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Form 990-PF

## Return of Private Foundation

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

2009

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 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

<b>Use the IRS label. Otherwise, print or type. See Specific Instructions.</b>	Name of foundation JOHN BURTON HARTER FOUNDATION	<b>A Employer identification number</b> 30-6048115		
	Number and street (or P O box number if mail is not delivered to street address) P O BOX 94651	Room/ suite	<b>B Telephone number (see page 10 of the instructions)</b> (216) 257-4714	
	City or town, state, and ZIP code CLEVELAND, OH 441014651		<b>C If exemption application is pending, check here</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	

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

**I** Fair market value of all assets at end of year (from Part II, col. (c), line 16) **\$ 3,465,367** **J** Accounting method  Cash  Accrual  
 Other (specify) *(Part I, column (d) must be on cash basis.)*

**E** If private foundation status was terminated under section 507(b)(1)(A), check here    
**F** If the foundation is in a 60-month termination under section 507(b)(1)(B), check here

<b>Part I Analysis of Revenue and Expenses</b> <i>(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))</i>		<b>(a) Revenue and expenses per books</b>	<b>(b) Net investment income</b>	<b>(c) Adjusted net income</b>	<b>(d) Disbursements for charitable purposes (cash basis only)</b>
<b>Revenue</b>	1 Contributions, gifts, grants, etc., received (attach schedule)				
	2 Check <input checked="" type="checkbox"/> if the foundation is <b>not</b> required to attach Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities. . . . .	116,066	116,066		
	5a Gross rents . . . . .				
	b Net rental income or (loss) _____				
	6a Net gain or (loss) from sale of assets not on line 10	-266,788			
	b Gross sales price for all assets on line 6a <b>614,253</b>				
	7 Capital gain net income (from Part IV, line 2) . . . . .		0		
	8 Net short-term capital gain . . . . .			0	
	9 Income modifications . . . . .				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold . . . . .					
c Gross profit or (loss) (attach schedule) . . . . .					
11 Other income (attach schedule) . . . . .	2,737				
12 <b>Total.</b> Add lines 1 through 11 . . . . .	-147,985	116,066		47,720	
<b>Operating and Administrative Expenses</b>	13 Compensation of officers, directors, trustees, etc	59,441	11,720		
	14 Other employee salaries and wages . . . . .		0	0	0
	15 Pension plans, employee benefits . . . . .			0	0
	16a Legal fees (attach schedule) . . . . .				0
	b Accounting fees (attach schedule) . . . . .				
	c Other professional fees (attach schedule) . . . . .				0
	17 Interest . . . . .				0
	18 Taxes (attach schedule) (see page 14 of the instructions)	804	804		0
	19 Depreciation (attach schedule) and depletion . . . . .	0	0		
	20 Occupancy . . . . .	10,144			10,144
	21 Travel, conferences, and meetings . . . . .	4,276	0	0	4,276
	22 Printing and publications . . . . .		0	0	
	23 Other expenses (attach schedule) . . . . .	7,688	2		7,686
	24 <b>Total operating and administrative expenses.</b>	82,353	12,526	0	69,826
25 Contributions, gifts, grants paid . . . . .	119,300			119,300	
26 <b>Total expenses and disbursements.</b> Add lines 24 and 25	201,653	12,526	0	189,126	
27 Subtract line 26 from line 12					
a <b>Excess of revenue over expenses and disbursements</b>	-349,638				
b <b>Net investment income</b> (if negative, enter -0-) . . . . .		103,540			
c <b>Adjusted net income</b> (if negative, enter -0-) . . . . .			0		

<b>Part II</b> <b>Balance Sheets</b>		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
<b>1</b>	Cash—non-interest-bearing . . . . .				
<b>2</b>	Savings and temporary cash investments . . . . .	195,786	23,881	23,881	
<b>3</b>	Accounts receivable ►				
	Less allowance for doubtful accounts ►		0	0	
<b>4</b>	Pledges receivable ►				
	Less allowance for doubtful accounts ►				
<b>5</b>	Grants receivable . . . . .				
<b>6</b>	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions) . . . . .				
<b>7</b>	Other notes and loans receivable (attach schedule) ►				
	Less allowance for doubtful accounts ►	0			
<b>8</b>	Inventories for sale or use . . . . .				
<b>9</b>	Prepaid expenses and deferred charges . . . . .				
<b>10a</b>	Investments—U S and state government obligations (attach schedule)	80,272	130,859	120,677	
<b>b</b>	Investments—corporate stock (attach schedule) . . . . .	1,051,077	727,422	821,864	
<b>c</b>	Investments—corporate bonds (attach schedule) . . . . .	2,200,001	2,313,131	2,498,945	
<b>11</b>	Investments—land, buildings, and equipment basis ►				
	Less accumulated depreciation (attach schedule) ►				
<b>12</b>	Investments—mortgage loans . . . . .				
<b>13</b>	Investments—other (attach schedule) . . . . .			0	
<b>14</b>	Land, buildings, and equipment basis ►				
	Less accumulated depreciation (attach schedule) ►				
<b>15</b>	Other assets (describe ►) . . . . .				
<b>16</b>	<b>Total assets</b> (to be completed by all filers—see the instructions Also, see page 1, item I)	3,527,136	3,195,293	3,465,367	
<b>17</b>	Accounts payable and accrued expenses . . . . .				
<b>18</b>	Grants payable . . . . .				
<b>19</b>	Deferred revenue . . . . .				
<b>20</b>	Loans from officers, directors, trustees, and other disqualified persons				
<b>21</b>	Mortgages and other notes payable (attach schedule) . . . . .				
<b>22</b>	Other liabilities (describe ►) . . . . .				
<b>23</b>	<b>Total liabilities</b> (add lines 17 through 22) . . . . .			0	
	<b>Foundations that follow SFAS 117, check here ►</b> <input type="checkbox"/>				
	<b>and complete lines 24 through 26 and lines 30 and 31.</b>				
<b>24</b>	Unrestricted . . . . .				
<b>25</b>	Temporarily restricted . . . . .				
<b>26</b>	Permanently restricted . . . . .				
	<b>Foundations that do not follow SFAS 117, check here ►</b> <input checked="" type="checkbox"/>				
	<b>and complete lines 27 through 31.</b>				
<b>27</b>	Capital stock, trust principal, or current funds . . . . .	3,527,136	3,195,293		
<b>28</b>	Paid-in or capital surplus, or land, bldg , and equipment fund				
<b>29</b>	Retained earnings, accumulated income, endowment, or other funds				
<b>30</b>	<b>Total net assets or fund balances</b> (see page 17 of the instructions) . . . . .	3,527,136	3,195,293		
<b>31</b>	<b>Total liabilities and net assets/fund balances</b> (see page 17 of the instructions) . . . . .	3,527,136	3,195,293		

**Part III** **Analysis of Changes in Net Assets or Fund Balances**

<b>1</b>	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) . . . . .	<b>1</b>	3,527,136
<b>2</b>	Enter amount from Part I, line 27a . . . . .	<b>2</b>	-349,638
<b>3</b>	Other increases not included in line 2 (itemize) ►	<b>3</b>	22,877
<b>4</b>	Add lines 1, 2, and 3 . . . . .	<b>4</b>	3,200,375
<b>5</b>	Decreases not included in line 2 (itemize) ►	<b>5</b>	5,082
<b>6</b>	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30 . . . . .	<b>6</b>	3,195,293

**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				(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	
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 -266,788
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	145,977	3,819,973	0 038214
2007	123,109	4,304,796	0 028598
2006	130,966	3,973,856	0 032957
2005	230,919	3,770,975	0 061236
2004	128,717	3,665,820	0 035113
2 Total of line 1, column (d).			2 0 196118
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 039224
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5.			4 3,172,289
5 Multiply line 4 by line 3.			5 124,428
6 Enter 1% of net investment income (1% of Part I, line 27b).			6 1,035
7 Add lines 5 and 6.			7 125,463
8 Enter qualifying distributions from Part XII, line 4.			8 189,126

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

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

1a	Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1	1	1,035
	Date of ruling or determination letter _____ <b>(attach copy of letter if necessary—see instructions)</b>		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b . . . . .	1	1,035
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	0
3	Add lines 1 and 2. . . . .	3	1,035
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	0
5	<b>Tax based on investment income.</b> Subtract line 4 from line 3 If zero or less, enter -0- . . . . .	5	1,035
6	<b>Credits/Payments</b>		
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	5,961
b	Exempt foreign organizations—tax withheld at source . . . . .	6b	
c	Tax paid with application for extension of time to file (Form 8868)	6c	0
d	Backup withholding erroneously withheld . . . . .	6d	
7	Total credits and payments Add lines 6a through 6d. . . . .	7	5,961
8	Enter any <b>penalty</b> for underpayment of estimated tax Check here <input type="checkbox"/> if Form 2220 is attached	8	0
9	<b>Tax due.</b> If the total of lines 5 and 8 is more than line 7, enter <b>amount owed</b> . . . . .	9	
10	<b>Overpayment.</b> If line 7 is more than the total of lines 5 and 8, enter the <b>amount overpaid</b> . . . . .	10	4,926
11	Enter the amount of line 10 to be <b>Credited to 2010 estimated tax</b> <input type="checkbox"/> 1,250 <b>Refunded</b> <input type="checkbox"/>	11	3,676

**Part VII-A Statements Regarding Activities**

1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign? . . . . .		<b>Yes</b>	<b>No</b>
1b	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)? . . . . .		<b>Yes</b>	<b>No</b>
	<i>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.</i>			
1c	Did the foundation file <b>Form 1120-POL</b> for this year? . . . . .		<b>Yes</b>	<b>No</b>
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year			
	(1) On the foundation <input type="checkbox"/> \$ _____ (2) On foundation managers <input type="checkbox"/> \$ _____			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$ _____			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? . . . . .		<b>Yes</b>	<b>No</b>
	<i>If "Yes," attach a detailed description of the activities.</i>			
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? <i>If "Yes," attach a conformed copy of the changes</i>		<b>Yes</b>	<b>No</b>
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year? . . . . .		<b>Yes</b>	<b>No</b>
b	If "Yes," has it filed a tax return on <b>Form 990-T</b> for this year? . . . . .		<b>Yes</b>	<b>No</b>
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? . . . . .		<b>Yes</b>	<b>No</b>
	<i>If "Yes," attach the statement required by General Instruction T.</i>			
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either		<b>Yes</b>	
	● 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? . . . . .			
7	Did the foundation have at least \$5,000 in assets at any time during the year? <i>If "Yes," complete Part II, col (c), and Part XV</i>		<b>Yes</b>	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) <input type="checkbox"/> KY			
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? <i>If "No," attach explanation.</i>		<b>Yes</b>	
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)? <i>If "Yes," complete Part XIV</i>		<b>Yes</b>	<b>No</b>
10	Did any persons become substantial contributors during the tax year? <i>If "Yes," attach a schedule listing their names and addresses</i>		<b>Yes</b>	<b>No</b>

**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). . . . .	<input type="checkbox"/> 11		<input type="checkbox"/> No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008? . . . . .	<input type="checkbox"/> 12		<input type="checkbox"/> No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? . . . . .	<input type="checkbox"/> 13	<input checked="" type="checkbox"/> Yes	
Website address ►				
14	The books are in care of ► PNC BANK NA Located at ► P O BOX 94651 CLEVELAND OH	Telephone no ► (216) 257-4714 ZIP +4 ► 441014651		
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of <b>Form 1041</b> —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.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>1a</b>	During the year did the foundation (either directly or indirectly)		
(1)	Engage in the sale or exchange, or leasing of property with a disqualified person? . . . . .	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? . . . . .	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person? . . . . .	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person? . . . . .	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(5)	Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? . . . . .	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(6)	Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days). . . . .	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>b</b>	If any answer is "Yes" to 1a(1)–(6), did <b>any</b> of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? . . . . . Organizations relying on a current notice regarding disaster assistance check here. . . . . ►	<input type="checkbox"/> 1b	<input type="checkbox"/> No
<b>c</b>	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? . . . . .	<input type="checkbox"/> 1c	<input type="checkbox"/> No
<b>2</b>	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))		
<b>a</b>	At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? . . . . .	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	If "Yes," list the years ► 20____, 20____, 20____, 20____		
<b>b</b>	Are there any years listed in 2a for which the foundation is <b>not</b> 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 <b>all</b> years listed, answer "No" and attach statement—see page 20 of the instructions) . . . . .	<input type="checkbox"/> 2b	<input checked="" type="checkbox"/> Yes
<b>c</b>	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____		
<b>3a</b>	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>b</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). . . . .	<input type="checkbox"/> 3b	
<b>4a</b>	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes? . . . . .	<input type="checkbox"/> 4a	<input type="checkbox"/> No
<b>b</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? . . . . .	<input type="checkbox"/> 4b	<input type="checkbox"/> No

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

5a	During the year did the foundation pay or incur any amount to			
(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? . . . . .		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(3) Provide a grant to an individual for travel, study, or other similar purposes?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions). . . . .		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? . . . . .		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b	If any answer is "Yes" to 5a(1)-(5), did <b>any</b> of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here. . . . .	<input checked="" type="checkbox"/>	5b	
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? . . . . .	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? . . . . .	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6b	No
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? . . . . .			
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
b	If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? . . . . .		7b	

**Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors****1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).**

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation <b>(If not paid, enter -0-)</b>	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
PNC BANK NA P O BOX 94651 CLEVELAND, OH 441014651	TRUSTEE 2	23,441		
GEORGE JORDAN 745 LAKESIDE DR BRIDGEPORT, CT 066061950	DIRECTOR 1	12,000		
JOHN SULLIVAN 862 CAMP ST NEW ORLEANS, LA 701303704	DIRECTOR 1	12,000		
MICHEL G DELHAISE PO BOX 2208 WESTPORT, CT 06880	DIRECTOR 1	12,000		

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

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				
<b>Total number of other employees paid over \$50,000.</b> . . . . .				0

**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		

## **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.

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.

Describe the two largest program-related investments made by the foundation during the year, but not lines 1 and 2		Amount
<b>1</b>		
<b>2</b>		
All other program-related investments See page 24 of the instructions		
<b>3</b>		
<b>Total</b>	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	3,220,598
b Average of monthly cash balances. . . . .	1b	0
c Fair market value of all other assets (see page 24 of the instructions). . . . .	1c	0
<b>d Total</b> (add lines 1a, b, and c). . . . .	1d	3,220,598
e Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation). . . . .	1e	0
<b>2 Acquisition indebtedness applicable to line 1 assets.</b> . . . . .	2	0
<b>3 Subtract line 2 from line 1d.</b> . . . . .	3	3,220,598
<b>4 Cash deemed held for charitable activities</b> Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions). . . . .	4	48,309
<b>5 Net value of noncharitable-use assets.</b> Subtract line 4 from line 3 Enter here and on Part V, line 4	5	3,172,289
<b>6 Minimum investment return.</b> Enter 5% of line 5. . . . .	6	158,614

**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	158,614
2a Tax on investment income for 2009 from Part VI, line 5. . . . .	2a	1,035
b Income tax for 2009 (This does not include the tax from Part VI ). . . . .	2b	
c Add lines 2a and 2b. . . . .	2c	1,035
3 Distributable amount before adjustments Subtract line 2c from line 1. . . . .	3	157,579
4 Recoveries of amounts treated as qualifying distributions. . . . .	4	0
5 Add lines 3 and 4. . . . .	5	157,579
6 Deduction from distributable amount (see page 25 of the instructions). . . . .	6	0
<b>7 Distributable amount</b> as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1. . . . .	7	157,579

**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	189,126
b Program-related investments—total from Part IX-B. . . . .	1b	0
2 Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes. . . . .	2	0
3 Amounts set aside for specific charitable projects that satisfy the		
a Suitability test (prior IRS approval required). . . . .	3a	0
b Cash distribution test (attach the required schedule). . . . .	3b	0
<b>4 Qualifying distributions.</b> Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	189,126
<b>5 Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income</b> Enter 1% of Part I, line 27b (see page 26 of the instructions). . . . .	5	1,035
<b>6 Adjusted qualifying distributions.</b> Subtract line 5 from line 4. . . . .	6	188,091

**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)

	<b>(a)</b> Corpus	<b>(b)</b> Years prior to 2008	<b>(c)</b> 2008	<b>(d)</b> 2009
<b>1</b> Distributable amount for 2009 from Part XI, line 7				157,579
<b>2</b> Undistributed income, if any, as of the end of 2008				
<b>a</b> Enter amount for 2008 only. . . . .			181,810	
<b>b</b> Total for prior years 20____, 20____, 20____		0		
<b>3</b> Excess distributions carryover, if any, to 2009				
<b>a</b> From 2004. . . . .	0			
<b>b</b> From 2005. . . . .	0			
<b>c</b> From 2006. . . . .	0			
<b>d</b> From 2007. . . . .	0			
<b>e</b> From 2008. . . . .	0			
<b>f Total</b> of lines 3a through e. . . . .	0			
<b>4</b> Qualifying distributions for 2009 from Part XII, line 4 ► \$ 189,126			181,810	
<b>a</b> Applied to 2008, but not more than line 2a				
<b>b</b> Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
<b>c</b> Treated as distributions out of corpus (Election required—see page 26 of the instructions). . . .	0			
<b>d</b> Applied to 2009 distributable amount. . . . .			7,316	
<b>e</b> Remaining amount distributed out of corpus	0			
<b>5</b> Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0			0
<b>6</b> Enter the net total of each column as indicated below:				
<b>a</b> Corpus Add lines 3f, 4c, and 4e Subtract line 5	0			
<b>b</b> Prior years' undistributed income Subtract line 4b from line 2b. . . . .		0		
<b>c</b> 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		
<b>d</b> Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions . . . . .		0		
<b>e</b> Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions . . . . .			0	
<b>f</b> Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010. . . . .				150,263
<b>7</b> 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) . . . . .	0			
<b>8</b> Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions) . . . . .	0			
<b>9</b> Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a . . . . .	0			
<b>10</b> Analysis of line 9				
<b>a</b> Excess from 2005. . . . .	0			
<b>b</b> Excess from 2006. . . . .	0			
<b>c</b> Excess from 2007. . . . .	0			
<b>d</b> Excess from 2008. . . . .	0			
<b>e</b> Excess from 2009. . . . .	0			

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

**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) )

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

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

Check here  if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see page 28 of the instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.

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

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

## 6 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)				
<b>a Paid during the year</b> See Additional Data Table				
<b>Total</b> . . . . .			► 3a	119,300
<b>b Approved for future payment</b>				
<b>Total</b> . . . . .			► 3b	

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated

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



**Additional Data**

**Software ID:** 09000072  
**Software Version:** 09-0  
**EIN:** 30-6048115  
**Name:** JOHN BURTON HARTER FOUNDATION

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

<b>(a)</b> 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>(b)</b> How acquired P—Purchase D—Donation	<b>(c)</b> Date acquired (mo., day, yr.)	<b>(d)</b> Date sold (mo., day, yr.)
555 AMERICAN EXPRESS CO COM			2009-02-25
270 FORTUNE BRANDS INC COM			2009-02-25
400 JOHNSON CTLS INC COM		2008-03-12	2009-02-25
375 ALLSTATE CORP COM			2009-02-26
100 GOLDMAN SACHS GROUP INC COM		2004-05-20	2009-02-26
1000 INVESCO LTD ISIN BMG491BT1088 SEDOL B28XP76		2008-07-21	2009-02-26
260 ABBOTT LABS COM			2009-03-06
150 APACHE CORP COM		2008-03-12	2009-03-06
100 APPLE COMPUTER INC COM		2006-05-02	2009-03-06
1200 CHESAPEAKE ENERGY CORP		2007-09-14	2009-03-06
745 CISCO SYS INC COM			2009-03-06
50 GOOGLE INC-CL A			2009-03-06
340 ILLINOIS TOOL WORKS INC COM		2004-05-20	2009-03-06
755 MICROSOFT CORP COM			2009-03-06
500 MATERIALS SELECT SECTOR SPDR ETF LARGE CAP		2007-12-06	2009-03-06
550 UNITED TECHNOLOGIES CORP COM			2009-03-06
940 WELLS FARGO & CO COM NEW			2009-03-06
7006 577 ALLEGIANT MID CAP VALUE FD CL I			2009-03-09
500 DEERE & CO COM			2009-05-15
500 CALL ON DE 5/16/2009 @ 36		2009-03-31	2009-05-15
1265 DEANS FOODS CO			2009-05-29
500 ISHARES TR RUSSELL 2000 INDEX FD ETF		2007-12-06	2009-05-29
256 007 ROYCE TOTAL RETURN FUND INV FUND 267		2008-07-21	2009-05-29
4827 029 ROYCE TOTAL RETURN FUND INV FUND 267		2008-03-25	2009-05-29
955 687 THIRD AVE TR SMALL-CAP VALUE FUND 443		2008-05-19	2009-05-29
1143 448 VAN KAMPEN SMALL CAP VALUE FUND CLASS I		2008-05-14	2009-05-29
914 209 HARBOR FD INTL FD		2003-10-15	2009-06-17
600 ISHARES TR MSCI EMERGING MKTS INDEX FD		2008-12-10	2009-06-17
5652 197 PIMCO SHORT TERM FUND INSTL		2009-02-26	2009-06-17
600 COLGATE-PALMOLIVE CO COM			2009-07-21

**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)
7,012		24,039	-17,027
6,771		20,634	-13,863
4,840		13,127	-8,287
6,994		16,728	-9,734
9,335		9,269	66
12,540		23,450	-10,910
12,089		14,660	-2,571
7,931		17,886	-9,955
8,490		7,153	1,337
16,608		42,036	-25,428
10,469		15,326	-4,857
15,365		25,061	-9,696
9,004		14,640	-5,636
11,385		21,211	-9,826
9,060		21,130	-12,070
20,959		24,858	-3,899
8,001		28,392	-20,391
43,931		97,315	-53,384
17,995		25,918	-7,923
740			740
23,452		37,827	-14,375
24,710		38,780	-14,070
2,278		3,057	-779
42,961		60,000	-17,039
14,249		23,806	-9,557
13,264		17,803	-4,539
38,909		31,641	7,268
18,786		15,000	3,786
54,487		52,905	1,582
38,993		33,895	5,098

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

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
			-17,027
			-13,863
			-8,287
			-9,734
			66
			-10,910
			-2,571
			-9,955
			1,337
			-25,428
			-4,857
			-9,696
			-5,636
			-9,826
			-12,070
			-3,899
			-20,391
			-53,384
			-7,923
			740
			-14,375
			-14,070
			-779
			-17,039
			-9,557
			-4,539
			7,268
			3,786
			1,582
			5,098

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

<b>(a)</b> 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>(b)</b> How acquired P—Purchase D—Donation	<b>(c)</b> Date acquired (mo, day, yr)	<b>(d)</b> Date sold (mo, day, yr)
600 CALL ON CL 8/22/2009 @ 65		2009-03-31	2009-07-21
500 OMNICOM GROUP INC COM		2008-07-21	2009-08-07
100 COLGATE-PALMOLIVE CO COM			2009-08-21
100 CALL ON CL 8/22/2009 @ 65		2009-03-31	2009-08-21
200 ALTRIA GROUP INC		2008-03-12	2009-09-15
130 95 DODGE & COX STK FD COM		2007-12-28	2009-11-19
1461 354 VANGUARD L/T INVEST GR FD - AD		2008-03-12	2009-11-19
400 AECOM TECHNOLOGY CORP		2009-06-17	2009-12-14
190 JOHNSON & JOHNSON COM		2007-05-16	2009-12-14
496 09 PIMCO FDS PAC INVT MGMT SER TOTAL RETURN FD INSTL CL		2009-12-09	2009-12-14
761 997 PIMCO FDS PAC INVT MGMT SER TOTAL RETURN FD INSTL CL		2003-02-19	2009-12-14
300 FOSTER WHEELER AG SEDOL B4Y5TZ6		2009-03-06	2009-12-14

**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)
972			972
17,925		21,520	-3,595
6,499		4,452	2,047
162			162
3,576		4,550	-974
12,381		18,232	-5,851
13,328		12,948	380
10,309		11,682	-1,373
12,318		11,991	327
5,392		5,402	-10
8,283		8,169	114
8,514		4,548	3,966

**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			<b>(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))</b>
<b>(i) F M V as of 12/31/69</b>	<b>(j) Adjusted basis as of 12/31/69</b>	<b>(k) Excess of col (i) over col (j), if any</b>	
			972
			-3,595
			2,047
			162
			-974
			-5,851
			380
			-1,373
			327
			-10
			114
			3,966

## 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)				
<b>a Paid during the year</b>				
HERE ARTS CENTER145 AVENUE OF THE AMERICAS NEW YORK, NY 100131548	N/A	PUBLIC	GENERAL SUPPORT	10,000
NO AIDS TASK FORCE NEW ORLEANS AIDS MEMORIAL601 TULANE AVE SUITE 500 NEW ORLEANS, LA 70119	N/A	PUBLIC	GENERAL SUPPORT	15,000
LOYOLA UNIVERSITY NEW ORLEANS COLLEGE OF MUSIC & FINE ARTS 6363 ST CHARLES AVE NEW ORLEANS, LA 70118	NONE	PUBLIC	GENERAL SUPPORT	10,000
NEW ORLEANS DISTRICT ASID DELGADO COMMUNITY COLLEGE 615 CITY PARK AVE NEW ORLEANS, LA 70119	NONE	PUBLIC	DESIGNING WITH JAZZ EVENT	250
FORUM FOR EQUALITY336 LAFAYETTE ST SUITE 200 NEW ORLEANS, LA 70130	NONE	PUBLIC	11TH ANNUAL ACCLAIM AWARDS SILENT AUCTION	1,750
NEW ORLEANS MUSEUM OF ARTPO BOX 19123 NEW ORLEANS, LA 70179	NONE	PUBLIC	ADDITION TO MUSEUM COLLECTION	6,300
LESLIE-LOHMAN GAY ART FOUNDATION26 WOOSTER STREET NEW YORK, NY 100132227	NONE	PUBLIC	ADDITION TO ART COLLECTION	3,000
HERE ARTS CENTER145 AVENUE OF THE AMERICAS NEW YORK, NY 100131548	NONE	PUBLIC	GENERAL SUPPORT	5,000
NO AIDS TASK FORCE601 TULANE AVENUE 500 NEW ORLEANS, LA 70119	NONE	PUBLIC	ART AGAINST AIDS 2009	1,050
FORUM FOR EQUALITY FOUNDATION336 LAFAYETTE ST SUITE 200 NEW ORLEANS, LA 70130	N/A	PUBLIC	GENERAL SUPPORT	1,250
LESLIE-LOHMAN GAY ART FOUNDATION26 WOOSTER STREET NEW YORK, NY 100132227	NONE	PUBLIC	GENERAL SUPPORT	19,200
SMITHSONIAN INSTITUTION750 NINTH ST NW SUITE 410 WASHINGTON, DC 200137012	N/A	PUBLIC	GENERAL SUPPORT	25,000
NEW ORLEANS MUSEUM OF ARTPO BOX 19123 NEW ORLEANS, LA 701790123	N/A	PUBLIC	GENERAL SUPPORT	10,000
CONTEMPORARY ARTS CENTER900 CAMP ST NEW ORLEANS, LA 70130	N/A	PUBLIC	GENERAL SUPPORT	7,500
ZEITGEIST MULTI DISCIPLINARY ARTS COUNCIL1618 ORETHA CASTLE HALEY BLVD NEW ORLEANS, LA 70175	N/A	PUBLIC	GENERAL SUPPORT	4,000
<b>Total . . . . .</b>			<b>► 3a</b>	<b>119,300</b>

## TY 2009 Other Decreases Schedule

**Name:** JOHN BURTON HARTER FOUNDATION**EIN:** 30-6048115

Description	Amount
POSTED SUBSEQ YR TAXED CURR YR	5,082

## TY 2009 Other Expenses Schedule

**Name:** JOHN BURTON HARTER FOUNDATION**EIN:** 30-6048115

Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
MISC FOUNDATION EXPENSES	7,686	0		7,686
ADR SERVICE FEES	2	2		0

## TY 2009 Other Income Schedule

**Name:** JOHN BURTON HARTER FOUNDATION**EIN:** 30-6048115

Description	Revenue And Expenses Per Books	Net Investment Income	Adjusted Net Income
EXEMPT PURPOSE INC	2,737	0	

## TY 2009 Other Increases Schedule

**Name:** JOHN BURTON HARTER FOUNDATION**EIN:** 30-6048115

Description	Amount
POSTED Curr YR TAXED PRIOR YR	5,525
ROUNDING ADJUSTMENT	2
ADJUSTMENT MARKET TO TAX COST FOR IN KIND DISTRIBUTION	17,350

## TY 2009 Taxes Schedule

**Name:** JOHN BURTON HARTER FOUNDATION**EIN:** 30-6048115

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
FOREIGN TAXES	154	154		0
FOREIGN TAXES ON QUALIFIED FOR	624	624		0
FOREIGN TAXES ON NONQUALIFIED	26	26		0