chamber Ensemble	None	None	General	5,000
Rockport Chamber Music Festival	None	None	General	532,000
Rockport Chamber Music Festival	None	None	General	25,000
RGK Center for Philanthropy & Comm Svc	None	None	General	50,000
Kistner Foundation	None	None	General	5,000
Poets & Writers	None	None	General	5,000
Open Door Preschool	None	None	General	75,000
The Open Door	None	None	General	10,000
New Jersey Seeds, Inc,	None	None	General	10,000
Newton-Wellesley Hospital	None	None	General	15,000
Mother's Milk Bank of Austin	None	None	General	35,000
Massachusetts Institute of Technology	None	None	General	226,466
Manhattan Institute for Policy Research	None	None	General	5,000
Piedmont Environmental	None	None	General	75,000
Literacy Coalition of Central Texas	None	None	General	10,000
Kimball Union Academy	None	None	General	425,000
Horizons for Homeless Children	None	None	General	5,000
Historic Cherry Hill	None	None	General	10,000
Girlstart	None	None	General	10,000
Families of Spinal Muscular	None	None	General	5,000
E3 Alliance	None	None	General	7,500
Cornell Cooperative	None	None	General	25,000
Concerned Citizens of Montauk	None	None	General	10,000
Byte Back, Inc	None	None	General	50,000
The Bridge Fund of New York, Inc	None	None	General	10,000
Boston Lyric Opera	None	None	General	10,000
Austin Partners in Education	None	None	General	75,000
AMC Maine Woods Initiative	None	None	General	100,000
St Anselm College	None	None	General	25,000
Wheelchair & Sports Recreation Assoc	None	None	General	5,000
Gloucester Education Foundation	None	None	General	243,750
Northfield Mount Hermon School	None	None	General	200,000
ALS Association South Texas Chapter	None	None	General	50,000
Amazon Conservation Team	None	None	General	400,000
Cottonwood Gulch	None	None	General	15,000
The Grammar School	None	None	General	5,000
Prison University	None	None	General	10,000
United Way Capital Area	None	None	General	50,000
Visting Nurse & Home & Hospice Care	None	None	General	10,000
Karme Choling	None	None	General	10,000
				<u>3,060,216</u>

**JMR Barker Foundation**

**EIN 13-6268289**

**Schedule of Program Grants or Contributions Approved for Future Payment**

**2009 Form 990-PF, Part XV, Line 3b**

<u>Charitable Organization</u>	<u>Relationship To Foundation</u>	<u>Foundation Status</u>	<u>Purpose of Grant or Contribution</u>	<u>Amount</u>
Kimball Union Academy	None	None	General	1,181,000
Northfield Mount Hermon School	None	None	General	175,000
Rockport Chamber Music Festival	None	None	General	311,500
<b>Total 2008 Grant and Contributions Approved for Future Payment</b>				<u><u>1,667,500</u></u>