efile GRAPHIC print - DO NOT PROCESS | As Filed Data - | DLN: 93491131010070

Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation

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

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

OMB No 1545-0052

2009

For calendar year 2009, or tax year beginning 01-01-2009 , and ending 12-31-2009

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 SMITH FAMILY LEGACY FOUNDATION	**A Employer identification number** 20-5002466
	Number and street (or P O box number if mail is not delivered to street address) PO BOX 861 — Room/suite	**B** Telephone number (see page 10 of the instructions) (303) 763-9250
	City or town, state, and ZIP code MORRISON, CO 804650861	**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 ☐

H Check type of organization ☑ Section 501(c)(3) exempt private foundation
☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

I Fair market value of all assets at end of year *(from Part II, col. (c), line 16)* ▶$ 1,215,728

J Accounting method ☑ Cash ☐ Accrual
☐ Other (specify) _
(Part I, column (d) must be on cash basis.)

E If private foundation status was terminated under section 507(b)(1)(A), check here ☐

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

Part I Analysis of Revenue and Expenses

(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))

		Line	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1	Contributions, gifts, grants, etc , received (attach schedule)				
	2	Check ▶ ☑ if the foundation is **not** required to attach Sch B				
	3	Interest on savings and temporary cash investments	124	124		
	4	Dividends and interest from securities	23,929	23,246		
	5a	Gross rents				
	b	Net rental income or (loss)				
	6a	Net gain or (loss) from sale of assets not on line 10	-1,833			
	b	Gross sales price for all assets on line 6a 313,041				
	7	Capital gain net income (from Part IV, line 2)				
	8	Net short-term capital gain				
	9	Income modifications				
	10a	Gross sales less returns and allowances				
	b	Less Cost of goods sold				
	c	Gross profit or (loss) (attach schedule)				
	11	Other income (attach schedule)				
	12	**Total.** Add lines 1 through 11	22,220	23,370		
Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc				
	14	Other employee salaries and wages				
	15	Pension plans, employee benefits				
	16a	Legal fees (attach schedule)				
	b	Accounting fees (attach schedule)	1,950	1,950		
	c	Other professional fees (attach schedule)	3,960	3,960		
	17	Interest				
	18	Taxes (attach schedule) (see page 14 of the instructions)	553	553		
	19	Depreciation (attach schedule) and depletion				
	20	Occupancy				
	21	Travel, conferences, and meetings				
	22	Printing and publications				
	23	Other expenses (attach schedule)	10	10		
	24	**Total operating and administrative expenses.** Add lines 13 through 23	6,473	6,473		0
	25	Contributions, gifts, grants paid	61,500			61,500
	26	**Total expenses and disbursements.** Add lines 24 and 25	67,973	6,473		61,500
	27	Subtract line 26 from line 12				
	a	**Excess of revenue over expenses and disbursements**	-45,753			
	b	**Net investment income** (if negative, enter -0-)		16,897		
	c	**Adjusted net income** (if negative, enter -0-)				

Part II	Balance Sheets Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)	Beginning of year (a) Book Value	End of year (b) Book Value	(c) Fair Market Value
Assets				
1	Cash—non-interest-bearing			
2	Savings and temporary cash investments	55,167	-54,725	-54,725
3	Accounts receivable ▶ Less allowance for doubtful accounts ▶			
4	Pledges receivable ▶ Less allowance for doubtful accounts ▶			
5	Grants receivable			
6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
7	Other notes and loans receivable (attach schedule) ▶ Less allowance for doubtful accounts ▶			
8	Inventories for sale or use			
9	Prepaid expenses and deferred charges			
10a	Investments—U S and state government obligations (attach schedule)			
b	Investments—corporate stock (attach schedule)	1,104,962	1,118,440	1,204,464
c	Investments—corporate bonds (attach schedule)		65,000	65,989
11	Investments—land, buildings, and equipment basis ▶ Less accumulated depreciation (attach schedule) ▶			
12	Investments—mortgage loans			
13	Investments—other (attach schedule)			
14	Land, buildings, and equipment basis ▶ Less accumulated depreciation (attach schedule) ▶			
15	Other assets (describe ▶)			
16	**Total assets** (to be completed by all filers—see the instructions Also, see page 1, item I)	1,160,129	1,128,715	1,215,728
Liabilities				
17	Accounts payable and accrued expenses			
18	Grants payable			
19	Deferred revenue			
20	Loans from officers, directors, trustees, and other disqualified persons			
21	Mortgages and other notes payable (attach schedule)			
22	Other liabilities (describe ▶)			
23	**Total liabilities** (add lines 17 through 22)		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	1,160,129	1,128,715	
25	Temporarily restricted			
26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☐ **and complete lines 27 through 31.**			
27	Capital stock, trust principal, or current funds			
28	Paid-in or capital surplus, or land, bldg , and equipment fund			
29	Retained earnings, accumulated income, endowment, or other funds			
30	**Total net assets or fund balances** (see page 17 of the instructions)	1,160,129	1,128,715	
31	**Total liabilities and net assets/fund balances** (see page 17 of the instructions)	1,160,129	1,128,715	

Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year—Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	1,160,129
2	Enter amount from Part I, line 27a	2	-45,753
3	Other increases not included in line 2 (itemize) ▶	3	14,339
4	Add lines 1, 2, and 3	4	1,128,715
5	Decreases not included in line 2 (itemize) ▶	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	1,128,715

Part IV Capital Gains and Losses for Tax on Investment Income

	(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)	(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
1a	See Additional Data Table			
b				
c				
d				
e				

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

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

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

2	Capital gain net income or (net capital loss) — If gain, also enter in Part I, line 7; If (loss), enter -0- in Part I, line 7	2	-1,833
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) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8	3	1,484

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

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

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

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☑ No
If "Yes," the foundation does not qualify under section 4940(e) Do not complete this part

1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2008	10,789	1,261,128	0 008555
2007	2,630	638,419	0 004120
2006	800	330,751	0 002419
2005			
2004			

2	**Total** of line 1, column (d).	2	0 015094
3	Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0 005031
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5.	4	1,033,785
5	Multiply line 4 by line 3.	5	5,201
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	169
7	Add lines 5 and 6.	7	5,370
8	Enter qualifying distributions from Part XII, line 4.	8	61,500

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions on page 18

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

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ 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	169
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)				
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)			2	
3	Add lines 1 and 2			3	169
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)			4	
5	**Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-			5	169
6	Credits/Payments				
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	250		
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	250
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	81
11	Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶ 81		**Refunded** ▶	11	

Part VII-A Statements Regarding Activities

			Yes	No
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		No
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?	1b		No
	*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.*			
c	Did the foundation file **Form 1120-POL** for this year?	1c		No
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year **(1)** On the foundation ▶ $ ________ **(2)** On foundation managers ▶ $ ________			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ ________			
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		No
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		No
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		No
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		No
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	Yes	
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	Yes	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ▶CO			
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	Yes	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV on page 27)? *If "Yes," complete Part XIV*	9		No
10	Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses*	10		No

Part VII-A Statements Regarding Activities (continued)

		Line	Yes	No
11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions).	11		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	Yes	

Website address ▶N/A

14 The books are in care of ▶CHARLES A SMITH Telephone no ▶(303) 763-9250

Located at ▶PO BOX 861 MORRISON CO ZIP+4 ▶804650861

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 |

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.

		Line	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)?	1b		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
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		
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 ▶ 2008 , 20____ , 20____ , 20____			
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement—see page 20 of the instructions)	2b		No
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here ▶ 20____ , 20____ , 20____ , 20____			
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.)*	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		No
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		No

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

5a	During the year did the foundation pay or incur any amount to			
	(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☑ No			
	(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☑ No			
	(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☑ No			
	(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions) ☐ Yes ☑ No			
	(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☑ No			
b	If any answer is "Yes" to 5a(1)–(5), did **any** of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)?	**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? ☐ 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**		**No**
	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?	**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 (see page 22 of the instructions).

(a) Name and address	**(b)** Title, and average hours per week devoted to position	**(c)** Compensation **(If not paid, enter -0-)**	**(d)** Contributions to employee benefit plans and deferred compensation	**(e)** Expense account, other allowances
CHARLES A SMITH 14074 W CORNELL AVE LAKEWOOD, CO 80228	PRESIDENT 0 01	0	0	0
REBECCA A SMITH 4040 GREENLEAF CIRLCE APT NO 110 KALAMAZOO, MI 490082525	VICE-PRES 0 01	0	0	0
PAULA E RIGGI 14536 ROCKSBOROUGH RD MINNETONKA, MN 55345	TREAS/SECR 0 01	0	0	0

2 Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the instructions). If none, enter "NONE."

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

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

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

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE".

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

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

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	
2	
3	
4	

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

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 N/A	
2	
All other program-related investments See page 24 of the instructions	
3	

Total. Add lines 1 through 3. . . . . ▶

Part X **Minimum Investment Return** (All domestic foundations must complete this part. Foreign foundations, see page 24 of the instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes		
a	Average monthly fair market value of securities	1a	1,021,967
b	Average of monthly cash balances	1b	27,561
c	Fair market value of all other assets (see page 24 of the instructions)	1c	0
d	**Total** (add lines 1a, b, and c)	1d	1,049,528
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation) 1e		
2	Acquisition indebtedness applicable to line 1 assets	2	
3	Subtract line 2 from line 1d	3	1,049,528
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions)	4	15,743
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4	5	1,033,785
6	**Minimum investment return.** Enter 5% of line 5	6	51,689

Part XI **Distributable Amount** (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ▶ ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6			1	51,689
2a	Tax on investment income for 2009 from Part VI, line 5	2a	169		
b	Income tax for 2009 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	169
3	Distributable amount before adjustments Subtract line 2c from line 1			3	51,520
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	51,520
6	Deduction from distributable amount (see page 25 of the instructions)			6	
7	**Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1			7	51,520

Part XII **Qualifying Distributions** (see page 25 of the instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc , purposes		
a	Expenses, contributions, gifts, etc —total from Part I, column (d), line 26	1a	61,500
b	Program-related investments—total from Part IX-B	1b	
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	61,500
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions)	5	169
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	61,331

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

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

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				51,520
2 Undistributed income, if any, as of the end of 2008				
a Enter amount for 2008 only.			61,304	
b Total for prior years 20___, 20___, 20___				
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.				
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 61,500				
a Applied to 2008, but not more than line 2a			61,304	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)				
c Treated as distributions out of corpus (Election required—see page 26 of the instructions). . .				
d Applied to 2009 distributable amount.				196
e Remaining amount distributed out of corpus				
5 Excess distributions carryover applied to 2009 *(If an amount appears in column (d), the same amount must be shown in column (a).)*				
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5				
b Prior years' undistributed income Subtract line 4b from line 2b				
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.				
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions . . .				
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions				
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				51,324
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)				
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)				
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a				
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. . . .				

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

1a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling . . . . . . ▶

b Check box to indicate whether the organization is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year	Prior 3 years			
	(a) 2009	**(b)** 2008	**(c)** 2007	**(d)** 2006	**(e) Total**
2a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon **a** "Assets" alternative test—enter **(1)** Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test— enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					
c "Support" alternative test—enter **(1)** Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income					

Part XV Supplementary Information (Complete this part only if the organization had $5,000 or more in assets at any time during the year—see page 27 of 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))

CHARLES SMITH PAULA RIGGI

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

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 page 28 of the 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

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

c Any submission deadlines

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 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
a *Paid during the year* See Additional Data Table				
Total . . . . ▶ **3a**				61,500
b *Approved for future payment*				
Total . . . . ▶ **3b**				

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1 Program service revenue					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments. . . .					
3 Interest on savings and temporary cash investments			14	124	
4 Dividends and interest from securities. . . .			14	23,929	
5 Net rental income or (loss) from real estate					
a Debt-financed property.					
b Not debt-financed property.					
6 Net rental income or (loss) from personal property					
7 Other investment income.					
8 Gain or (loss) from sales of assets other than inventory			18	-1,833	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory. .					
11 Other revenue **a**					
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e). .				22,220	

13 Total. Add line 12, columns (b), (d), and (e). **13** 22,220

(See worksheet in line 13 instructions on page 28 to verify calculations)

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the organization's exempt purposes (other than by providing funds for such purposes) (See page 28 of the instructions)

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

		Yes	No
1 Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?			
a Transfers from the reporting foundation to a noncharitable exempt organization of			
(1) Cash	1a(1)		No
(2) Other assets	1a(2)		No
b Other transactions			
(1) Sales of assets to a noncharitable exempt organization	1b(1)		No
(2) Purchases of assets from a noncharitable exempt organization	1b(2)		No
(3) Rental of facilities, equipment, or other assets	1b(3)		No
(4) Reimbursement arrangements	1b(4)		No
(5) Loans or loan guarantees	1b(5)		No
(6) Performance of services or membership or fundraising solicitations	1b(6)		No
c Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		No

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

(a) Line No	**(b)** Amount involved	**(c)** Name of noncharitable exempt organization	**(d)** Description of transfers, transactions, and sharing arrangements

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

Sign Here

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

******	2010-05-04	******
Signature of officer or trustee	Date	Title

Paid Preparer's Use Only

		Date	Check if self-employed ☐	Preparer's identifying number (see **Signature** on page 30 of the instructions)
Preparer's Signature	DORIS J KUNKLE	2010-05-11		
Firm's name (or yours if self-employed), address, and ZIP code	FISHER SPIEGEL KUNKLE & GERBERPLLC 350 EAST MICHIGAN AVENUE STE 400 KALAMAZOO, MI 490073855		EIN	
			Phone no (269) 353-8000	

Additional Data

Software ID: 09000034
Software Version: 09510950
EIN: 20-5002466
Name: SMITH FAMILY LEGACY FOUNDATION

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
75 SHS ADVANCED MEDICAL OPTICS	P	2006-11-13	2009-01-15
100 SHS TRI-CONTINENTAL	P	2008-12-22	2009-02-19
40 SHS GANNETT	P	2007-09-10	2009-03-30
200 SHS FIRST STATE BANCORP	P	2007-10-23	2009-06-01
500 SHS WEYERHAEUSER	D	1971-10-26	2009-06-01
800 SHS PFIZER INCORPORATED	D	1986-11-26	2009-07-09
200 SHS WEYERHAEUSER	D	1971-10-26	2009-07-09
25 SHS JABIL CIRCUIT	P	2007-07-03	2009-10-16
100 SHS WEYERHAEUSER	D	1971-10-26	2009-12-30
50 SHS ADVANCED MEDICAL OPTICS	P	2006-12-14	2009-01-15
600 SHS TRI-CONTINENTAL	P	2008-12-22	2009-02-19
50 SHS GANNETT	P	2007-10-23	2009-03-30
100 SHS FIRST STATE BANCORP	P	2007-10-29	2009-06-01
300 SHS NB REAL ESTATE	P	2006-11-13	2006-06-05
100 SHS STELLARONE	P	2007-09-10	2009-07-09
100 SHS ADOBE SYSTEMS	P	1998-02-26	2009-08-24
100 SHS JABIL CIRCUIT	P	2007-10-23	2009-10-16
50 SHS WEYERHAEUSER	D	1971-10-26	2009-12-30
100 SHS ADVANCED MEDICAL OPTICS	P	2007-09-28	2009-01-15
100 SHS CAREER EDUCATION	P	2007-10-29	2009-03-02
100 SHS GANNETT	P	2007-12-26	2009-03-30
100 SHS FIRST STATE BANCORP	P	2008-06-30	2009-06-01
100 SHS NB REAL ESTATE	P	2007-09-10	2009-06-05
46 SHS STELLARONE	P	2007-09-28	2009-07-09
50 SHS FRANKLIN RESOURCES INC	P	2006-11-13	2009-08-24
100 SHS JABIL CIRCUIT	P	2007-10-23	2009-10-16
100 SHS ADVANCED MEDICAL OPTICS	P	2007-10-23	2009-01-15
100 SHS CAREER EDUCATION	P	2007-10-23	2009-03-02
250 SHS GANNETT	P	2008-12-29	2009-03-30
100 SHS FIRST STATE BANCORP	P	2008-06-30	2009-06-01

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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)
1,614		3,005	-1,391
1,006		932	74
91		1,848	-1,757
326		3,532	-3,206
17,567		1,825	15,742
11,412		2,056	9,356
5,569		730	4,839
367		565	-198
4,343		365	3,978
1,076		1,815	-739
6,033		5,582	451
114		2,100	-1,986
163		1,716	-1,553
624		5,265	-4,641
1,196		2,032	-836
3,262		536	2,726
1,467		2,155	-688
2,171		183	1,988
2,152		3,075	-923
2,441		3,469	-1,028
228		3,880	-3,652
163		565	-402
208		1,474	-1,266
550		886	-336
4,677		5,384	-707
1,467		2,153	-686
2,153		2,992	-839
2,442		3,421	-979
571		1,861	-1,290
162		565	-403

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - l

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
			-1,391
			74
			-1,757
			-3,206
			15,742
			9,356
			4,839
			-198
			3,978
			-739
			451
			-1,986
			-1,553
			-4,641
			-836
			2,726
			-688
			1,988
			-923
			-1,028
			-3,652
			-402
			-1,266
			-336
			-707
			-686
			-839
			-979
			-1,290
			-403

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
100 SHS NB REAL ESTATE	P	2007-09-28	2009-06-05
27 SHS STELLARONE	P	2007-09-28	2009-07-09
50 SHS EQUIFAX	P	2007-09-28	2009-08-24
100 SHS JABIL CIRCUIT	P	2007-10-29	2009-10-16
100 SHS ADVANCED MEDICAL OPTICS	P	2007-10-23	2009-01-15
100 SHS COLONIAL BANC GROUP	P	2007-07-03	2009-03-03
300 SHS MS ASIA PACIFIC FD	P	2007-10-23	2009-06-01
100 SHS FIRST STATE BANCORP	P	2008-06-30	2009-06-01
74 SHS NB REAL ESTATE	P	2007-09-28	2009-06-05
23 SHS STELLARONE	P	2007-09-28	2009-07-09
100 SHS EQUIFAX	P	2006-11-13	2009-08-24
150 SHS JABIL CIRCUIT	P	2007-12-14	2009-10-16
75 SHS ADVANCED MEDICAL OPTICS	P	2007-09-10	2009-01-15
100 SHS COLONIAL BANC GROUP	P	2007-09-10	2009-03-03
100 SHS MS ASIA PACIFIC FD	P	2007-10-23	2009-06-01
100 SHS FIRST STATE BANCORP	P	2008-08-07	2009-06-01
26 SHS NB REAL ESTATE	P	2007-09-28	2009-06-05
4 SHS STELLARONE	P	2007-09-28	2009-07-09
175 SHS JABIL CIRCUIT	P	2006-11-13	2009-08-24
201 18 SHS KRAFT FOODS	D	2003-04-22	2009-10-16
50 SHS ADVANCED MEDICAL OPTICS	P	2007-11-01	2009-01-15
200 SHS COLONIAL BANC GROUP	P	2007-10-23	2009-03-03
100 SHS MS ASIA PACIFIC FD	P	2007-09-28	2009-06-01
100 SHS FIRST STATE BANCORP	P	2008-08-07	2009-06-01
200 SHS NB REAL ESTATE	P	2007-10-23	2009-06-05
73 SHS STELLARONE	P	2007-10-23	2009-07-09
75 SHS JABIL CIRCUIT	P	2006-12-14	2009-08-24
98 82 SHS KRAFT FOODS	D	1999-11-17	2009-10-16
50 SHS ADVANCED MEDICAL OPTICS	P	2007-11-01	2009-01-15
200 SHS COLONIAL BANC GROUP	P	2007-10-29	2009-03-03

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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)
208		1,557	-1,349
323		518	-195
1,398		1,925	-527
1,467		2,085	-618
2,152		2,991	-839
39		2,535	-2,496
3,871		6,847	-2,976
162		565	-403
154		1,152	-998
276		441	-165
2,795		3,846	-1,051
2,201		2,564	-363
1,614		2,153	-539
39		2,173	-2,134
1,290		2,272	-982
162		535	-373
54		405	-351
48		77	-29
1,853		5,266	-3,413
5,416		2,281	3,135
1,076		1,370	-294
77		3,918	-3,841
1,290		2,265	-975
162		535	-373
416		3,010	-2,594
875		1,326	-451
794		2,087	-1,293
2,660		890	1,770
1,076		1,370	-294
77		3,819	-3,742

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - l

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			**(l)** Gains (Col (h) gain minus col (k), but not less than -0-) **or** Losses (from col (h))
(i) F M V as of 12/31/69	**(j)** Adjusted basis as of 12/31/69	**(k)** Excess of col (i) over col (j), if any	
			-1,349
			-195
			-527
			-618
			-839
			-2,496
			-2,976
			-403
			-998
			-165
			-1,051
			-363
			-539
			-2,134
			-982
			-373
			-351
			-29
			-3,413
			3,135
			-294
			-3,841
			-975
			-373
			-2,594
			-451
			-1,293
			1,770
			-294
			-3,742

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
100 SHS MS ASIA PACIFIC FD	P	2007-09-17	2009-06-01
200 SHS FIRST STATE BANCORP	P	2008-08-07	2009-06-01
100 SHS NB REAL ESTATE	P	2007-10-29	2009-06-05
100 SHS STELLARONE	P	2007-10-23	2009-07-09
100 SHS JABIL CIRCUIT	P	2007-09-10	2009-08-24
39 58 SHS KRAFT FOODS	D	1999-11-17	2009-10-16
200 SHS ADVANCED MEDICAL OPTICS	P	2007-12-26	2009-01-20
300 SHS COLONIAL BANC GROUP	P	2007-12-26	2009-03-03
50 SHS MS ASIA PACIFIC FD	P	2007-09-17	2009-06-01
31 SHS HSBC HOLDINGS	P	2009-03-12	2009-06-01
100 SHS NB REAL ESTATE	P	2007-10-29	2009-06-05
27 SHS STELLARONE	P	2007-10-23	2009-07-09
50 SHS JABIL CIRCUIT	P	2007-07-03	2009-08-24
60 42 SHS KRAFT FOODS	D	1994-01-01	2009-10-16
400 SHS ADVANCED MEDICAL OPTICS	P	2008-12-29	2009-01-20
500 SHS COLONIAL BANC GROUP	P	2008-06-30	2009-03-03
50 SHS MS ASIA PACIFIC FD	P	2007-09-10	2009-06-01
105 SHS MERCANTILE BANK	P	2006-11-13	2009-06-01
1500 SHS NB REAL ESTATE	P	2008-12-30	2009-06-05
50 SHS WALGREEN	P	2007-09-10	2009-07-09
200 SHS JOHNSON CONTROLS INC	P	2008-08-07	2009-08-24
100 SHS ALTRIA GROUP	D	2006-11-13	2009-10-16
20000 SHS GE MONEY BANK	P	2008-10-28	2009-01-30
400 SHS COLONIAL BANC GROUP	P	2008-11-13	2009-03-03
50 SHS MS ASIA PACIFIC FD	P	2007-09-10	2009-06-01
100 SHS MERCANTILE BANK	P	2007-09-10	2009-06-01
900 SHS NB REAL ESTATE	P	2009-04-09	2009-06-05
75 SHS WALGREEN	P	2006-11-13	2009-07-09
200 SHS JOHNSON CONTROLS INC	P	2009-04-09	2009-08-24
50 SHS PHILIP MORRIS INTL	P	2006-11-13	2009-10-16

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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)
1,290		2,105	-815
325		1,070	-745
208		1,500	-1,292
1,197		1,816	-619
1,059		2,261	-1,202
1,065		356	709
4,331		4,996	-665
116		4,144	-4,028
645		1,052	-407
1,402		573	829
208		1,499	-1,291
323		490	-167
529		1,129	-600
1,626		131	1,495
8,661		2,445	6,216
193		2,264	-2,071
645		1,034	-389
347		3,847	-3,500
3,110		2,524	586
1,468		2,216	-748
4,954		6,090	-1,136
1,823		1,895	-72
20,000		20,000	
154		920	-766
644		1,035	-391
330		2,210	-1,880
1,872		1,427	445
2,203		3,179	-976
4,954		3,337	1,617
2,556		2,159	397

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - l

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
			-815
			-745
			-1,292
			-619
			-1,202
			709
			-665
			-4,028
			-407
			829
			-1,291
			-167
			-600
			1,495
			6,216
			-2,071
			-389
			-3,500
			586
			-748
			-1,136
			-72
			-766
			-391
			-1,880
			445
			-976
			1,617
			397

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
115 SHS TRI-CONTINENTAL	P	2008-12-22	2009-02-19
25 SHS HSBC HOLDINGS	P	2009-03-12	2009-03-12
575 SHS MS ASIA PACIFIC FD	P	2006-11-13	2009-06-01
50 SHS MERCANTILE BANK	P	2008-06-30	2009-06-01
100 SHS NB REAL ESTATE	P	2009-04-09	2009-06-05
100 SHS WALGREEN	P	2007-10-29	2009-07-09
934 638 SHS AMERICAN FD EUROPACIFIC	P	2009-09-11	2009-09-11
50 SHS PHILIP MORRIS INTL	P	2007-09-06	2009-10-16
1000 SHS TRI-CONTINENTAL	P	2008-12-22	2009-02-19
75 SHS HSBC HOLDINGS	P	2007-10-23	2009-03-13
100 SHS FIRST STATE BANCORP	P	2007-09-28	2009-06-01
100 SHS MERCANTILE BANK	P	2008-06-30	2009-06-01
80 SHS HENRY SCHEIN	P	2009-01-16	2009-07-09
50 SHS WALGREEN	P	2007-10-29	2009-07-09
450 SHS AES CORP	D	2002-08-15	2009-10-16
100 SHS WEYERHAEUSER	D	1971-10-26	2009-10-16
100 SHS TRI-CONTINENTAL	P	2008-12-22	2009-02-19
50 SHS GANNETT	P	2006-11-13	2009-03-30
50 SHS FIRST STATE BANCORP	P	2007-09-10	2009-06-01
500 SHS PFIZER INC	D	1986-11-26	2009-06-01
20 SHS HENRY SCHEIN	P	2009-01-16	2009-07-09
125 SHS WALGREEN	P	2007-10-23	2009-07-09
25 SHS FRANKLIN RESOURCES INC	D	2006-11-13	2009-10-16
100 SHS WEYERHAEUSER	D	1971-10-26	2009-10-16
100 SHS TRI-CONTINENTAL	P	2008-12-22	2009-02-19
10 SHS GANNETT	P	2007-09-10	2009-03-30
50 SHS FIRST STATE BANCORP	P	2007-09-10	2009-06-01
100 SHS PHILIP MORRIS INT'L	P	2006-11-13	2009-06-01
912 SHS PFIZER INCORPORATED	D	1986-11-26	2009-07-09
100 SHS WESTERN UNION CO	D	1998-01-16	2009-07-09

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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)
1,156		1,073	83
2			2
7,402		10,060	-2,658
165		373	-208
208		159	49
2,937		3,990	-1,053
34,600		34,600	
2,556		166	2,390
10,055		9,326	729
1,933		7,127	-5,194
163		1,985	-1,822
330		743	-413
3,532		2,926	606
1,468		1,995	-527
6,670		932	5,738
3,984		365	3,619
1,005		932	73
114		3,015	-2,901
81		960	-879
7,451		1,286	6,165
883		732	151
3,671		4,742	-1,071
2,738		2,692	46
3,984		365	3,619
1,006		932	74
23		462	-439
81		960	-879
4,363		4,319	44
13,009		2,346	10,663
6,583		2,412	4,171

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - l

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
			83
			2
			-2,658
			-208
			49
			-1,053
			2,390
			729
			-5,194
			-1,822
			-413
			606
			-527
			5,738
			3,619
			73
			-2,901
			-879
			6,165
			151
			-1,071
			46
			3,619
			74
			-439
			-879
			44
			10,663
			4,171

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
55 SHS FRANKLIN RESOURCES INC	D	2002-01-17	2009-10-16
100 SHS DONALDSON	P	2009-03-13	2009-11-17

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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)
6,023		1,942	4,081
4,095		2,508	1,587

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - l

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			**(l)** Gains (Col (h) gain minus col (k), but not less than -0-) **or** Losses (from col (h))
(i) F M V as of 12/31/69	**(j)** Adjusted basis as of 12/31/69	**(k)** Excess of col (i) over col (j), if any	
			4,081
			1,587

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

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
a *Paid during the year*				
NATURE CONSERVANCY4245 NORTH FAIRFAX DRIVE STE 100 ARLINGTON,VA 222031606			GENERAL	8,000
INTL PLANNED PARENTHOOD4 NEWHAMS ROW LONDON,LONDON UK			GENERAL	8,000
FEEDING AMERICA35 EAST WACKER DRIVE STE 2000 CHICAGO,IL 60601			GENERAL	8,000
FISHER HOUSE FOUNDATION111 ROCKVILLE PIKE STE 420 ROCKVILLE,MD 208505168			GENERAL	8,000
CANCER RESEARCH INSTITUTE55 BROADWAY STE 1802 NEW YORK,NY 10006			GENERAL	8,000
DOCTORS WITHOUT BORDERS333 7TH AVENUE 2ND FLOOR NEW YORK,NY 100015004			GENERAL	8,000
LAND CONSERVANCY OF W MI1345 MONROE AVENUE NW STE 324 GRAND RAPIDS,MI 49505			GENERAL	10,000
WATERORG920 MAIN STREET STE 1800 KANSAS CITY,MO 64105			GENERAL	3,000
LAND CONSERVANCY OF W MI1345 MONROE AVENUE NW STE 324 GRAND RAPIDS,MI 49505			GENERAL	500
Total . . . . ▶ 3a				61,500

TY 2009 Accounting Fees Schedule

Name: SMITH FAMILY LEGACY FOUNDATION

EIN: 20-5002466

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
ACCOUNTING FEES	1,950	1,950		

TY 2009 Investments Corporate Bonds Schedule

Name: SMITH FAMILY LEGACY FOUNDATION

EIN: 20-5002466

Name of Bond	End of Year Book Value	End of Year Fair Market Value
VANGUARD INFLATION PROTECTED	30,000	30,887
VANGUARD SHORT-TERM INV GRD	35,000	35,102

TY 2009 Investments Corporate Stock Schedule

Name: SMITH FAMILY LEGACY FOUNDATION
EIN: 20-5002466

Name of Stock	End of Year Book Value	End of Year Fair Market Value
ADOBE SYSTMES INC	3,258	27,953
A E S CORP	2,484	15,972
ADVANCED MED OPTICS INC		
AFFILIATED MANGERS	19,059	15,490
ALTRIA GROUP INC	1,895	13,741
AMERICAN RIVER BNKSHRS	3,609	2,358
APPLE	6,551	10,537
ASSOCIATED BCP	4,459	3,303
BANK OF NY MELLON	7,397	8,391
BOTTOMLINE TECHNOLOGIES	2,358	3,514
CAREER EDUCATION CORP	14,074	13,986
CHARLES SCHWAB	2,933	3,764
CHESAPEAKE ENERGY CORP	18,362	12,940
CISCO SYSTEMS INC	17,174	14,364
COGNIZANT	5,567	9,066
COLONIAL BANCGROUP INC		
COVENTRY HEALTH CARE INC	24,342	14,574
DANAHER CORP CELL	12,104	11,280
DJ UBS COMMODITY ETN	14,905	16,904
ELI LILLY & CO	4,371	4,464
EMERSON ELECTRIC CO	9,388	8,520
EQUIFAX INC	5,643	4,633
EUROPACIFIC GROWTH GRADE F2	30,000	35,604
FIDELITY NATL INFO	4,892	4,688
FIRST DATA CORPORATION		
FISERV INC	18,131	16,968
FORTUNE BRANDS INC	23,891	17,280
FRANKLIN RESOURCES INC	7,062	21,070
GANNETT CO INC DEL		
GE MONEY BANK		
GENERAL ELECTRIC	21,968	9,078
GENZYME	14,007	9,802
GLOBAL PAYMENTS INC	6,780	10,772
GOOGLE	6,336	9,300
H & Q HEALTHCARE FUND	20,816	18,036
HARBOR INTERNATIONAL	179,800	168,413
HOME DEPOT INC	8,937	7,956
HSBC HLDGS PLC		
IBM	8,798	9,817
ILLINOIS TOOL WORKS INC	12,140	11,038
INTEL CORP	8,127	7,140
INTL RECTIFIER CORP		
INTUIT	11,162	11,524
ITT EDUCATIONAL SERVICES	9,716	9,596
J.HANCOCK BK & THRIFT	10,082	11,280
JABIL CIRCUIT INC	11,509	20,844
JOHNSON & JOHNSON	16,265	16,102
JOHNSON CONTROLS		
KIMBERLY-CLARK CORP	9,805	9,556
KRAFT FOODS		
LINEAR TECHNOLOGY CORP	13,155	12,224
MARATHON OIL	21,469	15,797
M B I A INC	30,221	4,676
MEDTRONIC INC	11,395	10,995
MERCANTILE BANK CORP		
MICROSOFT	15,086	15,240
MOLEX A	3,482	5,739
MORGAN STNLY ASIA PAC		
NALCO HOLDINGS	5,181	5,102
NB REAL ESTATE	7,652	12,200
NEUBERGER BERMAN REFUND		
NIKE INC CL B	3,331	4,955
PEPSICO	9,142	9,120
PERRIGO	4,432	5,974
PETROLEUM & REX	77,702	64,525
PFIZER INCORPORATED		
PHILIP MORRIS INTL	1,661	24,095
POTASH	4,847	5,425
POWERSHARE INDIA	22,288	23,615
PRICE T ROWE GROUP INC	9,350	15,975
PROCTER & GAMBLE	6,830	6,063
QUALCOMM	4,199	4,626
RF MICRO DEVICES INC	10,213	7,155
RPM	13,134	12,198
SPDR GOLD TRUST	16,789	18,779
STELLARONE		
STRYKER	3,483	5,037
SYBASE	4,387	4,340
SYSCO CORPORATION	11,803	9,779
TEMPLETON DRAGON FUND	44,075	40,875
TEXAS INSTRUMENTS INC	9,757	7,818
TNS INC	11,423	17,983
TRI-CONTINTENTAL		
UNION PACIFIC CORP	4,059	6,390
UNITED PARCEL SERVICE B	20,550	17,211
UNITED TECHNOLGIES	10,688	10,412
VANGUARD EMERGING MARKETS	25,054	32,800
VARIAN MEDICAL SYSTEMS	7,572	10,541
VERISIGN INC	8,248	6,060
VERIZON COMMUNICATIONS	14,458	11,596
WALGREEN COMPANY		
WESTERN UNION CO		
WEYERHAEUSER	5,292	62,553
WYNDHAM WORLDWIDE CORP	12,278	11,094
XILINX INC	4,905	5,012
ZIMMER HOLDINGS	8,692	8,867

TY 2009 Other Expenses Schedule

Name: SMITH FAMILY LEGACY FOUNDATION

EIN: 20-5002466

Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
EXPENSES				
REORGANIZATION FEES	10	10		

TY 2009 Other Increases Schedule

Name: SMITH FAMILY LEGACY FOUNDATION

EIN: 20-5002466

Description	Amount
FEDERAL REFUND	14,339

TY 2009 Other Professional Fees Schedule

Name: SMITH FAMILY LEGACY FOUNDATION

EIN: 20-5002466

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
INVESTMENT FEES	3,960	3,960		

efile GRAPHIC print - DO NOT PROCESS	As Filed Data -	DLN: 93491131010070

TY 2009 Taxes Schedule

Name: SMITH FAMILY LEGACY FOUNDATION

EIN: 20-5002466

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
FOREIGN TAXES	553	553		