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Return of Private Foundation

OMB No 1545-0052

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

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 changeUse the IRS
label.
Otherwise,
print
or type
See Specific
Instructions.

Name of foundation

THE FUGITT FOUNDATION

Number and street (or P.O. box number if mail is not delivered to street address)

P.O. BOX 1226

Room/suite

City or town, state, and ZIP code

MCLESTER, OK 74502

A Employer identification number

20-1189418

B Telephone number

(918) 429-3150

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 ☐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 ☐

H Check type of organization:

☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust☐ Other taxable private foundationFair market value of all assets at end of year
(from Part II, col (c), line 16)

\$ 4,039,633. (Part I, column (d) must be on cash basis)

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)

1 Contributions, gifts, grants, etc., received

176,663.

N/A

2 Check ☐ if the foundation is not required to attach Sch. B3 Interest on savings and temporary
cash investments

49,479.

49,479.

STATEMENT 1

4 Dividends and interest from securities

36,389.

36,389.

STATEMENT 2

5a Gross rents

b Net rental income or (loss)

6a Net gain or (loss) from sale of assets not on line 10

<40,000.>

b Gross sales price for all
assets on line 6a

1,730,790.

7 Capital gain net income (from Part IV, line 2)

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

3,572.

3,572.

STATEMENT 3

12 Total Add lines 1 through 11

226,103.

89,440.

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 4

2,400.

2,400.

0.

c Other professional fees

STMT 5

25,397.

25,397.

0.

17 Interest

18 Taxes

STMT 6

460.

460.

0.

19 Depreciation and depletion

20 Occupancy

21 Travel, conferences, and meetings

22 Printing and publications

23 Other expenses

STMT 7

121.

121.

0.

24 Total operating and administrative
expenses Add lines 13 through 23

28,378.

28,378.

0.

25 Contributions, gifts, grants paid

101,769.

101,769.

26 Total expenses and disbursements
Add lines 24 and 25

130,147.

28,378.

101,769.

27 Subtract line 26 from line 12:

a Excess of revenue over expenses and disbursements

95,956.

b Net investment income (if negative, enter -0-)

61,062.

c Adjusted net income (if negative, enter -0-)

N/A

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			
	2 Savings and temporary cash investments	1,844,134.	214,127.	214,127.
	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 STMT 8	0.	1,125,085.	1,138,678.
	b Investments - corporate stock STMT 9	1,037,917.	1,246,641.	1,320,899.
	c Investments - corporate bonds STMT 10	902,762.	357,301.	354,029.
	11 Investments - land, buildings, and equipment basis ▶ Less: accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 11	0.	937,615.	1,011,900.
14 Land, buildings, and equipment: basis ▶ Less: accumulated depreciation ▶				
15 Other assets (describe ▶)				
16 Total assets (to be completed by all filers)	3,784,813.	3,880,769.	4,039,633.	
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 ▶ ☐ 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.			
	27 Capital stock, trust principal, or current funds	0.	0.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	3,784,813.	3,880,769.	
30 Total net assets or fund balances	3,784,813.	3,880,769.		
31 Total liabilities and net assets/fund balances	3,784,813.	3,880,769.		

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	3,784,813.
2 Enter amount from Part I, line 27a	2	95,956.
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	3,880,769.
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	3,880,769.

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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 SEE ATTACHED STATEMENT			
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 1,730,790.		1,770,790.	<40,000.>

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			<40,000.>

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	<40,000.>
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	340,594.	3,983,939.	.085492
2007	320,110.	5,016,942.	.063806
2006	255,037.	4,926,657.	.051767
2005	62,027.	2,114,006.	.029341
2004	103,000.	274,956.	.374605

2 Total of line 1, column (d)	2	.605011
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	.121002
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	3,634,109.
5 Multiply line 4 by line 3	5	439,734.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	611.
7 Add lines 5 and 6	7	440,345.
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	101,769.

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)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☐ and enter 1% of Part I, line 27b		1	1,221.
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	1,221.
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	1,221.
6 Credits/Payments:			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	880.	
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c	4,000.	
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d	7	4,880.	
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	3,659.	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax ☐ 1,240. Refunded ☐	11	2,419.	

Part VII-A Statements Regarding Activities

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?		Yes	No
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	2		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	3		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?	4a		X
b If "Yes," has it filed a tax return on Form 990-T for this year?	4b		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T	5		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?	6	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.	7	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☐ OK			
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	8b	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	9		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	10		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?	13	X	

Website address ► N/A

14 The books are in care of ► GARY FUGITT Telephone no. ► (918) 429-3150
 Located at ► P.O. BOX 1226, MCALESTER, OK ZIP+4 ► 74502

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 <u>N/A</u> ☐	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.) <u>N/A</u>	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) <u>N/A</u>	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
GARY FUGITT P.O. BOX 1226 MCALESTER, OK 74502	TRUSTEE 2.00	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		

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	
	0.
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	2,514,521.
b	Average of monthly cash balances	1b	1,174,930.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	3,689,451.
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	3,689,451.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	55,342.
5	Net value of noncharitable-use assets Subtract line 4 from line 3. Enter here and on Part V, line 4	5	3,634,109.
6	Minimum investment return. Enter 5% of line 5	6	181,705.

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	181,705.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	1,221.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	1,221.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	180,484.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	180,484.
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	180,484.

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	101,769.
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	101,769.
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	0.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	101,769.

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				180,484.
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	51,576.			
b From 2005				
c From 2006	11,800.			
d From 2007	75,488.			
e From 2008	142,256.			
f Total of lines 3a through e	281,120.			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ \$	101,769.			
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				101,769.
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))	78,715.			78,715.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	202,405.			
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	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	202,405.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007	60,149.			
d Excess from 2008	142,256.			
e Excess from 2009				

N/A

- ☐ 4942(j)(3) or ☐ 4942(j)(5)

- (4) Gross investment income

[illegible]

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

Part XV	Supplementary Information (continued)
----------------	--

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	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
Name and address (home or business)				
a Paid during the year				
SEE STATEMENT 12				
Total			▶ 3a	101,769.
b Approved for future payment				
NONE				
Total			▶ 3b	0.

Part XVII

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

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

(2) Other assets

b Other transactions:

(1) Sales of assets to a noncharitable exempt organization

(2) Purchases of assets from a noncharitable exempt organization

(3) Rental of facilities, equipment, or other assets

(4) Reimbursement arrangements

(5) Loans or loan guarantees

(6) Performance of services or membership or fundraising solicitations

c Sharing of facilities, equipment, mailing lists, other assets, or paid employees

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.

	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

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

PETERS & CHANDLER, P.C.
2601 N.W. EXPRESSWAY 600 EAST
OKLA CITY, OK 73112

Date _____

Check if self-employee

FIN ▶

Preparer's identifying number

Phone no. (405) 843-9371

Form **990-PF** (2009)

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

Employer identification number

THE FUGITT FOUNDATION**20-1189418**

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 THE FUGITT FOUNDATION	Employer identification number 20-1189418
--	---

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	GARY FUGITT P.O. BOX 1226 MCALESTER, OK 74502	\$ 176,663.	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)
			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)

Employer identification number

20-1189418

[illegible]

THE FUGITT FOUNDATION

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 MORGAN STANELY #11532-SEE ATTACHED		P	VARIOUS	VARIOUS
b MORGAN STANELY #11532-SEE ATTACHED		P	VARIOUS	VARIOUS
c HERITAGE TRUST-SEE ATTACHD SCHEDULE		P	VARIOUS	VARIOUS
d HERITAGE TRUST-SEE ATTACHD SCHEDULE		P	VARIOUS	VARIOUS
e MORGAN STANELY #11532-RETURN OF PRINCIPAL		P	VARIOUS	VARIOUS
f CAPITAL GAINS DIVIDENDS				
g				
h				
i				
j				
k				
l				
m				
n				
o				

(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 484,281.		502,020.	<17,739.>
b 97,782.		103,339.	<5,557.>
c 591,807.		552,192.	39,615.
d 524,912.		582,836.	<57,924.>
e 30,403.		30,403.	0.
f 1,605.			1,605.
g			
h			
i			
j			
k			
l			
m			
n			
o			

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) Losses (from col. (h)) Gains (excess of col. (h) gain over col. (k), but not less than "-0-")
a			<17,739.>
b			<5,557.>
c			39,615.
d			<57,924.>
e			0.
f			1,605.
g			
h			
i			
j			
k			
l			
m			
n			
o			

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	<40,000.>
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

Reserved
Client Statement
2009 Year End Summary

GARY FUGITT

Account Number 422-11532-18 284

Details of Additional Summary Information 2009

Other Income This amount represents distributions with respect to investments such as limited partnerships, and certain trusts, which are subject to IRS Schedules K-1 reporting. Schedules K-1 are issued directly by the partnership or trust.

Reference number	Description	Amount	Federal Income tax withheld	NRA tax withheld	Foreign tax withheld
170000100	*** TEEKAY LNG PARTNERS L P	\$ 285.00			
170000200	ENTERPRISE GP HLDGS L P UNIT LTD PARTNERSHIP INT	92.64			
170000300	LINN ENERGY LLC COMMON UNITS	165.06			
Totals		\$ 542.70			

Details of Short Term Gain (Loss) 2009

This section shows your sales of securities during the year. The "Sale Proceeds" column excludes any accrued income you may have received. In addition, although cash in lieu less than \$20 is not included on Form 1099-B (if applicable), it is included in this section. Please note, this material is being prepared for informational purposes only and should not be used for tax preparation without the assistance of your tax advisor. For additional information regarding this section see enclosed brochure.

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Original Cost Adjusted Cost	Original Gain/(Loss) Adjusted Gain/(Loss)	Ordinary Income Capital Gain/(Loss)
125000010	20,000	FEDERAL HOME LOAN BANK CONS BONDS-BK/ENTRY DTD 01/22/07 DUE 01/22/2014 RATE 5.500	09/25/08	01/22/09	\$ 20,000.00	\$ 20,070.00 \$ 20,000.00	(\$ 70.00) \$ 0.00	\$ 0.00 \$ 0.00
125000020	25,000	FEDERAL HOME LOAN BANK CONS BDS BOOK/ENTRY DTD 01/22/2007 DUE 01/22/2014 RATE 5.450	09/25/08	01/22/09	25,000.00	25,062.50 25,000.00	(62.50) 0.00	0.00 0.00
125000030	25,000	FEDERAL HOME LOAN BANK CONS BDS BOOK/ENTRY DD 2/6/2007 DUE 02/06/2015 RATE 5.500	09/02/08	02/06/09	25,000.00	25,447.50 25,000.00	(447.50) 0.00	0.00 0.00
125000040	25,000	FEDERAL HOME LOAN BANK CONS BDS BOOK/ENTRY DTD 02/09/07 DUE 02/09/2012 RATE 5.450	09/02/08	02/09/09	25,000.00	25,250.00 25,000.00	(250.00) 0.00	0.00 0.00

2 0 0 9 Y E A R E N D S U M M A R Y

Ref: 00020546 00121407

GARY FUGITT

Account Number 422-11532-18 284

Details of Short Term Gain (Loss) 2009 - continued

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Original Cost Adjusted Cost	Original Gain/(Loss) Adjusted Gain/(Loss)	Ordinary Income Capital Gain/(Loss)
125000050	15,000	FEDERAL HOME LOAN BANK CONS BDS BOOK/ENTRY DTD 07/30/07 DUE 07/30/2012 RATE 5.600	09/02/08	01/30/09	\$ 15,000.00	\$ 15,246.00 \$ 15,000.00	(\$ 246.00) \$ 0.00	\$ 0.00 \$ 0.00
125000060	50,000	FEDERAL HOME LOAN BANK CONS BDS BOOK/ENTRY DTD 02/19/2008 DUE 02/19/2015 RATE 4.750	09/02/08	02/17/09	15,889.80	15,179.82 15,179.82	709.98 709.98	225.63 484.35
125000070	15,000	FEDERAL FARM CREDIT BANK CONS BONDS BOOK/ENTRY DTD 05/15/2003 DUE 05/15/2018 RATE 5.000	09/04/08	01/26/09	15,000.00	14,774.30 14,774.30	225.70 225.70	0.00 225.70
125000080	50,000	FEDERAL FARM CREDIT BANK CONS BONDS BK/ENTRY DTD 6/9/03 DUE 06/09/2017 RATE 4.970	09/04/08	02/04/09	50,000.00	49,680.00 49,680.00	320.00 320.00	320.00 0.00
125000090	50,000	FEDERAL FARM CREDIT BANK CONS BONDS-BK/ENTRY DTD 01/20/06 DUE 01/20/2016 RATE 5.650	09/04/08	01/20/09	50,000.00	50,362.50 50,000.00	(362.50) 0.00	0.00 0.00
125000100	25,000	FEDERAL FARM CREDIT BANK CONS BDS BOOK/ENTRY DTD 07/20/2007 DUE 07/20/2012 RATE 5.850	09/02/08	01/20/09	25,000.00	25,330.00 25,000.00	(330.00) 0.00	0.00 0.00
125000110	50,000	FEDERAL FARM CREDIT BANK CONS BDS BOOK/ENTRY DTD 01/23/08 DUE 01/23/2017 RATE 5.150	09/04/08	01/23/09	50,000.00	50,156.25 50,000.00	(156.25) 0.00	0.00 0.00
125000120	30,000	FEDERAL FARM CREDIT BANK CONS BDS BOOK/ENTRY DTD 02/05/08 DUE 02/05/2018 RATE 4.900	09/04/08	03/06/09	30,000.00	29,554.44 29,554.44	445.56 445.56	445.56 0.00
125000130	10,000	FEDERAL HOME LN BKS CONS BD DTD 05/28/2003 4.42% MTY 05/28/2013 DUE 05/28/2013 RATE 4.420	09/02/08	03/02/09	10,000.00	9,897.65 9,897.65	102.35 102.35	102.35 0.00

2 0 0 9 Y E A R E N D S U M M A R Y

Ref: 00020546 00121408

GARY FUGITT

Account Number 422-11532-18 284

Details of Short Term Gain (Loss) 2009 - continued

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Original Cost Adjusted Cost	Original Gain/(Loss) Adjusted Gain/(Loss)	Ordinary Income Capital Gain/(Loss)
125000150	200	H J HEINZ CO	09/23/08	02/18/09	\$ 6,498.46	\$ 10,077.46	(\$ 3,579.00)	\$ 0.00
	300		10/16/08		9,747.69	\$ 10,077.46	(\$ 3,579.00)	\$ 0.00
						12,232.89	(2,485.20)	0.00
						12,232.89	(2,485.20)	0.00
125000160	200	KELLOGG CO	09/23/08	01/22/09	8,859.81	11,208.60	(2,348.79)	0.00
						11,208.60	(2,348.79)	0.00
125000170	400	KROGER CO	09/23/08	02/13/09	8,575.27	10,843.20	(2,267.93)	0.00
						10,843.20	(2,267.93)	0.00
125000180	250	MCCORMICK & CO INC NON-VOTING Morgan Stanley Sml th Barney LLC acted as yo ur agent in this transa	09/23/08	06/04/09	7,718.53	9,857.38	(2,138.85)	0.00
						9,857.38	(2,138.85)	0.00
125000190	380	MICROSOFT CORP	03/04/08	02/27/09	6,167.37	10,343.60	(4,176.23)	0.00
	1,000		10/13/08		16,229.91	10,343.60	(4,176.23)	0.00
						22,970.00	(6,740.09)	0.00
						22,970.00	(6,740.09)	0.00
125000210	125	RIO TINTO PLC-GBP	03/12/09	05/12/09	20,581.97	14,153.16	6,428.81	0.00
						14,153.16	6,428.81	0.00
125000220	275	RIO TINTO PLC-GBP SALE OF RTS ON 275,0000 SHS	07/10/09	07/10/09	6,278.90	.01	6,278.89	0.00
						.01	6,278.89	0.00
125000230	400	TELEFONOS DE MEXICO SP ADR SPONSORED ADR REPSTG SH SR L Morgan Stanley Sml th Barney LLC acted as yo	09/23/08	07/20/09	6,586.91	10,208.00	(3,621.09)	0.00
						10,208.00	(3,621.09)	0.00
125000240	16,000	TENNESSEE VALLEY AU ELECTRONOTES BK/ENTRY DD 10/31/02 DUE 10/15/2015 RATE 5 050	09/25/08	03/19/09	16,000.00	15,824.00	176.00	0.00
						15,824.00	176.00	176.00
125000250	5,000	TENNESSEE VALLEY AUTHORITY ELECTRONOTES BK/ENTRY DTD 8/28/03 DUE 08/15/2015 RATE 5 125	09/25/08	03/19/09	5,000.00	4,937.50	62.50	0.00
						4,937.50	62.50	62.50
125000260	4,000	TENNESSEE VALLEY AU ELECTRONOTES BOOK/ENTRY DD 9/18/03 DUE 09/15/2016 RATE 4 950	09/25/08	03/19/09	4,000.00	3,921.60	78.40	0.00
						3,921.60	78.40	78.40
								0.00

2009 YEAR END SUMMARY

Reserved Client Statement 2009 Year End Summary

MorganStanley
SmithBarney

Ref. 00020546 00121409

GARY FUGITT

Account Number 422-11532-18 284

Details of Short Term Gain (Loss) 2009 - continued

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Original Cost Adjusted Cost	Original Gain/(Loss) Adjusted Gain/(Loss)	Ordinary Income Capital Gain/(Loss)
125000270	150	UNION PACIFIC CORP	09/23/08	01/16/09	\$ 6,146.24	\$ 11,356.43	(\$ 5,210.19)	\$ 0.00
						\$ 11,356.43	(\$ 5,210.19)	\$ 0.00
Total					\$ 484,280.86	\$ 503,944.79	(\$ 19,663.93)	\$ 1,234.44
						\$ 502,020.04	(\$ 17,739.18)	\$ 886.05

2009

Details of Long Term Gain (Loss) 2009

This section shows your sales of securities during the year. The "Sale Proceeds" column excludes any accrued income you may have received. In addition, although cash in lieu less than \$20 is not included on Form 1099-B (if applicable), it is included in this section. Please note, this material is being prepared for informational purposes only and should not be used for tax preparation without the assistance of your tax advisor. For additional information regarding this section see enclosed brochure.

Y E A R E N D S U M M A R Y

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Original Cost Adjusted Cost	Original Gain/(Loss) Adjusted Gain/(Loss)	Ordinary Income Capital Gain/(Loss)
125000140	171	GENENTECH INC	12/12/06	04/21/09	\$ 16,245.00	\$ 14,382.81	\$ 1,862.19	\$ 0.00
	473		07/10/07		44,935.00	\$ 14,382.81	\$ 1,862.19	\$ 0.00
						36,071.83	8,863.17	0.00
						36,071.83	8,863.17	0.00
125000190	520	MICROSOFT CORP	07/13/07	02/27/09	8,439.55	15,600.00	(7,160.45)	0.00
	280		09/21/07		4,544.37	15,600.00	(7,160.45)	0.00
						8,052.80	(3,508.43)	0.00
						8,052.80	(3,508.43)	0.00
125000200	164	RWE AG SPONS ADR -USD	12/16/04	02/18/09	11,162.27	8,733.00	2,429.27	0.00
	78		12/12/06		5,308.88	8,733.00	2,429.27	0.00
						9,106.50	(3,797.62)	0.00
	105		07/10/07		7,146.57	9,106.50	(3,797.62)	0.00
						11,392.50	(4,245.93)	0.00
						11,392.50	(4,245.93)	0.00
Total					\$ 97,781.64	\$ 103,339.44	(\$ 5,557.80)	\$ 0.00
						\$ 103,339.44	(\$ 5,557.80)	\$ 0.00

0092*

PREPARED FOR ACCOUNT # 56 00 2953 1 OF - FUGITT FOUNDATION
 GARY & RUYANA FUGITT, CO-TRUSTEES
 HERITAGE TRUST COMPANY, MANAGEMENT AGENT
 FOR TAX YEAR ENDED 12/31/2009

ACCOUNT SITUS =
 TAX ID# = 201189418
 STATE TAX ID# =

PAGE 1

SECTION A - CAPITAL GAINS & LOSSES

SHARES/PAR	SECURITY	REG	SHORT TERM SALES & MATURITIES		CAPITAL PROCEEDS TO		COST BASIS	SHORT TERM GAIN OR LOSS
			ACQUIRED DATE	SOLD DATE	INCOME CASH	PRINCIPAL CASH		
500.0000	TEEKAY LNG PARTNERS L P	0	07/15/09	08/14/09	10843.72		-10056.65	787.07
300.0000	PRTNRS UNITS (Y8564M105)	0	09/23/08	08/14/09	10334.73		-10538.67	-203.94
150.0000	CVS CAREMARK CORPORATION COM (126650100)	0	09/23/08	08/14/09	10205.73		-13077.00	-2871.27
500.0000	CHEVRON CORP NEW COM (166764100)	0	09/23/08	08/14/09	24317.37		-22980.76	1336.61
150.0000	CHUBB CORP COM (171232101)	0	09/23/08	08/14/09	10678.22		-11035.50	-357.28
1000.0000	COLGATE PALMOLIVE CO COM (194162103)	0	10/13/08	08/14/09	19169.50		-18062.20	1107.30
500.0000	CONAGRA FOODS INC COM (205887102)	0	07/20/09	08/14/09	10137.73		-9,479.90	657.83
300.0000	EV ENERGY PARTNERS LP COM UNITS (26926V107)	0	07/10/09	08/14/09	13082.66		-10,889.26	2,193.40
300.0000	ENBRIDGE ENERGY PARTNERS LP (29250R106)	0	07/10/09	08/14/09	12725.67		-11,745.91	979.76
191.0000	ENERGY TRANSFER PARTNRS UNIT LTD PARTN (29273R109)	0	02/13/09	08/14/09	5564.13		-4,235.31	1,328.82
496.0000	ENTERPRISE GP HLDGS L P UNIT LP INT (293716106)	0	10/07/08	08/14/09	18989.27		-19940.62	-951.35
258.0000	GLAXOSMITHKLINE PLC SPONSORED ADR (37733W105)	0	01/22/09	08/14/09	9980.08		-8901.54	1078.54
500.0000	HERSHEY CO COM (427866108)	0	05/04/09	08/14/09	29747.23		-24473.95	5273.28
500.0000	ISHARES INC MSCI BRAZIL (464286400)	0	06/09/09	08/14/09	20457.47		-19024.00	1433.47
500.0000	ISHARES TR INDEX FTSE XNHUA IDX (464287184)	0	06/09/09	08/14/09	19467.49		-17990.50	1476.99
500.0000	ISHARES TR INDEX S&P 500 (464287390)	0	09/23/08	08/14/09	10526.22		-10419.73	106.49
250.0000	JPMORGAN CHASE & CO COM (46625H100)	0	09/23/08	08/14/09	7591.55		-10602.38	-3010.83
175.0000	JACOBS ENGR GROUP INC COM (469814107)	0	09/04/09	09/24/09	18237.53		-18060.00	177.53
300.0000	JOHNSON & JOHNSON COM (478160104)	0	02/13/09	08/14/09	5856.64		-4292.11	1564.53
262.0000	LINN ENERGY LLC UNIT LTD LIAB (536020100)	0	07/10/09	08/14/09	11165.71		-10,504.36	661.35
300.0000	MAGELLAN MIDSTREAM PARTNRS LP COM UNIT RP LP (559080106)	0	08/26/09	12/07/09	21.41		-19.38	2.03
0.7903	MARRIOTT INTL INC NEW CL A (571903202)	0	07/15/09	08/14/09	7486.54		-6,221.46	1,265.08
300.0000	MARTIN MIDSTREAM PARTNRS UNIT L P INT (573331105)	0	10/13/08	08/14/09			-14224.30	-489.16
250.0000	MCDONALDS CORP COM (580135101)	0						

Heritage Trust Company
 2802 W Country Club Drive
 P.O. Box 21708
 Oklahoma City, OK 73156-1708

0092

PREPARED FOR ACCOUNT # 56 00 2953 1 OF - FUGITT FOUNDATION
 GARY & RUYANA FUGITT, CO-TRUSTEES
 HERITAGE TRUST COMPANY, MANAGEMENT AGENT
 FOR TAX YEAR ENDED 12/31/2009

ACCOUNT SITUS =
 TAX ID# = 201189418
 STATE TAX ID# =

PAGE 2

SECTION A - CAPITAL GAINS & LOSSES

SHARES/PAR	SECURITY	REG	SHORT TERM SALES & MATURITIES		CAPITAL PROCEEDS TO		COST BASIS	SHORT TERM GAIN OR LOSS
			ACQUIRED DATE	SOLD DATE	INCOME CASH	PRINCIPAL CASH		
100.0000	MONSANTO CO (NEW) COM (61166W101)	0	09/23/08	08/14/09	8026.79		-11468.76	-3441.97
500.0000	NIKE INC CL B (654106103)	0	04/02/09	08/14/09	28242.27		-25484.65	2757.62
150.0000	MORFOLK SOUTHERN CORP COM (655844108)	0	09/23/08	08/14/09	7031.81		-10318.50	-3286.69
800.0000	OGE ENERGY CORP COM (670837103)	0	09/23/08	08/14/09	24783.36		-21513.00	3270.36
222.0000	ONEOK INC NEW COM (682680103)	0	11/06/08	08/14/09	7643.58		-6443.53	1200.05
500.0000	PRAXAIR INC COM (74005P104)	0	03/12/09	08/14/09	37647.03		-31148.60	6498.43
1000.0000	QUALCOMM INC COM (747525103)	0	03/25/09	08/14/09	45838.82		-37865.30	7973.52
275.0000	RIO TINTO PLC SP ADR (767204100)	0	03/12/09	08/17/09	40902.18		-32758.53	8143.65
500.0000	TARGA RESOURCES PARTNERS LP COM UNIT (87611X105)	0	07/15/09	08/14/09	8437.78		-7088.65	1,349.13
5000.0000	TENNESSEE VY AUTH ELECTRONICS MTNF 4.600210/15/14 (88059TB9)	0	09/25/08	09/25/09	5000.00		-4898.47	101.53
3000.0000	TENNESSEE VY AUTH ELECTRONICS MTNF 4.800211/15/15 (88059TBL4)	0	09/25/08	09/25/09	3000.00		-2970.00	30.00
47000.0000	TENNESSEE VY AUTH ELECTRONICS MTNF 4.7502 5/15/18 (88059TCA7)	0	09/25/08	09/25/09	47000.00		-45190.50	1809.50
18000.0000	TENNESSEE VY AUTH ELECTRONICS MTNF 4.5002 7/15/15 (88059TDE8)	0	09/25/08	09/25/09	18000.00		-17415.00	585.00
175.0000	UNITED TECHNOLOGIES CORP COM (913017109)	0	09/23/08	08/14/09	9931.24		-10852.80	-921.56
	TOTAL SHORT TERM SALES & MATURITIES				591806.60		552,191.78	39,614.82

LONG TERM SALES & MATURITIES

SHARES/PAR	SECURITY	REG	LONG TERM SALES & MATURITIES		CAPITAL PROCEEDS TO		COST BASIS	LONG TERM GAIN OR LOSS
			ACQUIRED DATE	SOLD DATE	INCOME CASH	PRINCIPAL CASH		
500.0000	AMGEN INC COM (031162100)	0	07/19/07	08/14/09	30132.22		-27761.90	2370.32
584.0000	APPLE INC COM (037833100)	0	05/03/06	08/14/09	97137.87		-48265.81	48872.06

LONG TERM SALES & MATURITIES

(904767704
TOTAL LONG TERM SALES & MATURITIES

LONG TERM CAPITAL GAIN DIVIDENDS

STRATEGY FD 1 (722005667)
TOTAL LONG TERM CAPITAL GAIN DIVIDENDS

TOTAL LONG TERM GAIN & LOSSES

TOTAL CAPITAL GAINS & LOSSES

* - SEE POTENTIAL WASH SALE SECTION

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

SOURCE	AMOUNT
HERITAGE TRUST-AMORTIZATION OF PREMIUM	<904.>
HERITAGE TRUST-INTEREST INCOME	23,284.
MORGAN STANLEY-ACCRUED INTEREST PAID	<5,344.>
MORGAN STANLEY-AMORTIZATION EXPENSE	<6,240.>
MORGAN STANLEY-INTEREST INCOME	38,649.
THE BANK NA-INTEREST INCOME	34.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	49,479.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
HERITAGE TRUST-DIVIDEND	24,664.	1,605.	23,059.
MORGAN STANLEY-DIVIDEND	13,330.	0.	13,330.
TOTAL TO FM 990-PF, PART I, LN 4	37,994.	1,605.	36,389.

FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
PASS-THROUGH SCHEDULE K-1 INCOME	<809.>	<809.>	
IRS REFUND	4,381.	4,381.	
TOTAL TO FORM 990-PF, PART I, LINE 11	3,572.	3,572.	

FORM 990-PF	ACCOUNTING FEES			STATEMENT 4
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEE	2,400.	2,400.		0.
TO FORM 990-PF, PG 1, LN 16B	2,400.	2,400.		0.

FORM 990-PF	OTHER PROFESSIONAL FEES			STATEMENT 5
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
CONSULTING FEES	25,397.	25,397.		0.
TO FORM 990-PF, PG 1, LN 16C	25,397.	25,397.		0.

FORM 990-PF	TAXES			STATEMENT 6
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	460.	460.		0.
TO FORM 990-PF, PG 1, LN 18	460.	460.		0.

FORM 990-PF	OTHER EXPENSES			STATEMENT 7
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
OFFICE EXPENSE	106.	106.		0.
BANK CHARGES	15.	15.		0.
TO FORM 990-PF, PG 1, LN 23	121.	121.		0.

FORM 990-PF	U.S. AND STATE/CITY GOVERNMENT OBLIGATIONS			STATEMENT	8
DESCRIPTION	U.S. GOV'T	OTHER GOV'T	BOOK VALUE	FAIR MARKET VALUE	
U.S. GOV'T AGENCY OBLIGATIONS	X		1,074,535.	1,087,891.	
STATE AND MUNICIPAL OBLIGATIONS		X	50,550.	50,787.	
TOTAL U.S. GOVERNMENT OBLIGATIONS			1,074,535.	1,087,891.	
TOTAL STATE AND MUNICIPAL GOVERNMENT OBLIGATIONS			50,550.	50,787.	
TOTAL TO FORM 990-PF, PART II, LINE 10A			1,125,085.	1,138,678.	

FORM 990-PF	CORPORATE STOCK		STATEMENT	9
DESCRIPTION			BOOK VALUE	FAIR MARKET VALUE
CORPORATE STOCK			1,246,641.	1,320,899.
TOTAL TO FORM 990-PF, PART II, LINE 10B			1,246,641.	1,320,899.

FORM 990-PF	CORPORATE BONDS		STATEMENT	10
DESCRIPTION			BOOK VALUE	FAIR MARKET VALUE
BONDS			357,301.	354,029.
TOTAL TO FORM 990-PF, PART II, LINE 10C			357,301.	354,029.

FORM 990-PF	OTHER INVESTMENTS		STATEMENT	11
DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE	
MUTUAL FUNDS	COST	937,615.	1,011,900.	
TOTAL TO FORM 990-PF, PART II, LINE 13		937,615.	1,011,900.	

FORM 990-PF	GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR	STATEMENT 12
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RECIPIENT NAME AND ADDRESS	RECIPIENT RELATIONSHIP AND PURPOSE OF GRANT	RECIPIENT STATUS	AMOUNT
CASA OF SOUTHEAST OK, C/O DENNIS NALL 1230 SOUTH MAIN MCALESTER, OK 74501	CHARITABLE		5,000.
EASTERN OKLAHOMA STATE COLLEGE FOUNDATION 1301 WEST MAIN WILBURTON, OK 74578	EDUCATIONAL		23,669.
GIRL SCOUTS 1307 S. 2ND STREET MCALESTER, OK 745016803	CHARITABLE		5,000.
KING'S HOUSE 20 E CHEROKEE MCALESTER, OK 74501	RELIGIOUS		40,500.
SHARED BLESSINGER 1558 SOUTH MAIN MCALESTER, OK 74501	CHARITABLE		6,000.
STUDENT MOBILIZATION P.O. BOX 567 CONWAY, AR 72033	CHARITABLE		
AMERICAN RED CROSS 200 E. ADAMS MCALESTER, OK 74501	CHARITABLE		100.
CHRISTIAN BROADCASTING NETWORK 9777 CENTERVILLE TURNPIKE VIRGINA VEACH, VA 23463-0001	CHARITABLE		1,200.

THE FUGITT FOUNDATION

20-1189418

10,000.

HOPE HOUSE
PO BOX 3041 MCALESTER, OK 74502 CHARITABLE

1,200.

STUDENT MOBILIZATION C/O KELBY
BEALE CHARITABLE
PO BOX 567 CONWAY, AR 72033

1,250.

LEADERSHIP OKLAHOMA
5500 NORTH WESTERN, SUITE 142 CHARITABLE
OKLAHOMA CITY, OK 73118

4,800.

LIFE OUTREACH INTERNATIONAL
PO BOX 98200 FORT WORTH, TX CHARITABLE
76182-8000

2,500.

LOCK DOWN CLUB-MCALESTER HIGH
SCHOOL EDUCATIONAL
200 E. ADAMS MCALESTER, OK
74501

550.

TEACH THE CHILDREN INT'L
PO BOX 700832 TULSA, OK CHARITABLE
74170-0832

101,769.

TOTAL TO FORM 990-PF, PART XV, LINE 3A

**Application for Extension of Time To File an
Exempt Organization Return**

OMB No 1545-1709

▶ 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 ☒
- 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 THE FUGITT FOUNDATION	Employer identification number 20-1189418
	Number, street, and room or suite no. If a P.O. box, see instructions P.O. BOX 1226	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions MCALESTER, OK 74502	

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 |

GARY FUGITT

- The books are in the care of ▶ **P.O. BOX 1226 - MCALESTER, OK 74502**

Telephone No. ▶ **(918) 429-3150**

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	\$	4,880.
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	\$	880.
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	\$	4,000.

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)