Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation

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

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

OMB No 1545-0052

2009

For calendar year 2009, or tax year beginning , 2009, and ending , 20

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: THE WEARY FAMILY FOUNDATION

A Employer identification number: 48-1224093

Number and street (or P O box number if mail is not delivered to street address): 802 N. WASHINGTON, SUITE 290 — Room/suite:

B Telephone number (see page 10 of the instructions): ( ) -

City or town, state, and ZIP code: JUNCTION CITY, KS 66441

C If exemption application is pending, check here ▶ [ ]

D 1 Foreign organizations, check here ▶ [ ]

2 Foreign organizations meeting the 85% test, check here and attach computation ▶ [ ]

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

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

I Fair market value of all assets at end of year *(from Part II, col (c), line 16)* ▶ $ 16,261,941.

J Accounting method: [X] Cash [ ] Accrual [ ] Other (specify) ________ *(Part I, column (d) must be on cash basis)*

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

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

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants etc , received (attach schedule)				
	2 Check ▶ [ ] if the foundation is **not** required to attach Sch B				
	3 Interest on savings and temporary cash investments	108,660.	108,660.		ATCH 1
	4 Dividends and interest from securities	221,169.	221,169.		ATCH 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	-1,211,028.			
	b Gross sales price for all assets on line 6a 8,451,932.				
	7 Capital gain net income (from Part IV, line 2)				
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)	1,500.			ATCH 3
	12 **Total.** Add lines 1 through 11	-879,699.	329,829.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.			
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule) ATCH 4	4,579.	2,290.	0.	2,289.
	b Accounting fees (attach schedule) ATCH 5	11,000.	5,500.	0.	5,500.
	c Other professional fees (attach schedule) *	63,797.	53,297.		10,500.
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions) **	16,474.	1,474.		
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule) ATCH 8	28,568.	14,435.		14,133.
	24 **Total operating and administrative expenses.** Add lines 13 through 23	124,418.	76,996.	0.	32,422.
	25 Contributions, gifts, grants paid	741,000.			741,000.
	26 **Total expenses and disbursements** Add lines 24 and 25	865,418.	76,996.	0.	773,422.
	27 Subtract line 26 from line 12				
	a **Excess of revenue over expenses and disbursements**	-1,745,117.			
	b **Net investment income** (if negative, enter -0-)		252,833.		
	c **Adjusted net income** (if negative, enter -0-)			-0-	

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For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions. * ATCH 6 JSA ** ATCH 7

Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)

		Beginning of year (a) Book Value	End of year (b) Book Value	End of year (c) Fair Market Value
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	1,918,228.	629,263.	629,268.
	3 Accounts receivable ▶			
	Less: allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 16 of the instructions)			
	7 Other notes and loans receivable (attach schedule) ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10 a Investments - U S and state government obligations (attach schedule) **	1,507,439.		
	b Investments - corporate stock (attach schedule) ATCH 10	9,492,455.	10,528,730.	11,959,120.
	c Investments - corporate bonds (attach schedule) ATCH 11	599,238.	3,491,829.	3,633,231.
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
	12 Investments - mortgage loans			
	13 Investments - other (attach schedule)			
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
	15 Other assets (describe ▶ ATCH 12)	2,764,499.	315,278.	40,322.
	16 **Total assets** (to be completed by all filers - see the instructions. Also, see page 1, item I)	16,281,859.	14,965,100.	16,261,941.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe ▶)			
	23 **Total liabilities** (add lines 17 through 22)			
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. ▶ X			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg , and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds	16,281,859.	14,965,100.	
	30 **Total net assets or fund balances** (see page 17 of the instructions)	16,281,859.	14,965,100.	
	31 **Total liabilities and net assets/fund balances** (see page 17 of the instructions)	16,281,859.	14,965,100.	

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	16,281,859.
2	Enter amount from Part I, line 27a	2	-1,745,117.
3	Other increases not included in line 2 (itemize) ▶ ATTACHMENT 13	3	428,358.
4	Add lines 1, 2, and 3	4	14,965,100.
5	Decreases not included in line 2 (itemize) ▶	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	14,965,100.

**ATCH 9

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 PART IV SCHEDULE			
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				
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	-1,211,028.
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	752,613.	12,629,887.	0.059590
2007	27,328.	563,801.	0.048471
2006	19,876.	444,292.	0.044736
2005	19,890.	402,593.	0.049405
2004	18,952.	342,671.	0.055307

2	**Total** of line 1, column (d)	2	0.257509
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	0.051502
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	14,217,908.
5	Multiply line 4 by line 3	5	732,251.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	2,528.
7	Add lines 5 and 6	7	734,779.
8	Enter qualifying distributions from Part XII, line 4	8	773,422.

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

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

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1. Date of ruling or determination letter ____________ (attach copy of ruling letter if necessary - see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ ☒ and enter 1% of Part I, line 27b	1	2,528.
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	
3	Add lines 1 and 2	3	2,528.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	0.
5	**Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-	5	2,528.
6	Credits/Payments		
a	2009 estimated tax payments and 2008 overpayment credited to 2009 — 6a: 12,389.		
b	Exempt foreign organizations-tax withheld at source — 6b: 0.		
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	12,389.
8	Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached	8	
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	9,861.
11	Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶ 9,861. **Refunded** ▶	11	

Part VII-A Statements Regarding Activities

			Yes	No
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?	1b		X
	If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities			
c	Did the foundation file **Form 1120-POL** for this year?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ▶ $ ______ (2) On foundation managers ▶ $ ______			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ ______			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? *If "Yes," attach a detailed description of the activities*	2		X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	4b	N/A	
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6		X
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col (c), and Part XV*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ▶ KS,			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b	X	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV on page 27)? *If "Yes," complete Part XIV*	9		X
10	Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses*	10		X

Part VII-A Statements Regarding Activities *(continued)*

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

Website address ▶ N/A

14 The books are in care of ▶ SUSAN WILLIAMS Telephone no ▶ 785-762-5566

Located at ▶ 802 N. WASHINGTON, SUITE 290 JUNCTION CITY, KS ZIP + 4 ▶ 66441

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of **Form 1041** - Check here ▶ ☐
and enter the amount of tax-exempt interest received or accrued during the year ▶ 15

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

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

			Line	Yes	No
1a	During the year did the foundation (either directly or indirectly)				
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	☐ Yes ☒ No			
b	If any answer is "Yes" to 1a(1)-(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)?		1b	N/A	
	Organizations relying on a current notice regarding disaster assistance check here	▶ ☐			
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		1c		X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))				
a	At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009?	☐ Yes ☒ No			
	If "Yes," list the years ▶ ________, ________, ________, ________				
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement - see page 20 of the instructions)		2b	N/A	
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶ ________, ________, ________, ________				
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2009 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969, **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009)*		3b	N/A	
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

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

5a During the year did the foundation pay or incur any amount to
(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No
(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No
(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No
(4) Provide a grant to an organization other than a charitable, etc, organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions) ☐ Yes ☒ No
(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? **5b** N/A
Organizations relying on a current notice regarding disaster assistance check here ▶ ☒

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? N/A ☐ Yes ☐ No
If "Yes," attach the statement required by Regulations section 53 4945-5(d)

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☒ No
b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? **6b** No: 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? **7b** No: X

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

1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
ATTACHMENT 14		0.	0.	0.

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

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

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

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

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

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

Total number of others receiving over $50,000 for professional services . . . . ▶ 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	Expenses
1 NOTE: ONLY ACTIVITY OF THE FOUNDATION WAS DONATING TO VARIOUS ORGANIZATIONS THAT WERE SELECTED BY THE TRUSTEES.	
2 THERE WERE NO DIRECT EXPENSES INCURRED IN MAKING THESE DONATIONS.	
3	
4	

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

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 NONE	
2	
All other program-related investments See page 24 of the instructions	
3 NONE	
Total. Add lines 1 through 3 . . . . ▶	

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc, purposes		
a	Average monthly fair market value of securities	1a	14,434,424.
b	Average of monthly cash balances	1b	0.
c	Fair market value of all other assets (see page 24 of the instructions)	1c	0.
d	**Total** (add lines 1a, b, and c)	1d	14,434,424.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation) 1e		
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	14,434,424.
4	Cash deemed held for charitable activities Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	216,516.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4	5	14,217,908.
6	**Minimum investment return.** Enter 5% of line 5	6	710,895.

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	710,895.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	2,528.		
b	Income tax for 2009 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	2,528.
3	Distributable amount before adjustments Subtract line 2c from line 1			3	708,367.
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	708,367.
6	Deduction from distributable amount (see page 25 of the instructions)			6	
7	**Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1			7	708,367.

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	773,422.
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.
4	**Qualifying distributions.** Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	773,422.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions)	5	2,528.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	770,894.

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

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

		(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7					708,367.
2 Undistributed income, if any, as of the end of 2009					
a Enter amount for 2008 only					
b Total for prior years 20 07 ,20 06 ,20 05					
3 Excess distributions carryover, if any, to 2009.					
a From 2004	1,994.				
b From 2005	322.				
c From 2006	0.				
d From 2007	615.				
e From 2008	129,301.				
f **Total** of lines 3a through e		132,232.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 773,422.					
a Applied to 2008, but not more than line 2a					
b Applied to undistributed income of prior years (Election required - see page 26 of the instructions)					
c Treated as distributions out of corpus (Election required - see page 26 of the instructions)					
d Applied to 2009 distributable amount					708,367.
e Remaining amount distributed out of corpus		65,055.			
5 Excess distributions carryover applied to 2009 *(If an amount appears in column (d), the same amount must be shown in column (a).)*					
6 **Enter the net total of each column as indicated below:**					
a Corpus Add lines 3f, 4c, and 4e Subtract line 5		197,287.			
b Prior years' undistributed income Subtract line 4b from line 2b					
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed					
d Subtract line 6c from line 6b Taxable amount - see page 27 of the instructions					
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions					
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010					
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)					
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)		1,994.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a		195,293.			
10 Analysis of line 9					
a Excess from 2005	322.				
b Excess from 2006	0.				
c Excess from 2007	615.				
d Excess from 2008	129,301.				
e Excess from 2009	65,055.				

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9) NOT APPLICABLE

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

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

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

Part XV Supplementary Information (Complete this part only if the foundation had $5,000 or more in assets at any time during the year - see page 28 of the instructions.)

1 Information Regarding Foundation Managers:

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than $5,000) (See section 507(d)(2))

NONE

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

NONE

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

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

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

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

c Any submission deadlines

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

Part XV Supplementary Information (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
SEE ATTACHMENT 16				741,000.
Total . . . . ▶ 3a				741,000.
b *Approved for future payment*				
Total . . . . ▶ 3b				

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1 Program service revenue					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments			14	108,660.	
4 Dividends and interest from securities			14	221,169.	
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory			18	-1,211,028.	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue a					
b ATTACHMENT 15				1,500.	
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)				-879,699.	

13 **Total.** Add line 12, columns (b), (d), and (e) . . . 13 -879,699.

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

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

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes) (See page 29 of the instructions)
	NOT APPLICABLE

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

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

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
	N/A		N/A

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No

b If "Yes," complete the following schedule

(a) Name of organization	(b) Type of organization	(c) Description of relationship

Sign Here

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

Clifford Wey [signature] — Signature of officer or trustee
Date: 6.08.10
Title:

Paid Preparer's Use Only

Preparer's signature	[signature]	Date 6-1-10	Check if self-employed ☐ / Preparer's identifying number (See **Signature** on page 30 of the instructions) P00731634
Firm's name (or yours if self-employed), address, and ZIP code	JMW & ASSOCIATES, LLC 5700 BROADMOOR ST., SUITE 203 MISSION, KS 66202		EIN ▶ 57-1224592 Phone no 913-499-4920

Form **990-PF** (2009)

SCHEDULE D (Form 1041)

Department of the Treasury
Internal Revenue Service

Capital Gains and Losses

▶ Attach to Form 1041, Form 5227, or Form 990-T. See the instructions for Schedule D (Form 1041) (also for Form 5227 or Form 990-T, if applicable).

OMB No 1545-0092

2009

Name of estate or trust: THE WEARY FAMILY FOUNDATION

Employer identification number: 48-1224093

Note: *Form 5227 filers need to complete **only** Parts I and II*

Part I Short-Term Capital Gains and Losses - Assets Held One Year or Less

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo , day, yr)	(c) Date sold (mo , day, yr)	(d) Sales price	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
1a					

b	Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b	1b	-278,951.
2	Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824	2	
3	Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts	3	
4	Short-term capital loss carryover Enter the amount, if any, from line 9 of the 2008 Capital Loss Carryover Worksheet	4	( )
5	**Net short-term gain or (loss).** Combine lines 1a through 4 in column (f) Enter here and on line 13, column (3) on the back ▶	5	-278,951.

Part II Long-Term Capital Gains and Losses - Assets Held More Than One Year

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo , day, yr)	(c) Date sold (mo , day, yr)	(d) Sales price	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
6a					

b	Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b	6b	-938,123.
7	Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824	7	
8	Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts	8	
9	Capital gain distributions	9	6,046.
10	Gain from Form 4797, Part I	10	
11	Long-term capital loss carryover Enter the amount, if any, from line 14 of the 2008 Capital Loss Carryover Worksheet	11	( )
12	**Net long-term gain or (loss).** Combine lines 6a through 11 in column (f) Enter here and on line 14a, column (3) on the back ▶	12	-932,077.

For Paperwork Reduction Act Notice, see the Instructions for Form 1041.

Part III Summary of Parts I and II
Caution: *Read the instructions* ***before*** *completing this part.*

			(1) Beneficiaries' (see page 5)	(2) Estate's or trust's	(3) Total
13	**Net short-term gain or (loss)**	13			-278,951.
14	**Net long-term gain or (loss):**				
a	Total for year	14a			-932,077.
b	Unrecaptured section 1250 gain (see line 18 of the wrksht)	14b			
c	28% rate gain	14c			
15	**Total net gain or (loss).** Combine lines 13 and 14a ▶	15			-1,211,028.

Note: *If line 15, column (3), is a net gain, enter the gain on Form 1041, line 4 (or Form 990-T, Part I, line 4a) If lines 14a and 15, column (2), are net gains, go to Part V, and* ***do not*** *complete Part IV. If line 15, column (3), is a net loss, complete Part IV and the* ***Capital Loss Carryover Worksheet,*** *as necessary*

Part IV Capital Loss Limitation

16	Enter here and enter as a (loss) on Form 1041, line 4 (or Form 990-T, Part I, line 4c, if a trust), the **smaller** of		
a	The loss on line 15, column (3) **or b** $3,000	16	(3,000)

Note: *If the loss on line 15, column (3), is more than $3,000,* ***or*** *if Form 1041, page 1, line 22 (or Form 990-T, line 34), is a loss, complete the* ***Capital Loss Carryover Worksheet*** *on page 7 of the instructions to figure your capital loss carryover*

Part V Tax Computation Using Maximum Capital Gains Rates

Form 1041 filers. Complete this part **only** if both lines 14a and 15 in column (2) are gains, or an amount is entered in Part I or Part II and there is an entry on Form 1041, line 2b(2), **and** Form 1041, line 22, is more than zero

Caution: *Skip this part and complete the worksheet on page 8 of the instructions if*

- *Either line 14b, col (2) or line 14c, col (2) is more than zero, or*
- *Both Form 1041, line 2b(1), and Form 4952, line 4g are more than zero*

Form 990-T trusts. Complete this part **only** if both lines 14a and 15 are gains, or qualified dividends are included in income in Part I of Form 990-T, **and** Form 990-T, line 34, is more than zero Skip this part and complete the worksheet on page 8 of the instructions if either line 14b, col (2) or line 14c, col (2) is more than zero.

17	Enter taxable income from Form 1041, line 22 (or Form 990-T, line 34)		17		
18	Enter the **smaller** of line 14a or 15 in column (2) but not less than zero	18			
19	Enter the estate's or trust's qualified dividends from Form 1041, line 2b(2) (or enter the qualified dividends included in income in Part I of Form 990-T)	19			
20	Add lines 18 and 19	20			
21	If the estate or trust is filing Form 4952, enter the amount from line 4g, otherwise, enter -0- ▶	21			
22	Subtract line 21 from line 20 If zero or less, enter -0-		22		
23	Subtract line 22 from line 17 If zero or less, enter -0-		23		
24	Enter the **smaller** of the amount on line 17 or $2,300		24		
25	Is the amount on line 23 equal to or more than the amount on line 24? ☐ **Yes.** Skip lines 25 and 26, go to line 27 and check the "No" box ☐ **No.** Enter the amount from line 23		25		
26	Subtract line 25 from line 24		26		
27	Are the amounts on lines 22 and 26 the same? ☐ **Yes.** Skip lines 27 thru 30, go to line 31 ☐ **No.** Enter the smaller of line 17 or line 22		27		
28	Enter the amount from line 26 (If line 26 is blank, enter -0-)		28		
29	Subtract line 28 from line 27		29		
30	Multiply line 29 by 15% (.15)			30	
31	Figure the tax on the amount on line 23 Use the 2009 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041)			31	
32	Add lines 30 and 31			32	
33	Figure the tax on the amount on line 17 Use the 2009 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041)			33	
34	**Tax on all taxable income.** Enter the **smaller** of line 32 or line 33 here and on Form 1041, Schedule G, line 1a (or Form 990-T, line 36)			34	

SCHEDULE D-1
(Form 1041)

Department of the Treasury
Internal Revenue Service

Continuation Sheet for Schedule D (Form 1041)

▶ See instructions for Schedule D (Form 1041).
▶ Attach to Schedule D to list additional transactions for lines 1a and 6a.

OMB No 1545-0092

2009

Name of estate or trust: THE WEARY FAMILY FOUNDATION

Employer identification number: 48-1224093

Part I Short-Term Capital Gains and Losses - Assets Held One Year or Less

(a) Description of property (Example 100 sh 7% preferred of "Z" Co)	(b) Date acquired (mo, day, yr)	(c) Date sold (mo, day, yr)	(d) Sales price (see page 4 of the instructions)	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
1a BANK OF AMERICA	VAR	VAR	1,058,011.	1,336,962.	-278,951.

1b Total. Combine the amounts in column (f) Enter here and on Schedule D, line 1b . . . . -278,951.

Name of estate or trust as shown on Form 1041 Do not enter name and employer identification number if shown on the other side	Employer identification number

Part II **Long-Term Capital Gains and Losses - Assets Held More Than One Year**

(a) Description of property (Example 100 sh 7% preferred of "Z" Co)	(b) Date acquired (mo , day, yr)	(c) Date sold (mo , day, yr)	(d) Sales price (see page 4 of the instructions)	(e) Cost or other basis (see page 4 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
6a BANK OF AMERICA	VAR	VAR	7,387,875.	8,325,998.	-938,123.

6b Total. Combine the amounts in column (f) Enter here and on Schedule D, line 6b	-938,123.

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				P or D	Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/ allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis		Gain or (loss)	
		TOTAL CAPITAL GAIN DISTRIBUTIONS					6,046.	
		BANK OF AMERICA					VAR	VAR
1,058,011.		1,336,962.		STATEMENT 17			-278,951.	
		BANK OF AMERICA					VAR	VAR
7,387,875.		8,325,998.		STATEMENT 17			-938,123.	
TOTAL GAIN(LOSS)							-1211028.	

FORM 990PF, PART I - INTEREST ON TEMPORARY CASH INVESTMENTS

DESCRIPTION		REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
BANK OF AMERICA		43,960.	43,960.
BANK OF AMERICA - TAX EXEMPT		64,700.	64,700.
	TOTAL	108,660.	108,660.

FORM 990PF, PART I - DIVIDENDS AND INTEREST FROM SECURITIES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
BANK OF AMERICA	221,169.	221,169.
TOTAL	221,169.	221,169.

FORM 990PF, PART I - OTHER INCOME

DESCRIPTION		REVENUE AND EXPENSES PER BOOKS
BANK OF AMERICA RETURN OF PRINCIPAL		1,500.
	TOTALS	1,500.

FORM 990PF, PART I - LEGAL FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME	CHARITABLE PURPOSES
LATHROP & GAGE	4,579.	2,290.		2,289.
TOTALS	4,579.	2,290.	0.	2,289.

FORM 990PF, PART I - ACCOUNTING FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME	CHARITABLE PURPOSES
JMW - TAX PREPARATION	11,000.	5,500.		5,500.
TOTALS	11,000.	5,500.	0.	5,500.

FORM 990PF, PART I - OTHER PROFESSIONAL FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	CHARITABLE PURPOSES
CROFT-LEOMINSTER INV FEE	42,797.	42,797.	
SUSAN WILLIAMS OFFICE MANAGER	21,000.	10,500.	10,500.
TOTALS	63,797.	53,297.	10,500.

FORM 990PF, PART I - TAXES

DESCRIPTION		REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
FOREIGN TAX EXPENSE		1,474.	1,474.
990-PF EXCISE TAX		15,000.	
	TOTALS	16,474.	1,474.

FORM 990PF, PART I - OTHER EXPENSES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	CHARITABLE PURPOSES
TRUSTEE FEES	25,827.	12,914.	12,913.
SECRETARY OF ST ANNUAL REPORT	40.	20.	20.
MISCELLANEOUS EXPENSE	275.	138.	137.
OFFICE EXPENSE	2,126.	1,063.	1,063.
BANK OF AMERICA TAX REPORT	300.	300.	
TOTALS	28,568.	14,435.	14,133.

THE WEARY FAMILY FOUNDATION 48-1224093

FORM 990PF, PART II - U.S. AND STATE OBLIGATIONS

ATTACHMENT 9

DESCRIPTION
U.S. TRUST - TAX EXEMPT BONDS
US OBLIGATIONS TOTAL

THE WEARY FAMILY FOUNDATION 48-1224093

FORM 990PF, PART II - CORPORATE STOCK

ATTACHMENT 10

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
U.S. TRUST - EQUITIES	10,392,402.	11,787,388.
U.S. TRUST - ALT. INVESTMENTS	136,328.	171,732.
TOTALS	10,528,730.	11,959,120.

THE WEARY FAMILY FOUNDATION 48-1224093

FORM 990PF, PART II - CORPORATE BONDS

ATTACHMENT 11

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
U.S. TRUST - CORPORATE BONDS	3,491,829.	3,633,231.
TOTALS	3,491,829.	3,633,231.

THE WEARY FAMILY FOUNDATION 48-1224093

FORM 990PF, PART II - OTHER ASSETS

ATTACHMENT 12

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
ROBERT K WEARY TRUST INTEREST	315,278.	40,322.
TOTALS	315,278.	40,322.

FORM 990PF, PART III - OTHER INCREASES IN NET WORTH OR FUND BALANCES

DESCRIPTION		AMOUNT
TAX COST ADJUSTMENT		428,358.
	TOTAL	428,358.

THE WEARY FAMILY FOUNDATION 48-1224093

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEES

ATTACHMENT 14

NAME AND ADDRESS	TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION	COMPENSATION	CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS	EXPENSE ACCT AND OTHER ALLOWANCES
ROBERT K. WEARY, JR. 802 N WASHINGTON SUITE 290 JUNCTION CITY, KS 66441	DIRECTOR & PRESIDENT .50 / MONTH	0.	0.	0.
GIFFORD WEARY 802 N WASHINGTON SUITE 290 JUNCTION CITY, KS 66441	DIRECTOR & SECRETARY .50 / MONTH	0.	0.	0.
DALE ANN CLORE 802 N WASHINGTON SUITE 290 JUNCTION CITY, KS 66441	DIRECTOR & TREASURER .50 / MONTH	0.	0.	0.
	GRAND TOTALS	0.	0.	0.

FORM 990-PF, PART XVI-A - ANALYSIS OF OTHER REVENUE

ATTACHMENT 15

DESCRIPTION	BUSINESS CODE	AMOUNT	EXCLUSION CODE	AMOUNT	RELATED OR EXEMPT FUNCTION INCOME
BANK OF AMERICA RETURN OF PRINCIPAL			01	1,500.	
TOTALS				1,500.	

Recipient Name and Address	Relationship to Sustantial Contributor and Foundation Status of Recipient	Purpose of Grant or Contribution	Amount
United Way of Junction City - Geary County 814 N. Washington St. PO Box 567 Junction City, KS 66441	N/A Exempt - Public	Public Welfare	$ 5,000
Friends of McCain 207 McCain Auditorium Manhattan, KS 66506-4711	N/A Exempt - Public	Educational	$ 10,000
Junction City Family YMCA P.O. Box 113 Junction City, KS 66441	N/A Exempt - Public	Public Welfare	$ 60,000
Little Theater Foundation, Inc P.O. Box 305 Junction City, KS 66441	N/A Exempt - Public	Educational	$ 25,000
KSU Foundation 2323 Anderson Avenue, Suite 500 Manhattan, KS 66502	N/A Exempt - Public	Educational	$ 50,000
KSU Foundation Department of Art 322 Willard Hall Manhattan, KS 66506	N/A Exempt - Public	Educational	$ 5,000
The Crisis Center. Inc. P.O. Box 1526 Manhattan, KS 66505-1526	N/A Exempt - Public	Public Welfare	$ 12,000

National Intercollegiate Rodeo Association Alumni 3415 Alta Vista Drive Laramie, WY 82072	N/A Exempt - Public	Public Welfare	$ 10,000
Geary Community Healthcare Foundation P.O. Box 3015 Junction City, KS 66441	N/A Exempt - Public	Public Welfare	$ 30,000
The Homecare & Hospice Foundation 323 Poyntz Avenue Manhattan, KS 66502	N/A Exempt - Public	Public Welfare	$ 50,000
Republic County Hospital 2420 G Street Belleville, KS 66935	N/A Exempt - Public	Public Welfare	$ 10,000
Belleville Public Library 1327 19th Street Belleville, KS 66935	N/A Exempt - Public	Public Welfare	$ 7,000
YMCA of The Rockies 2515 Tunnel Road Estes Park, CO 80511	N/A Exempt - Public	Public Welfare	$ 200,000
Mile High United Way 2505 18th Street Denver, CO 80211-3907	N/A Exempt - Public	Public Welfare	$ 25,000
The Ohio State University Foundation 1480 W. Lane Avenue Columbus, OH 43221-3938	N/A Exempt - Public	Educational	$ 242,000
Total Contributions			$ 741,000

Proceeds From Broker Transactions

This section reports your proceeds from sales during the year We report all transactions on a trade-date basis, which is the date shown in the sale date column. The net proceeds are less commissions, transfer charges, and premiums.

We have adjusted tax costs for amortization of premium paid for the acquisition of municipal bonds through date of sale and for non-taxable dividends. Wash sales are reported with tax cost equal to proceeds. Disallowed losses from wash sales have been added to the tax cost of the repurchased securitites. An asterisk symbol (*) next to the tax cost indicates that the tax cost has been adjusted for the current year's return of capital. However, we have not made adjustments to the cost basis of all partnerships.

Short term transactions

This category includes all assets held 12 months or less

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
PNC BANK CORP	693475105	633	01/05/09	01/20/09	$18,188 27	$30,324 43	$-12,136 16
PNC BANK CORP	693475105	775	01/08/09	01/20/09	$22,268 41	$37,851 85	$-15,583 44
GULFPORT ENERGY CORP NEW	402635304	144	06/03/08	02/03/09	$611 49	$2,415 44	$-1,803 95
BOEING CO	097023105	736	12/11/08	03/27/09	$27,684 55	$30,285 88	$-2,601 33
DISNEY WALT CO	254687106	1000	09/16/08	06/24/09	$22,819 41	$32,300 00	$-9,480 59
HANESBRANDS INC	410345102	1000	09/16/08	06/24/09	$14,477 13	$24,212 00	$-9,734 87
MEDNAX INC	58502B106	3000	09/16/08	06/24/09	$117,023 38	$168,936 60	$-51,913 22
HANESBRANDS INC	410345102	4000	08/15/08	06/24/09	$57,908 50	$99,184 40	$-41,275 90
CITIGROUP INC	172967101	1239	08/26/08	06/29/09	$3,679 98	$22,036 00	$-18,356 02
STAPLES INC	855030102	1000	08/15/08	06/29/09	$20,417 47	$25,135 10	$-4,717 63
BAKER HUGHES INC	057224107	300	09/16/08	06/29/09	$11,152 21	$18,204 00	$-7,051 79
DOLLAR TREE INC	256746108	500	08/15/08	06/29/09	$21,275 20	$20,149 00	$1,126 20
VERISIGN INC	92343E102	620	08/26/08	06/29/09	$11,626 56	$19,381 00	$-7,754 44
PENN WEST ENERGY TR TR UNIT	707885109	833	08/26/08	06/29/09	$10,644 96	$24,594 00	$-13,949 04
POTLATCH CORP NEW	737630103	1158	08/26/08	07/02/09	$27,376 49	$41,508 87	$-14,132 38
ARCHER DANIELS MIDLAND	039483102	237	09/08/08	08/17/09	$6,394 09	$5,602 94	$791 15
BARD C R INC	067383109	1500	09/16/08	08/18/09	$109,695 17	$144,645 00	$-34,949 83
STATE STR CORP	857477103	1000	09/16/08	08/18/09	$51,266 27	$70,482 50	$-19,216 23

Short term transactions

This category includes all assets held 12 months or less

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
OMNICOM GROUP INC	681919106	1000	09/16/08	08/18/09	$34,572 81	$39,318 00	$-4,745.19
PRAXAIR INC	74005P104	1000	09/16/08	08/31/09	$76,435 03	$84,601 00	$-8,165 97
DEVON ENERGY CORPORATION NEW	25179M103	500	09/16/08	09/08/09	$31,699 18	$45,450 00	$-13,750.82
MARSH & MCLENNAN INC	571748102	995	01/16/09	09/16/09	$23,600 80	$21,781 05	$1,819 75
WYETH	983024100	400	06/29/09	10/15/09	$20,100 91	$18,060 00	$2,040.91
WYETH	983024100	1200	08/17/09	10/15/09	$60,302 73	$56,736 00	$3,566.73
PFIZER INC	717081103	0 67	10/16/09	11/04/09	$11 35	$11 35	$0 00
SCHERING PLOUGH CORP	806605101	600	06/17/09	11/05/09	$6,300 00	$5,894 88	$405 12
TEREX CORP NEW	880779103	455	08/17/09	11/05/09	$9,501 83	$6,747 65	$2,754.18
SCHERING PLOUGH CORP	806605101	1928	06/16/09	11/05/09	$20,244 00	$18,836 68	$1,407 32
SCHERING PLOUGH CORP	806605101	1000	08/17/09	11/05/09	$10,500 00	$11,573 79	$-1,073 79
AMERICAN TOWER CORP	029912AQ5	100000	08/18/09	11/13/09	$101,781 00	$101,500 00	$281 00
GENZYME CORP GENERAL DIV (OLD NAME)	372917104	768	04/22/09	12/11/09	$37,990 67	$40,067 79	$-2,077.12
GENZYME CORP GENERAL DIV (OLD NAME)	372917104	757	04/28/09	12/11/09	$37,446 54	$41,672 62	$-4,226.08
CVS CORPORATION DEL	126650100	803	01/09/09	12/28/09	$25,838 58	$21,616 92	$4,221.66
CVS CORPORATION DEL	126650100	223	01/21/09	12/28/09	$7,175 60	$5,845 34	$1,330 26
Total short term gain/loss from sales:					$1,058,010 57	$1,336,962 08	$-278,951.51

Long term transactions

This category includes all assets held more than 12 months.

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
BARRETT BILL CORP COM	06846N104	78	11/01/05	01/02/09	$1,818 44	$2,522 15	$-703.71
BARRETT BILL CORP COM	06846N104	18	01/09/06	01/02/09	$419 64	$678 46	$-258.82
COMMERCE MIDCAP FUND	200626505	1181 26	11/13/06	02/03/09	$22,054 18	$40,222 00	$-18,167.82
COMMERCE MIDCAP FUND	200626505	1878 58	09/18/06	02/03/09	$35,073 01	$61,222 80	$-26,149.79
COMMERCE MIDCAP FUND	200626505	670 17	03/12/04	02/03/09	$12,512 11	$17,122 89	$-4,610.78

Long term transactions

This category includes all assets held more than 12 months

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
TRINITY INDUSTRIES INC	896522109	76	08/18/06	02/03/09	$828 39	$2,629 18	$-1,800 79
LAUDUS TR ROSENBERG INTL SMALL	51855Q606	3017 68	04/26/07	02/03/09	$25,559 78	$71,670 00	$-46,110 22
MASSEY ENERGY CORP	576206106	160	02/17/04	02/03/09	$2,428 78	$3,385 73	$-956 95
PERKINELMER INC	714046109	103	10/08/04	02/03/09	$1,317 36	$1,893 76	$-576.40
COMMERCE MIDCAP FUND	200626505	1569 24	02/24/04	02/03/09	$29,297 77	$40,000 00	$-10,702 23
JOHNSON CNTY KANS UNI SCH DIST	478712KD3	100000	08/23/07	05/11/09	$106,773 00	$101,648 70	$5,124 30
SHAWNEE KANS	820667QU0	100000	01/31/05	05/11/09	$106,189 00	$100,413 14	$5,775 86
SEDGWICK CNTY KANS	815323DF4	100000	06/22/04	05/11/09	$102,460 00	$100,000 00	$2,460 00
WICHITA KANSAS WTR & SWR UTIL	967338KJ2	100000	11/20/01	05/11/09	$101,018 00	$100,057 48	$960 52
WICHITA KANSAS	967243Z74	100000	01/19/05	05/11/09	$104,196 00	$99,391 00	$4,805 00
OVERLAND PARK KANS	690275M25	100000	11/13/06	05/11/09	$106,207 00	$100,626 07	$5,580 93
MIAMI CNTY KANS UNI SCH DIST N	593312FE6	100000	12/01/06	05/11/09	$106,090 00	$101,147 93	$4,942 07
MANHATTAN KANSAS	562894QX6	100000	11/07/01	05/11/09	$103,359 00	$99,752 00	$3,607 00
LENEXA KANSAS	526030WQ0	100000	11/15/06	05/11/09	$107,680 00	$100,820 87	$6,859 13
LEAWOOD KANSAS	522364J41	100000	11/13/06	05/11/09	$103,356 00	$98,908 00	$4,448 00
LAWRENCE KANSAS	520121CU6	100000	11/13/06	05/11/09	$103,367 00	$100,309 76	$3,057 24
KANSAS ST DEV FIN AUTH REV	48542KLK3	100000	12/07/06	05/11/09	$109,012 00	$101,626 93	$7,385 07
JOHNSON CNTY KANS UNI SCH DIST NO	478710PW0	100000	11/13/06	05/11/09	$102,612 00	$100,601 17	$2,010 83
TOPEKA KANSAS	890568FV5	100000	11/13/06	05/11/09	$105,390 00	$101,312 96	$4,077 04
JUNCTION CITY KANS	481502WP3	100000	11/07/01	05/11/09	$102,000 00	$99,773 00	$2,227 00
COMMERCE KANSAS TAX-FREE INTER	200626786	25228 05	01/12/01	05/15/09	$479,585 22	$461,347 19	$18,238 03
COMMERCE KANSAS TAX-FREE INTER	200626786	8081 9	05/09/02	05/15/09	$153,636 86	$150,000 00	$3,636 86
COMMERCE KANSAS TAX-FREE INTER	200626786	2716 07	06/14/02	05/15/09	$51,632 41	$50,953 40	$679 01
COMMERCE KANSAS TAX-FREE INTER	200626786	5274 26	10/17/02	05/15/09	$100,263 72	$100,000 00	$263 72
COMMERCE KANSAS TAX-FREE INTER	200626786	1297 35	01/05/04	05/15/09	$24,662 68	$25,000 00	$-337 32
COMMERCE NATIONAL TAX-FREE BOND FUNI	200626703	2482 85	10/17/02	05/15/09	$46,752 08	$48,639 05	$-1,886.97

STATEMENT 17

Long term transactions

This category includes all assets held more than 12 months.

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
COMMERCE KANSAS TAX-FREE INTER	200626786	4142 93	12/17/03	05/15/09	$78,757 12	$80,000 00	$-1,242.88
COMMERCE NATIONAL TAX-FREE BOND FUNI	200626703	7812 5	05/09/02	05/15/09	$147,109 38	$150,000 00	$-2,890.62
COMMERCE NATIONAL TAX-FREE BOND FUNI	200626703	33439 74	01/12/01	05/15/09	$629,670 21	$644,733 03	$-15,062 82
COMMERCE NATIONAL TAX-FREE BOND FUNI	200626703	2574 67	06/14/02	05/15/09	$48,480 94	$50,000 00	$-1,519.06
COMMERCE NATIONAL TAX-FREE BOND FUNI	200626703	1278 77	01/05/04	05/15/09	$24,079 28	$25,000 00	$-920 72
COMMERCE KANSAS TAX-FREE INTER	200626786	2949 6	10/10/02	05/15/09	$56,071 93	$56,956 81	$-884.88
ISHARES TR RUSSELL 2000 VALUE	464287630	1085	09/18/06	06/17/09	$50,663 10	$80,753 34	$-30,090 24
ISHARES TR RUSSELL 2000 VALUE	464287630	215	07/31/07	06/17/09	$10,039 23	$16,417 40	$-6,378 17
VANGUARD INTL EQUITY INDEX FD INC	922042858	4080	04/08/08	06/17/09	$126,811 29	$201,353 71	$-74,542.42
ISHARES TR RUSSELL 2000 VALUE	464287630	205	11/13/06	06/17/09	$9,572 29	$16,037 87	$-6,465 58
ISHARES TR RUSSELL MIDCAP VALUE	464287473	1635	05/10/05	06/17/09	$46,531 55	$61,218 81	$-14,687.26
ISHARES TR RUSSELL MIDCAP VALUE	464287473	885	06/17/05	06/17/09	$25,186 81	$35,196 44	$-10,009.63
ISHARES TR RUSSELL 2000 INDEX FD	464287655	1410	04/08/08	06/17/09	$71,753 05	$100,367 89	$-28,614 84
ISHARES TR RUSSELL MIDCAP VALUE	464287473	855	11/13/06	06/17/09	$24,333 01	$40,688 08	$-16,355 07
ISHARES TR RUSSELL MIDCAP VALUE	464287473	885	09/18/06	06/17/09	$25,186 80	$40,112 62	$-14,925 82
DISNEY WALT CO	254687106	1100	01/17/03	06/24/09	$25,101 35	$19,419 30	$5,682.05
DISNEY WALT CO	254687106	410	05/10/05	06/24/09	$9,355 96	$10,908 63	$-1,552.67
DISNEY WALT CO	254687106	500	01/24/08	06/24/09	$11,409 70	$14,313 00	$-2,903.30
DISNEY WALT CO	254687106	990	01/29/01	06/24/09	$22,591 22	$29,569 96	$-6,978.74
VERISIGN INC	92343E102	101	05/30/07	06/29/09	$1,894 00	$2,913 94	$-1,019 94
VERISIGN INC	92343E102	81	08/01/05	06/29/09	$1,518 96	$2,139 53	$-620.57
PFIZER INC	717081103	375	10/25/83	06/29/09	$5,654 85	$1,181 17	$4,473.68
PENN WEST ENERGY TR TR UNIT	707885109	126	01/16/07	06/29/09	$1,610 16	$3,632 37	$-2,022.21
MORGAN STANLEY INSTL FD TR MID CAP	617440508	3153 49	07/31/07	06/29/09	$70,196 71	$96,118 40	$-25,921.69
MFS SER TR I RESH INTL FD CL I	552983470	4407 56	07/31/07	06/29/09	$52,934 73	$93,925 00	$-40,990.27
MFS SER TR I RESH INTL FD CL I	552983470	9107 14	09/28/07	06/29/09	$109,376 79	$204,000 00	$-94,623.21

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Long term transactions

This category includes all assets held more than 12 months.

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
LINCOLN NATIONAL CORP	534187109	500	05/10/05	06/29/09	$8,461 98	$21,500 00	$-13,038 02
LINCOLN NATIONAL CORP	534187109	1000	01/18/05	06/29/09	$16,923 96	$46,420 00	$-29,496 04
LINCOLN NATIONAL CORP	534187109	500	09/21/05	06/29/09	$8,461 98	$25,620 00	$-17,158 02
LINCOLN NATIONAL CORP	534187109	500	01/24/08	06/29/09	$8,461 98	$26,190 00	$-17,728 02
DOLLAR TREE INC	256746108	500	04/08/08	06/29/09	$21,275 20	$14,479 15	$6,796 05
CF INDS HLDGS INC	125269100	60	10/10/06	06/29/09	$4,523 88	$1,116 16	$3,407 72
VERISIGN INC	92343E102	24	02/28/07	06/29/09	$450 06	$610 00	$-159 94
BAKER HUGHES INC	057224107	1000	01/23/06	06/29/09	$37,174 04	$73,970 00	$-36,795 96
BAKER HUGHES INC	057224107	500	04/08/08	06/29/09	$18,587 02	$36,415 00	$-17,827 98
MORGAN STANLEY	617446448	870	01/29/01	07/02/09	$23,567 69	$60,991 61	$-37,423 92
MORGAN STANLEY	617446448	125	01/29/01	07/02/09	$3,386 16	$8,763 16	$-5,377 00
POTLATCH CORP NEW	737630103	90	01/10/08	07/02/09	$2,127 71	$2,984 43	$-856 72
POTLATCH CORP NEW	737630103	86	07/13/07	07/02/09	$2,033 14	$3,098 60	$-1,065 46
MORGAN STANLEY	617446448	205	11/16/01	07/02/09	$5,553 31	$9,616 20	$-4,062 89
DANAHER CORP	235851102	700	11/13/06	08/17/09	$41,080 19	$50,827 00	$-9,746 81
DANAHER CORP	235851102	300	12/16/03	08/17/09	$17,605 80	$13,441 50	$4,164 30
DANAHER CORP	235851102	1000	10/14/03	08/17/09	$58,685 98	$39,481 55	$19,204 43
DOLLAR TREE INC	256746108	3000	04/08/08	08/17/09	$132,908 57	$86,874 90	$46,033 67
GOOGLE INC CL A	38259P508	50	01/24/08	08/17/09	$22,349 92	$27,926 00	$-5,576 08
GOOGLE INC CL A	38259P508	50	08/15/08	08/17/09	$22,349 93	$25,397 00	$-3,047 07
GOOGLE INC CL A	38259P508	50	11/13/06	08/17/09	$22,349 92	$23,876 00	$-1,526 08
V F CORP	918204108	700	04/26/07	08/17/09	$45,167 03	$62,153 00	$-16,985 97
V F CORP	918204108	800	03/08/07	08/17/09	$51,619 47	$64,528 00	$-12,908 53
VARIAN MED SYS INC	92220P105	500	03/03/99	08/17/09	$18,184 03	$1,861 50	$16,322 53
VERIZON COMMUNICATIONS	92343V104	976	01/29/01	08/17/09	$29,493 96	$49,361 98	$-19,868 02
VERIZON COMMUNICATIONS	92343V104	1000	08/15/08	08/17/09	$30,219 22	$35,300 00	$-5,080 78

STATEMENT 17

Long term transactions

This category includes all assets held more than 12 months.

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
VERIZON COMMUNICATIONS	92343V104	1500	11/13/06	08/17/09	$45,328 83	$51,839 04	$-6,510 21
VERIZON COMMUNICATIONS	92343V104	524	05/10/05	08/17/09	$15,834 87	$17,269 14	$-1,434 27
VISA INC CL A	92826C839	500	06/13/08	08/17/09	$33,079 15	$40,585 00	$-7,505 85
VISA INC CL A	92826C839	1500	04/08/08	08/17/09	$99,237 44	$100,051 65	$-814 21
AMERICAN TOWER SYS CORP CL A	029912201	1500	11/13/06	08/18/09	$48,211 46	$54,624 00	$-6,412.54
STATE STR CORP	857477103	1000	04/08/08	08/18/09	$51,266 28	$81,847 50	$-30,581.22
AMERICAN TOWER SYS CORP CL A	029912201	500	01/24/08	08/18/09	$16,070 48	$18,033 00	$-1,962.52
OMNICOM GROUP INC	681919106	1500	01/24/08	08/18/09	$51,859 21	$65,541 15	$-13,681.94
OMNICOM GROUP INC	681919106	500	04/08/08	08/18/09	$17,286 40	$22,344 40	$-5,058.00
MICROSOFT CORP	594918104	5000	01/29/01	08/18/09	$117,780 96	$159,687 50	$-41,906 54
AUTOMATIC DATA PROCESSING INC	053015103	500	04/08/08	08/18/09	$18,769 52	$21,574 40	$-2,804.88
AUTOMATIC DATA PROCESSING INC	053015103	700	04/26/07	08/18/09	$26,277 32	$31,465 00	$-5,187 68
AUTOMATIC DATA PROCESSING INC	053015103	300	02/27/02	08/18/09	$11,261 71	$14,075 22	$-2,813 51
AUTOMATIC DATA PROCESSING INC	053015103	100	01/29/01	08/18/09	$3,753 90	$5,435.16	$-1,681 26
AUTOMATIC DATA PROCESSING INC	053015103	400	11/16/01	08/18/09	$15,015 61	$19,991 84	$-4,976.23
DEVON ENERGY CORPORATION NEW	25179M103	300	08/15/08	08/31/09	$18,305 52	$27,927 60	$-9,622.08
HEWLETT PACKARD CO	428236103	1000	01/29/01	08/31/09	$44,738 85	$36,553 36	$8,185.49
HEWLETT PACKARD CO	428236103	900	07/31/07	08/31/09	$40,264 96	$42,147 00	$-1,882.04
GOOGLE INC CL A	38259P508	50	03/08/07	08/31/09	$22,982 40	$22,806 00	$176.40
GOOGLE INC CL A	38259P508	50	04/08/08	08/31/09	$22,982 41	$23,570 00	$-587.59
GOOGLE INC CL A	38259P508	100	11/13/06	08/31/09	$45,964 82	$47,752 00	$-1,787.18
APACHE CORP	037411105	1000	05/13/03	08/31/09	$84,308 83	$29,840 00	$54,468.83
ALLIANCEBERNSTEIN INTL VALUE FD	018913400	4703 67	04/08/08	09/01/09	$60,536 22	$100,000 00	$-39,463.78
ALLIANCEBERNSTEIN INTL VALUE FD	018913400	5100 54	06/16/08	09/01/09	$65,643 94	$104,000 00	$-38,356 06
DEVON ENERGY CORPORATION NEW	25179M103	700	08/15/08	09/08/09	$44,378 86	$65,164 40	$-20,785.54
CALPINE CORP NEW	131347304	395	02/26/08	09/16/09	$4,951.55	$7,396 37	$-2,444 82

STATEMENT 17

Long term transactions

This category includes all assets held more than 12 months.

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
CALPINE CORP NEW	131347304	1599	02/27/08	09/16/09	$20,044 39	$29,733 90	$-9,689 51
CALPINE CORP NEW	131347304	123	02/27/08	09/16/09	$1,541 88	$2,287 22	$-745 34
CALPINE CORP NEW	131347304	223	02/07/08	09/16/09	$2,795 43	$3,705 48	$-910 05
CALPINE CORP NEW	131347304	112	02/08/08	09/16/09	$1,403 99	$1,846 23	$-442 24
MARSH & MCLENNAN INC	571748102	15	03/13/06	09/16/09	$355 79	$457 67	$-101 88
MARSH & MCLENNAN INC	571748102	140	07/15/05	09/16/09	$3,320 71	$4,212 60	$-891 89
MARSH & MCLENNAN INC	571748102	43	02/03/06	09/16/09	$1,019 93	$1,292 79	$-272 86
AAR CORP	000361105	1685	08/26/08	09/16/09	$30,623 57	$27,272 00	$3,351 57
MARSH & MCLENNAN INC	571748102	63	09/26/06	09/16/09	$1,494 32	$1,809 83	$-315 51
AAR CORP	000361105	104	03/14/07	09/16/09	$1,890 12	$3,157 44	$-1,267 32
AAR CORP	000361105	71	03/29/07	09/16/09	$1,290 37	$1,964 22	$-673 85
WYETH	983024100	150	08/26/02	10/15/09	$7,537 84	$6,549 84	$988 00
WYETH	983024100	739	08/26/08	10/15/09	$37,136 44	$31,326 00	$5,810 44
CATERPILLAR INC	149123101	28	06/07/07	10/28/09	$1,568 23	$2,205 49	$-637 26
CATERPILLAR INC	149123101	129	08/26/08	10/28/09	$7,225 08	$8,834 36	$-1,609 28
BURLINGTON NORTHERN SANTA FE CORP	12189T104	700	08/26/08	11/03/09	$68,296 75	$71,760 73	$-3,463 98
EDWARDS LIFESCIENCES CORP	28176E108	65	11/04/03	11/03/09	$5,032 82	$1,864 63	$3,168 19
EDWARDS LIFESCIENCES CORP	28176E108	29	03/07/05	11/03/09	$2,245 41	$1,265 72	$979 69
CORNING INC	219350105	174	02/05/07	11/03/09	$2,493 36	$3,741 00	$-1,247 64
CORNING INC	219350105	1008	08/26/08	11/03/09	$14,444 26	$21,213 00	$-6,768 74
TEREX CORP NEW	880779103	230	08/26/08	11/05/09	$4,803 13	$10,926 00	$-6,122 87
TEREX CORP NEW	880779103	108	02/02/05	11/05/09	$2,255 38	$2,176 74	$78 64
CVS CORPORATION DEL	126650100	1000	04/08/08	11/09/09	$30,285 62	$41,029 40	$-10,743 78
CVS CORPORATION DEL	126650100	500	08/15/08	11/09/09	$15,142 81	$19,235 00	$-4,092 19
CVS CORPORATION DEL	126650100	797	08/26/08	11/09/09	$24,137 63	$29,317 91	$-5,180.28
PRICE T ROWE GROUP INC	74144T108	1600	08/26/08	11/16/09	$82,333 87	$90,728 00	$-8,394 13

STATEMENT 17

Long term transactions

This category includes all assets held more than 12 months

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
HEWLETT PACKARD CO	428236103	1350	01/29/01	11/16/09	$67,903 24	$48,161 25	$19,741 99
HEWLETT PACKARD CO	428236103	250	01/29/01	11/16/09	$12,574 68	$9,138 34	$3,436.34
BURLINGTON NORTHERN SANTA FE CORP	12189T104	800	08/26/08	11/16/09	$78,525 97	$82,012 27	$-3,486 30
HEWLETT PACKARD CO	428236103	400	01/29/01	11/16/09	$20,119 48	$14,270 00	$5,849 48
MERCK & CO INC	58933Y105	0 6	08/26/08	11/19/09	$20 47	$21 15	$-0.68
PRAXAIR INC	74005P104	400	05/10/05	12/04/09	$33,379 14	$18,649 52	$14,729 62
ORACLE CORPORATION	68389X105	2500	08/26/08	12/04/09	$57,184 52	$55,487 50	$1,697.02
QUALCOMM INC	747525103	3500	08/26/08	12/04/09	$158,535 76	$187,933 00	$-29,397.24
WELLS FARGO & CO (NEW)	949746101	2000	08/26/08	12/04/09	$54,151 80	$57,350 00	$-3,198.20
STAPLES INC	855030102	1500	08/15/08	12/04/09	$36,480 10	$37,702 65	$-1,222.55
TARGET CORP	87612E106	500	09/16/08	12/04/09	$23,335 39	$28,676 00	$-5,340.61
DIRECTV	25490A101	0 28	08/26/08	12/15/09	$9 27	$6 70	$2.57
LIBERTY MEDIA CORP	53071M708	0 3	08/26/08	12/15/09	$14 57	$11 12	$3.45
LIBERTY MEDIA CORP	53071M708	4	08/23/02	12/16/09	$191 44	$60 51	$130 93
LIBERTY MEDIA CORP	53071M708	145 6	08/26/08	12/16/09	$6,968 56	$5,395 96	$1,572 60
LIBERTY MEDIA CORP	53071M708	4	11/05/02	12/16/09	$191 45	$61 05	$130 40
LIBERTY MEDIA CORP	53071M708	0 64	12/02/02	12/16/09	$30 63	$10 46	$20.17
LIBERTY MEDIA CORP	53071M708	8	12/05/03	12/16/09	$382 88	$144 75	$238 13
LIBERTY MEDIA CORP	53071M708	3 76	12/17/03	12/16/09	$179 96	$71 68	$108 28
STAPLES INC	855030102	1000	09/16/08	12/28/09	$24,900 36	$24,660 00	$240.36
STAPLES INC	855030102	2500	08/15/08	12/28/09	$62,250 89	$62,837 75	$-586.86
WELLS FARGO & CO (NEW)	949746101	4000	08/26/08	12/28/09	$106,928 04	$114,700 00	$-7,771.96
GENERAL DYNAMICS CORP	369550108	1500	08/26/08	12/28/09	$102,652 85	$136,883 00	$-34,230.15
CVS CORPORATION DEL	126650100	300	09/08/08	12/28/09	$9,653 27	$11,023 92	$-1,370 65
CVS CORPORATION DEL	126650100	703	08/26/08	12/28/09	$22,620 83	$25,860 09	$-3,239.26
ALLIANCE WORLDWIDE PRIVATIZATION	01879X400	10116 34	06/16/08	12/28/09	$143,550 83	$200,000 00	$-56,449.17

STATEMENT 17

U.S. TRUST

Bank of America Private Wealth Management

CUST THE WEARY FAMILY FOUNDATION

Long term transactions

This category includes all assets held more than 12 months

Description	Cusip	Number of shares exchanged	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
ALLIANCE WORLDWIDE PRIVATIZATION	01879X400	5065 86	04/08/08	12/28/09	$71,884 50	$100,000 00	$-28,115 50
Total long term gain/loss from sales:					$7,387,875 49	$8,325,998 26	$-938,122 77

STATEMENT 17