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Return of Private Foundation

OMB No 1545-0052

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

2009

Department of the Treasury
Internal Revenue Service

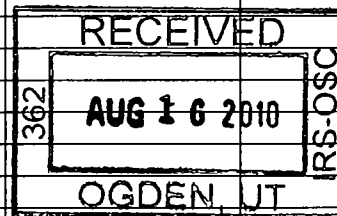
Note The foundation may be able to use a copy of this return to satisfy state reporting requirements.

For calendar year 2009, or tax year beginning , and ending

G Check all that apply: ☒ Initial return ☐ Initial return of a former public charity ☐ Final return
☐ Amended return ☐ Address change ☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions	Name of foundation J. W. Kinzer Foundation, Inc.		A Employer identification number 27-1189623
	Number and street (or P.O. box number if mail is not delivered to street address)	Room/suite	B Telephone number (606) 874-8041
	City or town, state, and ZIP code Allen, KY 41601		C If exemption application is pending, check here <input type="checkbox"/> D 1 Foreign organizations, check here <input type="checkbox"/> 2 Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>
H Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation			E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>
I Fair market value of all assets at end of year (from Part II, col (c), line 16) \$ 1,300,000.00		J Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received	1,300,000.00		N/A	
	2 Check <input type="checkbox"/> if the foundation is not required to attach Sch. B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities				
	5a Gross rents				
	b Net rental income or (loss)				
	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)		0.00		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit or (loss)					
11 Other income					
12 Total. Add lines 1 through 11		1,300,000.00	0.00		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.00	0.00		0.00
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees				
	c Other professional fees				
	17 Interest				
	18 Taxes				
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses				
	24 Total operating and administrative expenses. Add lines 13 through 23	0.00	0.00		0.00
	25 Contributions, gifts, grants paid				
26 Total expenses and disbursements. Add lines 24 and 25	0.00	0.00		0.00	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	1,300,000.00				
b Net investment income (if negative, enter -0-)		0.00			
c Adjusted net income (if negative, enter -0-)			N/A		



SCANNED AUG 26 2010

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only			
		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				
	3 Accounts receivable ▶				
	Less: allowance for doubtful accounts ▶				
	4 Pledges receivable ▶				
	Less: allowance for doubtful accounts ▶				
	5 Grants receivable				
	6 Receivables due from officers, directors, trustees, and other disqualified persons				
	7 Other notes and loans receivable ▶				
	Less: allowance for doubtful accounts ▶				
	8 Inventories for sale or use				
	9 Prepaid expenses and deferred charges				
	10a Investments - U.S. and state government obligations				
	b Investments - corporate stock				
	c Investments - corporate bonds				
	11 Investments - land, buildings, and equipment: basis ▶				
	Less: accumulated depreciation ▶				
	12 Investments - mortgage loans				
	13 Investments - other				
	14 Land, buildings, and equipment: basis ▶ 1,300,000.00				
	Less: accumulated depreciation ▶		1,300,000.00	1,300,000.00	
	15 Other assets (describe ▶)				
	16 Total assets (to be completed by all filers)	0.00	1,300,000.00	1,300,000.00	
	Liabilities	17 Accounts payable and accrued expenses			
		18 Grants payable			
19 Deferred revenue					
20 Loans from officers, directors, trustees, and other disqualified persons					
21 Mortgages and other notes payable					
22 Other liabilities (describe ▶)					
23 Total liabilities (add lines 17 through 22)		0.00	0.00		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ <input type="checkbox"/>				
	and complete lines 24 through 26 and lines 30 and 31.				
	24 Unrestricted				
	25 Temporarily restricted				
	26 Permanently restricted				
	Foundations that do not follow SFAS 117, check here ▶ <input checked="" type="checkbox"/>				
	and complete lines 27 through 31				
	27 Capital stock, trust principal, or current funds	0.00	0.00		
28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.00	0.00			
29 Retained earnings, accumulated income, endowment, or other funds	0.00	1,300,000.00			
30 Total net assets or fund balances	0.00	1,300,000.00			
31 Total liabilities and net assets/fund balances	0.00	1,300,000.00			

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	0.00
2 Enter amount from Part I, line 27a	2	1,300,000.00
3 Other increases not included in line 2 (itemize) ▶	3	0.00
4 Add lines 1, 2, and 3	4	1,300,000.00
5 Decreases not included in line 2 (itemize) ▶	5	0.00
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	1,300,000.00

Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)		(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a				
b NONE				
c				
d				
e				

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

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

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

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	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8 }		3	

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.)

N/A

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

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes ☐ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008			
2007			
2006			
2005			
2004			

2 Total of line 1, column (d)	2	
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	
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	
5 Multiply line 4 by line 3	5	
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	
7 Add lines 5 and 6	7	
8 Enter qualifying distributions from Part XII, line 4	8	

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.

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

1a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)		1	0.00
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b			
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	0.00
3 Add lines 1 and 2		3	0.00
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	0.00
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	0.00
6 Credits/Payments:			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a		
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		0.00
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	8		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9		0.00
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10		
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax <input type="checkbox"/> Refunded <input type="checkbox"/>	11		

Part VII-A Statements Regarding Activities

	Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities		X
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. \$ 0.00 (2) On foundation managers. \$ 0.00		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. \$ 0.00		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) <u>KY</u>		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses Stmt 1	X	

N/A

Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► N / A	13	X	
14	The books are in care of ► Patrick McNamee Telephone no. ► (606) 874-8041 Located at ► P.O. Box 480, Allen, KY ZIP+4 ► 41601-0480			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year ► 15 N/A			

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

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

	Yes	No
1a During the year did the foundation (either directly or indirectly):		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(6) Agree to pay money or property to a government official? (Exception Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here	N/A	1b
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		1c X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)):		
a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? If "Yes," list the years ►	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.)	N/A	2b
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. ►		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)	N/A	3b
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?		4b X

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

5a During the year did the foundation pay or incur any amount to:

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

☒

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

N/A

☐ Yes ☐ No

If "Yes," attach the statement required by Regulations section 53.4945-5(d)

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

☐ Yes ☒ No

6b

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

X

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

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

☐ Yes ☒ No

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

N/A

7b

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

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
James W. Kinzer	Director			
P.O. Box 155				
Allen, KY 41601-0155	0.00	0.00	0.00	0.00
Terry G. Kinzer	Director			
P.O. Box 460				
Allen, KY 41601-0460	0.00	0.00	0.00	0.00
Jerry D. Kinzer	Director			
P.O. Box 480				
Allen, KY 41601-0480	0.00	0.00	0.00	0.00

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

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

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

0

Form 990-PF (2009)

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:			
a	Average monthly fair market value of securities	1a	0.00
b	Average of monthly cash balances	1b	
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	0.00
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.00
2	Acquisition indebtedness applicable to line 1 assets	2	0.00
3	Subtract line 2 from line 1d	3	0.00
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	0.00
6	Minimum investment return. Enter 5% of line 5	6	0.00

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

1	Minimum investment return from Part X, line 6	1	0.00
2a	Tax on investment income for 2009 from Part VI, line 5	2a	
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	0.00
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	0.00
4	Recoveries of amounts treated as qualifying distributions	4	0.00
5	Add lines 3 and 4	5	0.00
6	Deduction from distributable amount (see instructions)	6	0.00
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	0.00

Part XII Qualifying Distributions (see instructions)

1 Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:			
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	0.00
b	Program-related investments - total from Part IX-B	1b	0.00
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	0.00
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	0.00
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	0.00

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 instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				0.00
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.00	
b Total for prior years:		0.00		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e	0.00			
4 Qualifying distributions for 2009 from Part XII, line 4: ▶ \$ 0.00				
a Applied to 2008, but not more than line 2a			0.00	
b Applied to undistributed income of prior years (Election required - see instructions)		0.00		
c Treated as distributions out of corpus (Election required - see instructions)	0.00			
d Applied to 2009 distributable amount				0.00
e Remaining amount distributed out of corpus	0.00			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))	0.00			0.00
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	0.00			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.00		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.00		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.00		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see instr.			0.00	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				0.00
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.00			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.00			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	0.00			
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				

N/A

- ▶

☐ 4942(j)(3) or ☐ 4942(j)(5)

- [illegible]

Part XVI-A **Analysis of Income-Producing Activities**

Enter gross amounts unless otherwise indicated.

Enter gross amounts unless otherwise indicated.	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income
	(a) Business code	(b) Amount	(c) Exclu- sion 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					
4 Dividends and interest from securities					
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					
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)		0.00		0.00	0.00
13 Total. Add line 12, columns (b), (d), and (e)					0.00

(See worksheet in line 13 instructions to verify calculations.)

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

[illegible]

Pàrt 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		X
(2) Other assets		X
b Other transactions:		
(1) Sales of assets to a noncharitable exempt organization		X
(2) Purchases of assets from a noncharitable exempt organization		X
(3) Rental of facilities, equipment, or other assets		X
(4) Reimbursement arrangements		X
(5) Loans or loan guarantees		X
(6) Performance of services or membership or fundraising solicitations		X
c Sharing of facilities, equipment, mailing lists, other assets, or paid employees		X
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
N/A		

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer or trustee

Date _____

8.11.10

DIRECTOR
Title

Preparer's signature

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

Collins & Love, CPA's
P.O. Box 2768
Pikeville, Kentucky 41502-2768

Date _____

8/10/0

Check if self-employed	
------------------------	--

Preparer's identifying number

EIN ▶

Phone no. (606) 432-4171

Schedule B(Form 990, 990-EZ,
or 990-PF)Department of the Treasury
Internal Revenue Service**Schedule of Contributors**

▶ Attach to Form 990, 990-EZ, or 990-PF.

OMB No 1545-0047

2009

Name of the organization

J. W. Kinzer Foundation, Inc.

Employer identification number

27-1189623

Organization type (check one)

Filers of:

Section:

Form 990 or 990-EZ

☐ 501(c)() (enter number) organization☐ 4947(a)(1) nonexempt charitable trust not treated as a private foundation☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation☐ 501(c)(3) taxable private foundationCheck if your organization is covered by the **General Rule** or a **Special Rule**.**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.**General Rule**

- ☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

Special Rules

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year. ▶ \$ _____

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2 of its Form 990, or check the box on line H of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

LHA For Privacy Act and Paperwork Reduction Act Notice, see the Instructions
for Form 990, 990-EZ, or 990-PF.

Schedule B (Form 990, 990-EZ, or 990-PF) (2009)

Name of organization

Employer identification number

J. W. Kinzer Foundation, Inc.

27-1189623

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	Kinzer Investment Realty, Ltd. P.O. Box 480 Allen, KY 41601-0480	\$ 1,300,000.00	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input checked="" type="checkbox"/> (Complete Part II if there is a noncash contribution)
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)

Name of organization

Employer identification number

J. W. Kinzer Foundation, Inc.

27-1189623

Part II Noncash Property (see instructions)[illegible]

Form 990-PF	List of Substantial Contributors	Statement	1
	Part VII-A, Line 10		

Name of ContributorAddress

Kinzer Investment Realty, Ltd.

P.O. Box 480
Allen, KY 41601-0480

The J.W. Kinzer Foundation, Inc
Articles of Non-profit Incorporation

0742666.09	dcornish ADD
Trey Grayson, Secretary of State Received and Filed 9/11/2009 1 14 PM Fee Receipt \$8 00	

ARTICLE I

The name of the Kentucky Non-profit Corporation (pursuant to KRS chapter 273) is the J.W. Kinzer Foundation, Inc.

ARTICLE II

The purpose for which the corporation is charitable, education, scientific and religious within the meaning of Sections 501(a) and 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provisions of any future United States Internal Revenue Law). To this end, the corporation shall

ARTICLE III

The name of the registered agent is Terry G. Kinzer and the street address of the corporation's initial registered office in Kentucky is 155 New Ky Route 80, Allen, KY 16701.

ARTICLE IV

The mailing address of the corporation's principal office is PO Box 155 Allen, KY 41601.

ARTICLE V

The corporation shall have no voting members. The management and affairs of the corporation shall be at all times under the direction of a Board of Directors, whose operations in governing the corporation shall be defined by statute and by the corporation's by-laws. No Director shall have any right, title, or interest in or to any property of the corporation.

The number of directors constituting the initial Board of Directors is three. The names and mailing addresses of the persons who are to serve as the initial Board of Directors are as follows:

J.W. Kinzer, PO Box 155, Allen, KY, 41601

Terry G. Kinzer, PO Box 460, Allen, KY, 41601

Jerry D. Kinzer, PO Box 480, Allen, KY 41601

ARTICLE VI

The name and mailing address of each incorporator is J.W. Kinzer, PO Box 155, Allen, KY 41601.

ARTICLE VII

In the event of the dissolution of The J.W. Kinzer Foundation at any time or for any reason, all of the funds, properties, and assets of the The J.W. Kinzer Foundation shall be contributed to one or more organization of a public and nonprofit nature, organized and operated exclusively for religious, charitable, scientific, or educational purposes, and qualified as an exempt organization under Sections 501(c)(3) and 170(c)(2) of the internal Revenue code of 1986, as amended (or the corresponding provision of any future United States internal Revenue Law).

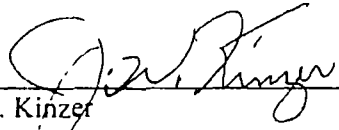
ARTICLE VIII

In carrying out its purposes and objectives, no part of the net earnings of The J.W. Kinzer Foundation shall be used for the benefit of, or be distributable to, its members, officers or other private persons, except that The J.W. Kinzer Foundation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of the The J.W. Kinzer Foundation and to provide appropriate and reasonable aid to families affected by the disease in conjunction with the organization's purpose. No substantial part of the activities of The J.W. Kinzer Foundation shall be carrying on of propaganda or otherwise attempting to influence legislation, and The J.W. Kinzer Foundation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

ARTICLE IX

In carrying out its purpose, The J.W. Kinzer Foundation will not discriminate against anyone on the basis of race, color, or national origin. The Foundation does not discriminate on the basis of race in hiring, administering policies, or granting funds or scholarships.

Executed by the Incorporator:



J.W. Kinzer

9/09/09

Date

I, Terry G. Kinzer, consent to serve as registered agent:



AMENDMENT TO ARTICLES OF INCORPORATION

The J.W. Kinzer Foundation, Inc

Pursuant to unanimous consent of the Directors at a meeting duly called for this purposes, the Articles of Incorporation for shall be amended as follows:

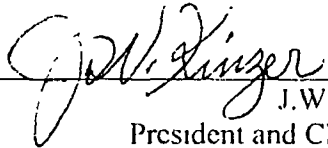
ARTICLE X

The J.W. Kinzer Foundation shall distribute its income for each taxable year to at such time and in such manner as not to subject the foundation to tax under section 4942, and

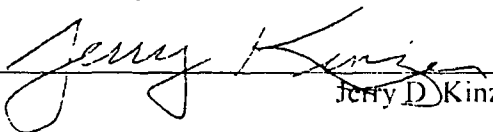
ARTICLE XI

The J.W. Kinzer Foundation shall not engage in any act of self-dealing (as defined in section 4941(d)), from retaining any excess business holdings (as defined in section 4943(c)), from making any investments in such manner as to subject the foundation to tax under section 4944, and from making any taxable expenditures (as defined in section 4945(d)).

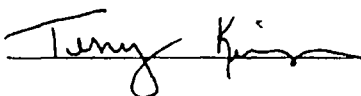
Executed by the Directors and Officers of the J.W. Kinzer Foundation, Inc this 27 day of October, 2009.



J.W. Kinzer
President and Chairman



Jerry D. Kinzer



Terry G. Kinzer

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 28 2010

J W KINZER FOUNDATION INC
155 NEW KENTUCKY RT 80
ALLEN, KY 41601

Employer Identification Number:
27-1189623
DLN:
17053334390039
Contact Person:
KAREN A BATEY ID# 31641
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Effective Date of Exemption:
September 11, 2009
Addendum Applies:
No

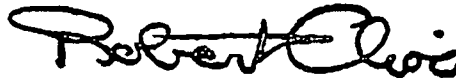
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a private foundation within the meaning of section 509(a) of the Code. You are required to file Form 990-PF annually.

Please see enclosed Publication 4221-PF, Compliance Guide for 501(c)(3) Private Foundations, for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PF

Letter 1076 (DO/CG)

564 - 553

DEED OF CONVEYANCE

FILED FOR RECORD
11/17/2010
9:56 a.m.
21.00
Chris Waugh
Floyd County
D.C.

THIS DEED OF CONVEYANCE made and entered into this 23 day of December 2009, by and between **KINZER INVESTMENT REALTY, LTD.**, a Kentucky Limited Partnership, of P. O. Box 480, Allen, Kentucky 41601, herein after referred to as **GRANTOR** and **THE J. W. KINZER FOUNDATION, INC.**, a Kentucky Non-Profit Corporation, of P. O. Box 155 Allen, Kentucky 41601 hereinafter referred to as **GRANTEE**.

W-I-T-N-E-S-S-E-T-H:

That for and in consideration of the foundation using said property for its purposes, and the Grantor donating said property as a gift to the Grantee, the receipt of which is hereby acknowledged, the **GRANTOR** does hereby grant, bargain, sell and convey, by gift, unto the **GRANTEE**, subject only to the exceptions noted herein below, the following described tract of land lying and being on the waters of Levisa Fork of the Big Sandy River, Floyd County, Kentucky and further bounded and described as follows:

BEGINNING at an iron pin being referenced at S 2°49' W 24.4 feet from the SW corner of the Wesley School building, and being further referenced S 60°52' W 15.3 feet from the West corner of the Allen Christ United Methodist Church building as shown by a survey dated July 21, 1998 by Reed Engineering Company, Inc., for property conveyed by deed dated August 25, 1998 from Kinbag Development Company to The Trustees Of The Allen United Methodist Church; thence leaving the Allen Christ United Methodist Church building property as described in Deed Book 295, Page 292, and crossing said undeveloped street at plus 0 to plus 30 feet and running through Lot #121 (said property being shown on the Henry Mortimer survey of July 1971 and of record in Plat File #475 of the Floyd County Court Clerk's Office), being a portion of the Kinzer Investment Realty Property, Ltd., as conveyed to the Grantor herein by deed dated December 17, 2007 and of record in Deed Book 542, Page 88 and crossing another undeveloped 30 foot wide street at plus 130 feet to 160 feet; thence N 38°14'20" W 168.59 feet to a iron pin set (in Mortimer Lot #183); thence crossing Mortimer Lot #183 thru 176; thence N

51°43'08" E 208.23 feet to an iron pin set in Mortimer Lot #175, said lots 183 thru 175 being a portion of the Kinzer Investment Realty Property, Ltd., as conveyed to the Grantor herein by deed dated December 17, 2007 and of record in Deed Book 542, Page 88; thence S 38°14'20" E 22.33 feet to iron pin set in a undeveloped 30 foot wide street crossing the edge of said street at plus 5.60 feet; thence down said undeveloped street N 51°45'40" E 296.47 feet to an undeveloped 30 foot wide street between Lot #101 and Lot #163 as delineated in the Riley Hall Addition Map of record in Plat File #475 of the Floyd County Court Clerk's Office; thence meandering N 39°06' W 273.56 feet in line of Lot #214 and the Big Sandy River of the Riley Hall Addition Map of record in Plat File #475; thence S 60°13' W 46.02. feet to iron pin in line of the Lot #216 of the Riley Hall Addition; thence S 77°41' W 194.34 feet meandering along Lot #216 thru 242; thence S 68°32' W 39.96 feet along Lot #242 thru Lot #243; thence S30°23' W 62.10 feet along Lot #243 thru Lot #246; thence N 80°24' W 43.39 feet along Lot #246 in line with the Lot #247; thence S 60°19' W 204.59 feet along Lot #247 thru Lot #255; thence S 32°03' W 73.35 feet crossing an undeveloped street as shown on the Riley Hall Addition Map in line with undeveloped street in line with Lot #257; thence S 13°56' W 147.60 feet in line with Lot #257 and L#258 to a point between Lot #258 and Lot #259; thence S 13°26' E 103.52 feet along Lot #259 thru Lot #262; thence S 33°37' E 131.30 feet along Lot #262 thru to a point in line with Lot #267 and Lot #268; thence S55°42' E 194.89 feet to a point in line of Lot #275; thence S 72°11' E 48.42 feet to the corner of Lot #62 and an undeveloped 30 foot street as shown on the Riley Hall Addition Map of record in Plat File #475 of the Floyd County Court Clerk's Office; thence N 50°53'58" E 201.39 feet to an iron pin set as the beginning corner herein and being referenced at S 2°49' W 24.4 feet from the SW corner of the Wesley School building, and being further referenced S 60°52' W 15.3 feet from the West corner of the Allen Christ United Methodist Church building, the beginning, and being the same property depicted on Exhibit A attached hereto.

There is retained by the Grantor herein a thirty (30) foot perpetual easement as shown on Exhibit A attached hereto and shall be a covenant that runs with property conveyed herein.

Being a part of the same property conveyed to the Grantor herein by deed dated December 17, 2007 and of record in Deed Book 542, Page 88 (part of KF-305); and further source of title is by deed dated January 13, 1995 of record in Deed Book 383, Page

705 (KF-83); by deed dated November 29, 2002 of record in Deed Book 480, Page 467 (KF-194); by deed dated December 19, 1994 of record in Deed Book 383, Page 135 (KF-79); by deed dated December 22, 1994 of record in Deed Book 383, Page 91 (KF-81); by deed dated January 4, 1995 of record in Deed Book 383, Page 390 (KF-82); by deed dated July 7, 1995 of record in Deed Book 392, Page 545 and Deed Book 387, Page 621 (KF-97); by deed dated January 31, 1996 of record in Deed Book 392, Page 530 (KF-102); by deed dated February 13, 1996 of record in Deed Book 392, Page 724 (KF-104); by deed dated April 3, 1996 of record in Deed Book 394, Page 192 (KF-111); by deed dated May 13, 1998 of record in Deed Book 418, Page 646 (KF-138); by deed dated April 16, 2000 of record in Deed Book 446, Page 119 (KF-159); by deed dated April 16, 2000 of record in Deed Book 446, Page 123 (KF-160); and by deed dated November 29, 2002 of record in Deed Book 480, Page 463 (KF-196) all of record in the Floyd County Court Clerk's Office.

TO HAVE AND TO HOLD the same together with all appurtenances thereon unto belonging unto the Grantees, with covenants of General Warranty unto their heirs and assigns forever, as the date hereinabove written.

We, **Kinzer Investment Realty, Ltd.**, Grantor and **The J. W. Kinzer Foundation, Inc.**, Grantee do hereby swear and affirm, pursuant KRS Chapter 382, that the estimated fair market value of the property conveyed herein is One Million Three Hundred Thousand Dollars (\$1,300,000.00) and the property transferred herein is conveyed by gift and no monetary consideration was paid for the property conveyed hereinabove.

Pursuant to KRS 382.135, the address which the property tax bill, if any, for the year in which the deed of correction is transferred may be sent, in care of **The J. W. Kinzer Foundation, Inc.**, at P. O. Box 155, Allen, Kentucky 41601.

IN TESTIMONY WHEREOF, the Parties hereto have subscribed their name, as of the date hereinabove written.

GRANTOR:

Kinzer Investment Realty, Ltd.

By: Kinzer Investment, LLC
Its: General Partner

By: J.W. Kinzer, Manager

GRANTEE:

The J. W. Kinzer Foundation, Inc.

By: J.W. Kinzer
Its: _____

STATE OF KENTUCKY

STATE AT LARGE

The foregoing Deed of Conveyance and Consideration Certificate was hereby acknowledged, subscribed and sworn to before by **Kinzer Investment Realty, Ltd.**, by J.W. Kinzer its General Partner, this 23 day of December 2009.

My Commission Expires: 4.24.2013
[Signature]
NOTARY PUBLIC

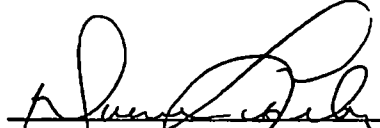
STATE OF KENTUCKY

STATE AT LARGE

The foregoing Deed of Conveyance and Consideration Certificate was hereby acknowledged, subscribed and sworn to before by **The J. W. Kinzer Foundation, Inc.**, by J.W. Kinzer its President, this 23 day of December 2009.

My Commission Expires: 4.24.2013
[Signature]
NOTARY PUBLIC

This Instrument Prepared By:



Kinzer Business Realty, Ltd.

Duane Lester

P. O. Box 460

Allen, Kentucky 41601

Telephone #606-874-8041

Facsimile #606-874-9928

KF#-0339

dlester@kinzerdrilling.com

Note: Map Prepared Using
Information From Plat By
John Reed of Reed Engineering, Inc.

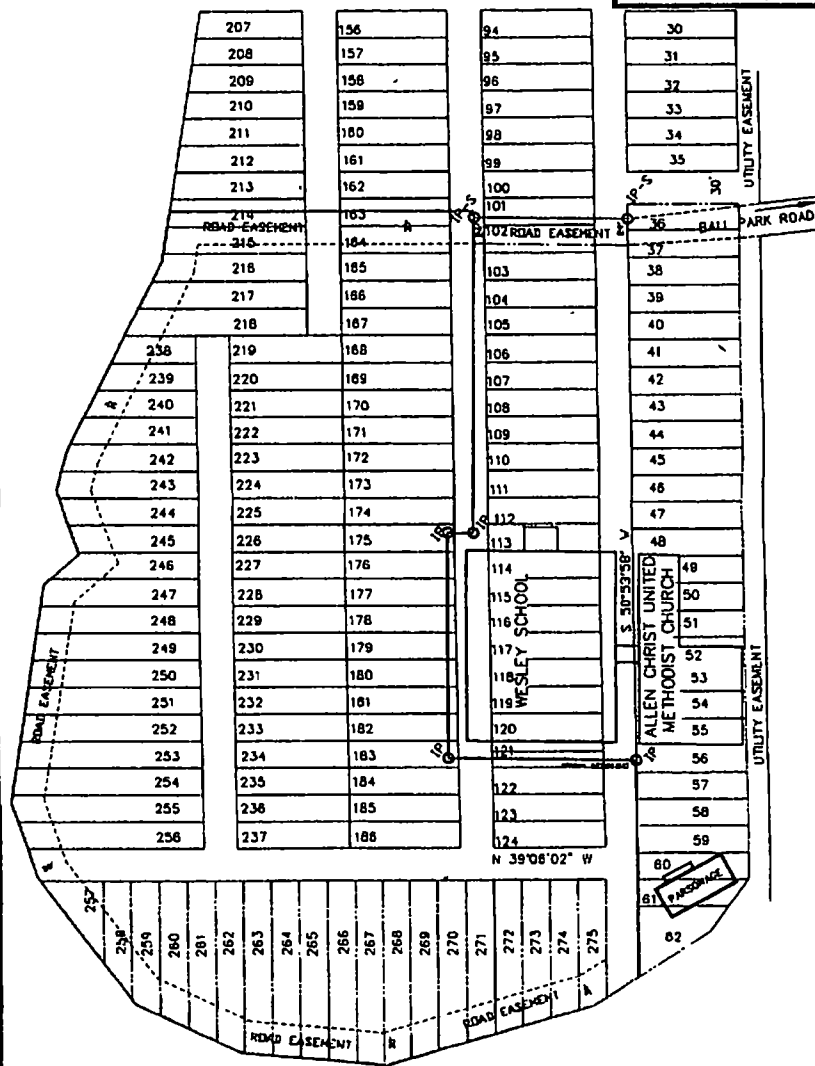
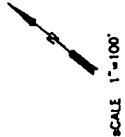


Exhibit A to Deed of Conveyance
from Kinzer Investment Realty, Ltd.
to The J. W. Kinzer Foundation, Inc.

KINZER INVESTMENT REALTY LTD
TO
THE J.W KINZER FOUNDATION, INC.

QUAD: HAROLD DATE: OCTOBER 23, 2009
BEING PART OF THE RILEY HALL ADDITION TO ALLEN

STATE OF KENTUCKY, COUNTY OF FLOYD, S S
I, CHRIS WAUGH, Clerk of Floyd County, Certify that the foregoing was on the
17 day of November, 2010 at 1:57 o'clock
P.m. lodged for record whereupon the s.s. & with the foregoing
and this certificate have been duly recorded in my office.
Witness my hand this 17 day of November, 2010
CHRIS WAUGH, CLERK by April Spaulding D.C.