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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 JOHN MIRAK FOUNDATION		A Employer identification number 23-7161662	
	Number and street (or P O box number if mail is not delivered to street address) 438 MASSACHUSETTS AVE 127		Room/suite	B Telephone number (see page 10 of the instructions) (781) 641-2495
	City or town, state, and ZIP code ARLINGTON, MA 02476		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			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 ☐	
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 7,800,442		J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify) (Part I, column (d) must be on cash basis.)		

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc , received (attach schedule)				
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	13,147	13,147		
	4 Dividends and interest from securities.	97,745	97,745		
	5a Gross rents	613,439	613,439		
	b Net rental income or (loss) 348,903				
	6a Net gain or (loss) from sale of assets not on line 10				
	b Gross sales price for all assets on line 6a				
	7 Capital gain net income (from Part IV , line 2)		0		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
Operating and Administrative Expenses	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)	-41,292			
	12 Total. Add lines 1 through 11	683,039	724,331		
	13 Compensation of officers, directors, trustees, etc	59,000			59,000
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)	325	325		
	b Accounting fees (attach schedule)	3,100			3,100
	c Other professional fees (attach schedule)	10,468	10,468		
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	34,456	34,456		
	19 Depreciation (attach schedule) and depletion	104,575	104,575		
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule)	124,180	121,029		3,151
	24 Total operating and administrative expenses. Add lines 13 through 23	336,104	270,853		65,251
	25 Contributions, gifts, grants paid	383,350			383,350
	26 Total expenses and disbursements. Add lines 24 and 25	719,454	270,853		448,601
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	-36,415			
	b Net investment income (if negative, enter -0-)		453,478		
	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	End of year	
			(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1	Cash—non-interest-bearing	709,999	854,665	854,665
	2	Savings and temporary cash investments	134,030	181,383	181,383
	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)	347,793	211,577	211,577
	b	Investments—corporate stock (attach schedule)	584,762	583,090	532,621
	c	Investments—corporate bonds (attach schedule).	87,371	162,281	166,057
	11	Investments—land, buildings, and equipment basis 3,879,651 Less accumulated depreciation (attach schedule) 1,299,453	2,684,773	2,580,198	4,500,000
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)	1,415,020	1,354,139	1,354,139
	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)	5,963,748	5,927,333	7,800,442

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			
	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	5,963,748	5,927,333	
	30	Total net assets or fund balances (see page 17 of the instructions)	5,963,748	5,927,333	
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	5,963,748	5,927,333	

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	5,963,748
2	Enter amount from Part I, line 27a	2	-36,415
3	Other increases not included in line 2 (itemize) _____	3	
4	Add lines 1, 2, and 3	4	5,927,333
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	5,927,333

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) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a	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	-58,204
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	

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	355,692	6,836,798	0 052026
2007	447,775	5,573,032	0 080347
2006	353,025	6,772,639	0 052125
2005	376,835	6,301,614	0 059800
2004	197,578	6,163,670	0 032055

2	Total of line 1, column (d).	2	0 276353
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 055271
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5.	4	6,166,845
5	Multiply line 4 by line 3.	5	340,848
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	4,535
7	Add lines 5 and 6.	7	345,383
8	Enter qualifying distributions from Part XII, line 4.	8	448,601

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 VIExcise 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	4,535
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	4,535
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	4,535
6		Credits/Payments			
a		2009 estimated tax payments and 2008 overpayment credited to 2009	6a	1,378	
b		Exempt foreign organizations—tax withheld at source	6b		
c		Tax paid with application for extension of time to file (Form 8868)	6c	5,000	
d		Backup withholding erroneously withheld	6d		
7		Total credits and payments Add lines 6a through 6d.		7	6,378
8		Enter any penalty for underpayment of estimated tax Check here ☒ if Form 2220 is attached		8	81
9		Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		9	
10		Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid.		10	1,762
11		Enter the amount of line 10 to be Credited to 2010 estimated tax	1,762	Refunded	
11				11	

Part VII-AStatements 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
		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)?			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) MA			
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)

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? Website address N/A	13	Yes	
14	The books are in care of JULIA MIRAK KEW Telephone no (781) 641-2495 Located at 438 MASS AVE 127 ARLINGTON MA ZIP+4 02474			
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.			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.	1b		No
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		No
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? If "Yes," list the years 20____, 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		
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 VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

(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
ROBERT MIRAK	Manager 10 00	25,000	0	0
438 MASS AVE 127 ARLINGTON, MA 02474				
JULIA MIRAK KEW	Trustee 15 00	20,000	0	0
438 MASS AVE 127 ARLINGTON, MA 02474				
JENNIFER LEACH	Trustee 8 00	14,000	0	0
438 MASS AVE 127 ARLINGTON, MA 02474				

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Part VIII

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

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE".		
(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		
Total number of others receiving over \$50,000 for professional services.		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	
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	
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	935,717
b	Average of monthly cash balances.	1b	825,039
c	Fair market value of all other assets (see page 24 of the instructions).	1c	4,500,000
d	Total (add lines 1a, b, and c).	1d	6,260,756
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	6,260,756
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	93,911
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	6,166,845
6	Minimum investment return. Enter 5% of line 5.	6	308,342

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	308,342
2a	Tax on investment income for 2009 from Part VI, line 5.	2a	4,535
b	Income tax for 2009 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	4,535
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	303,807
4	Recoveries of amounts treated as qualifying distributions.	4	
5	Add lines 3 and 4.	5	303,807
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	303,807

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	448,601
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	448,601
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	4,535
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	444,066
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				303,807
2 Undistributed income, if any, as of the end of 2008				
a Enter amount for 2008 only.			331	
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.				42,023
e From 2008.				25,709
f Total of lines 3a through e.	67,732			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 448,601				
a Applied to 2008, but not more than line 2a			331	
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.				303,807
e Remaining amount distributed out of corpus	144,463			
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	212,195			
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				0
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions).				
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	212,195			
10 Analysis of line 9				
a Excess from 2005. . . .				
b Excess from 2006. . . .				
c Excess from 2007. . . .				42,023
d Excess from 2008. . . .				25,709
e Excess from 2009. . . .				144,463

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)

☐ 4942(j)(3) or ☐ 4942(j)(5)

2a	Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed	Tax year	Prior 3 years			(e) Total
		(a) 2009	(b) 2008	(c) 2007	(d) 2006	
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))

NONE

b

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

NONE

2

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

Check here ☒ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see 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	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 Additional Data Table				
Total			▶ 3a	383,350
b Approved for future payment				
Total			▶ 3b	

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	13,147	
4 Dividends and interest from securities.			14	97,745	
5 Net rental income or (loss) from real estate					
a Debt-financed property.					
b Not debt-financed property.			16	348,903	
6 Net rental income or (loss) from personal property					
7 Other investment income.					
8 Gain or (loss) from sales of assets other than inventory					
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). .				459,795	
13 Total. Add line 12, columns (b), (d), and (e).			13		459,795

[illegible]

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?		Yes	No
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			

[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

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				
*****		2010-11-15	*****	
Signature of officer or trustee		Date	Title	
Paid Preparer's Use Only	Preparer's Signature	RICHARD CROWLEY CPA	Date	2010-11-15
	Firm's name (or yours if self-employed), address, and ZIP code	RICHARD CROWLEY CPA PC	Check if self-employed ☐	Preparer's identifying number (see Signature on page 30 of the instructions)
		PO BOX 352		
		WEYMOUTH, MA 021880002	EIN	
			Phone no	(781) 335-8043

Form

4562

Depreciation and Amortization
(Including Information on Listed Property)

OMB No 1545-0172

2009

Attachment
Sequence No 67

Department of the Treasury
Internal Revenue Service

▶ See separate instructions. ▶ Attach to your tax return.

Name(s) shown on return JOHN MIRAK FOUNDATION	Business or activity to which this form relates Form 990-PF page 1	Identifying number 23-7161662
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Part I

Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount See the instructions for a higher limit for certain businesses	1	\$ 125,000
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	\$ 500,000
4	Reduction in limitation Subtract line 3 from line 2 If zero or less, enter -0-	4	
5	Dollar limitation for tax year Subtract line 4 from line 1 If zero or less, enter -0- If married filing separately, see instructions	5	

6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost	
6				
6				
7	Listed property Enter the amount from line 29	7		
8	Total elected cost of section 179 property Add amounts in column (c), lines 6 and 7	8		
9	Tentative deduction Enter the smaller of line 5 or line 8	9		
10	Carryover of disallowed deduction from line 13 of your 2008 Form 4562	10		
11	Business income limitation Enter the smaller of business income (not less than zero) or line 5 (see instructions)	11		
12	Section 179 expense deduction Add lines 9 and 10, but do not enter more than line 11	12		
13	Carryover of disallowed deduction to 2010 Add lines 9 and 10, less line 12 .▶	13		

Note: Do not use Part II or Part III below for listed property. Instead, use Part V.

Part II	Special Depreciation Allowance and Other Depreciation (Do not include listed property) (See instructions)	
14 Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	
15 Property subject to section 168(f)(1) election	15	
16 Other depreciation (including ACRS)	16	30,376

Part III

MACRS Depreciation (Do not include listed property.) (See instructions.)

Section A			
17	MACRS deductions for assets placed in service in tax years beginning before 2009	17	74,199
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here▶		

Section B—Assets Placed in Service During 2008 Tax Year Using the General Depreciation System						
(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only—see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs		S/L	
h Residential rental property			27 5 yrs	MM	S/L	
			27 5 yrs	MM	S/L	
i Nonresidential real property			39 yrs	MM	S/L	
				MM	S/L	

Section C—Assets Placed in Service During 2009 Tax Year Using the Alternative Depreciation System						
20a Class life					S/L	
b 12-year			12 yrs		S/L	
c 40-year			40 yrs	MM	S/L	

Part IV

Summary (see instructions)

21	Listed property Enter amount from line 28	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21 Enter here and on the appropriate lines of your return Partnerships and S corporations—see instructions	22	104,575
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

Part V

Listed Property (Include automobiles, certain other vehicles, cellular telephones, certain computers, and property used for entertainment, recreation, or amusement.)
Note: For any vehicle for which you are using the standard mileage rate or deducting lease expense, complete **only** 24a, 24b, columns (a) through (c) of Section A, all of Section B, and Section C if applicable.

Section A—Depreciation and Other Information (Caution: See the instructions for limits for passenger automobiles.)

24a

Do you have evidence to support the business/investment use claimed?

Yes

No

24b

If "Yes," is the evidence written?

Yes

No

Section B—Information on Use of Vehicles

Complete this section for vehicles used by a sole proprietor, partner, or other "more than 5% owner," or related person
If you provided vehicles to your employees, first answer the questions in Section C to see if you meet an exception to completing this section for those vehicles

30Total business/investment miles driven during the year (do not include commuting miles)	(a) Vehicle 1		(b) Vehicle 2		(c) Vehicle 3		(d) Vehicle 4		(e) Vehicle 5		(f) Vehicle 6	
31Total commuting miles driven during the year												
32Total other personal(noncommuting) miles driven												
33Total miles driven during the year Add lines 30 through 32												
34Was the vehicle available for personal use during off-duty hours?	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
35Was the vehicle used primarily by a more than 5% owner or related person?												
36Is another vehicle available for personal use?												

Section C—Questions for Employers Who Provide Vehicles for Use by Their Employees

Answer these questions to determine if you meet an exception to completing Section B for vehicles used by employees who **are not** more than 5% owners or related persons (see instructions)

37Do you maintain a written policy statement that prohibits all personal use of vehicles, including commuting, by your employees?	Yes	No
38Do you maintain a written policy statement that prohibits personal use of vehicles, except commuting, by your employees? See the instructions for vehicles used by corporate officers, directors, or 1% or more owners		
39Do you treat all use of vehicles by employees as personal use?		
40Do you provide more than five vehicles to your employees, obtain information from your employees about the use of the vehicles, and retain the information received?		
41Do you meet the requirements concerning qualified automobile demonstration use? (See instructions)		
Note: If your answer to 37, 38, 39, 40, or 41 is "Yes," do not complete Section B for the covered vehicles		

Part VI Amortization

(a) Description of costs	(b) Date amortization begins	(c) Amortizable amount	(d) Code section	(e) A mortization period or percentage	(f) A mortization for this year
42A mortization of costs that begins during your 2009 tax year (see instructions)					
43A mortization of costs that began before your 2009 tax year				43	
44 Total. Add amounts in column (f) See the instructions for where to report				44	

Additional Data

Software ID: 09000048

Software Version: US04CV000TY2009

EIN: 23-7161662

Name: JOHN MIRAK 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)
Federal Home Ln Mtge Corp note	P	2007-09-10	2009-01-27
Federal Home Ln Mtge Corp note	P	2007-09-25	2009-02-23
Federal Home Ln Mtge Corp note	P	2008-01-28	2009-03-31
American Intl Group	P	2007-03-27	2009-03-23
J Crew Group	P	2007-02-05	2009-03-23
Tennessee Vy Auth	P	2008-01-23	2009-03-19
HSBC Hldgs Plc Rts	P	2009-03-23	2009-04-08
Federal Home Ln Mtge Corp note	P	2008-02-06	2009-04-06
Fannie Mae notes	P	2007-07-11	2009-04-06
Federal Farm Credit Bank	P	2009-02-11	2009-05-12
Cardinal Health Inc	P	2007-02-15	2009-06-23
Citigroup	P	2006-12-13	2009-06-23
Federal Farm Credit Bank	P	2008-06-19	2009-06-23
Federal Farm Credit Bank	P	2007-12-07	2009-11-27
Federal Natl Mtge Assn	P	2008-04-02	2009-11-30

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)
15,000	0	14,257	743
25,000	0	24,945	55
25,000	0	25,000	0
357	0	16,883	-16,526
6,495	0	18,755	-12,260
20,000	0	19,956	44
750	0	0	750
25,000	0	24,959	41
25,000	0	24,719	281
25,000	0	25,000	0
9,141	0	20,909	-11,768
1,164	0	20,756	-19,592
25,000	0	24,969	31
25,000	0	25,153	-153
20,000	0	19,850	150

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) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
0	0	0	743
0	0	0	55
0	0	0	0
0	0	0	-16,526
0	0	0	-12,260
0	0	0	44
0	0	0	750
0	0	0	41
0	0	0	281
0	0	0	0
0	0	0	-11,768
0	0	0	-19,592
0	0	0	31
0	0	0	-153
0	0	0	150

Form 990PF Part XV Line 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				
SAYAT NOVA DANCE COPO BOX 490 NEWTON, MA 02456		Exempt	General purpose	150
ARLINGTON CATHOLIC HIGH SCHOOL16 MEDFORD ST ARLINGTON, MA 02474		Exempt	General purpose	200
ARLINGTON CENTER FOR ARTS41 FOSTER ST ARLINGTON, MA 02474		Exempt	General purpose	200
ARMENIA TREE PROJECT65 MAIN ST WATERTOWN, MA 02472		Exempt	General purpose	50,240
ARLINGTON SCHOOLS FOUNDATIONPO BOX 80 ARLINGTON, MA 02476		Exempt	General purpose	200
ARMENIAN ASSEMBLY OF AMERICA1334 G ST NW WASHINGTON, DC 20005		Exempt	General purpose	15,000
ARMENIAN CULTURAL FOUNDATION441 MYSTIC ST ARLINGTON, MA 02474		Exempt	General purpose	140,000
ARMENIAN HERITAGE TRIBUTE & GENOCIDE MEMORIAL28 FLANDERS RD BELMONT, MA 02478		Exempt	General purpose	50,000
AREVIK ARMENIAN CHILDRENS FUND2353 MASS AVE 24 CAMBRIDGE, MA 02140		Exempt	General purpose	1,500
ARMENIAN MISSIONARY ASSOC OF AMERICA INC31 W CENTURY RD PARAMUS, NJ 07652		Exempt	General purpose	120
SHAWSHEEN VALLEY TECH HIGH SCHOOL100 COOK ST BILLERICA, MA 01821		Exempt	General purpose	200
CHILDREN OF ARMENIA FUND162 FIFTH AVE NEW YORK, NY 10010		Exempt	General purpose	500
ARLINGTON BOYS & GIRLS CLUB60 POND LANE ARLINGTON, MA 02474		Exempt	General purpose	400
FRIENDS OF ARMENIAN CULTURAL SOCIETYPO BOX 87 BELMONT, MA 02478		Exempt	General purpose	600
FUND FOR ARMENIAM RELIEF630 SECOND AVE NEW YORK, NY 10016		Exempt	General purpose	500
Total  3a				383,350

Form 990PF Part XV Line 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				
COOPERATIVE ELDER SERVICES INC9 MERIAM ST 28 LEXINGTON,MA 02420		Exempt	General purpose	1,500
NEIGHBORHOOD HOUSE CHARTER SCHOOL21 QUEEN ST DORCHESTER,MA 02122		Exempt	General purpose	700
CITI PERFORMING ARTS CENTER 270 TREMONT ST BOSTON,MA 02116		Exempt	General purpose	1,250
TOWN OF ARLINGTON730 MASS AVE ARLINGTON,MA 02474		Exempt	General purpose	770
ST JAMES ARMENIAN CHURCH465 MT AUBURN ST WATERTOWN,MA 02472		Exempt	General purpose	60,500
ST STEPHENS ARMENIAN CHURCH 47 NICHOLS AVENUE WATERTOWN,MA 02472		Exempt	General purpose	26,000
THE CHILDRENS ROOM CENTER FOR GRIEVING CHILDREN1210 MASSACHUSETTS AVE ARLINGTON,MA 02474		Exempt	General purpose	7,750
ARMENIAN EYE CARE PROJECTPO BOX 5630 NEWPORT BEACH,CA 92662		Exempt	General purpose	500
CLARK UNIVERSITY950 MAIN ST WORCESTER,MA 01610		Exempt	General purpose	500
FIDELITY HOUSE25 MEDFORD ST ARLINGTON,MA 02474		Exempt	General purpose	250
BIRTHRIGHT ARMENIA333 E LANCASTER AVE 330 WYNNEWOOD,PA 19096		Exempt	General purpose	1,000
ARLINGTON SCHOOLS FOUNDATIONPO BOX 80 ARLINGTON,MA 02476		Exempt	General purpose	200
PHILADELPHIA MUSEUM OF ARTPO BOX 7646 PHILADELPHIA,PA 19101		Exempt	General purpose	5,000
TEKEYAN CULTURAL ASSOC INC 755 MT AUBURN ST WATERTOWN,MA 02472		Exempt	General purpose	320
NISH BOYAJIAN MEMORIAL FOUNDATION87 APPLETON ST QUINCY,MA 02171		Exempt	General purpose	500
Total 3a				383,350

Form 990PF Part XV Line 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				
ARLINGTON CHILDRENS FUNDPO BOX 750070 ARLINGTON, MA 02474		Exempt	General purpose	500
ARMENIAN KINDERGARTEN438 MASSACHUSETTS AVE 127 ARLINGTON, MA 02474		Exempt	General purpose	14,000
MISC CONTRIBUTIONS438 MASSACHUSETTS AVE 127 ARLINGTON, MA 02474		Exempt	General purpose	2,300
Total  3a				383,350

Note: To capture the full content of this document, please select landscape mode (11" x 8.5") when printing.

TY 2009 Depreciation Schedule

Name: JOHN MIRAK FOUNDATION

EIN: 23-7161662

Description of Property	Date Acquired	Cost or Other Basis	Prior Years' Depreciation	Computation Method	Rate / Life (# of years)	Current Year's Depreciation Expense	Net Investment Income	Adjusted Net Income	Cost of Goods Sold Not Included
Bldg 1988	1988-01-01	510,000	371,995	SL	27 50	18,545			
Bldg 1991	1991-01-01	304,550	199,349	SL	27 50	11,075			
Land Improve 1991	1992-01-01	10,000	10,000	SL	10 00				
Elevators 12/95	1995-12-01	42,567	14,234	SL	39 00	1,091			
F&F Windows 1993	1993-07-01	23,442	11,884	SL	31 00	756			
F&F Tel 1995	1995-07-01	3,164	2,901	SL	5 00				
Improve 8/96	1996-08-01	217,698	69,250	SL	39 00	5,576			
Land/Bldg 60% 2003	2003-01-20	2,340,000	357,500	SL	39 00	60,000			
Improve 6/2003 Air Cond units	2003-06-30	168,800	73,102	200DB	7 00	7,532			

TY 2009 Investments Corporate Bonds Schedule

Name: JOHN MIRAK FOUNDATION

EIN: 23-7161662

Name of Bond	End of Year Book Value	End of Year Fair Market Value
Corporate Bonds	162,281	166,057

**TY 2009 Investments Corporate
Stock Schedule****Name:** JOHN MIRAK FOUNDATION**EIN:** 23-7161662

Name of Stock	End of Year Book Value	End of Year Fair Market Value
Equities	94,272	34,849
Equities	488,818	497,772

TY 2009 Investments Government Obligations Schedule

Name: JOHN MIRAK FOUNDATION

EIN: 23-7161662

**US Government Securities - End of
Year Book Value:**

211,577

**US Government Securities - End of
Year Fair Market Value:**

211,577

**State & Local Government
Securities - End of Year Book
Value:**

**State & Local Government
Securities - End of Year Fair
Market Value:**

TY 2009 Investments - Other Schedule

Name: JOHN MIRAK FOUNDATION

EIN: 23-7161662

Category/ Item	Listed at Cost or FMV	Book Value	End of Year Fair Market Value
Installment sale note from DISQUALIFIED PERSON		1,354,139	1,354,139

TY 2009 Other Expenses Schedule**Name:** JOHN MIRAK FOUNDATION**EIN:** 23-7161662

Description	Revenue and Expenses per Books	Net Invest ment Income	Adjusted Net Income	Disbursements for Charitable Purposes
Maintenance	106,904	106,904		
O ffice expenses	2,568	400		2,168
Rent expense	2,500	2,500		
Telephone	983			983
Utilities	4,226	4,226		
Insurance	6,999	6,999		

TY 2009 Other Income Schedule

Name: JOHN MIRAK FOUNDATION

EIN: 23-7161662

Description	Revenue And Expenses Per Books	Net Invest ment Income	Adjusted Net Income
Net capital losses	-41,292		

TY 2009 Taxes Schedule

Name: JOHN MIRAK FOUNDATION

EIN: 23-7161662

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
Real estate taxes	34,456	34,456		
Federal excise tax				