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Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

2009

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

G

Check all that apply

☐ Initial return

☐ Initial return of a former public charity

☐ Final return

☐ Amended return

☐ Address change

☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.	Name of foundation EVAN G ROBERTS CHARITABLE TRUST		A Employer identification number 55-6016455	
	Number and street (or P O box number if mail is not delivered to street address) PO BOX 1793		Room/suite	B Telephone number (see page 10 of the instructions) (304) 285-2356
	City or town, state, and ZIP code CHARLESTON, WV 25326			

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) \$ 2,871,297

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

D 1. Foreign organizations, check here

2. Foreign organizations meeting the 85% test, check here and attach computation

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	2,350	2,350		
	4 Dividends and interest from securities.	69,272	69,272		
	5a Gross rents				
	b Net rental income or (loss) _____				
	6a Net gain or (loss) from sale of assets not on line 10	-185,425			
	b Gross sales price for all assets on line 6a <u>1,166,985</u>				
	7 Capital gain net income (from Part IV , line 2)		0		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
Operating and Administrative Expenses	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)				
	12 Total. Add lines 1 through 11	-113,803	71,622		
	13 Compensation of officers, directors, trustees, etc	24,940	10,369		14,571
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)	2,150	0		2,150
	b Accounting fees (attach schedule)				
	c Other professional fees (attach schedule)				
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	540	0		0
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule)	11	11		0
	24 Total operating and administrative expenses.				
	Add lines 13 through 23	27,641	10,380		16,721
	25 Contributions, gifts, grants paid	58,211			58,211
	26 Total expenses and disbursements. Add lines 24 and 25	85,852	10,380		74,932
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	-199,655			
	b Net investment income (if negative, enter -0-)		61,242		
	c Adjusted net income (if negative, enter -0-)				

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)	Beginning of year	End of year	
			(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1	Cash—non-interest-bearing	4	8	8
	2	Savings and temporary cash investments	388,052	148,745	148,745
	3	Accounts receivable ▶ _____ Less allowance for doubtful accounts ▶ _____			
	4	Pledges receivable ▶ _____ Less allowance for doubtful accounts ▶ _____			
	5	Grants receivable			
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
	7	Other notes and loans receivable (attach schedule) ▶ _____ Less allowance for doubtful accounts ▶ _____			
	8	Inventories for sale or use			
	9	Prepaid expenses and deferred charges			
	10a	Investments—U S and state government obligations (attach schedule)	547,043	☒ 522,410	540,193
	b	Investments—corporate stock (attach schedule)	1,507,039	☒ 1,647,889	1,974,113
	c	Investments—corporate bonds (attach schedule).	277,637	☒ 201,068	208,238
	11	Investments—land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)			
	14	Land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
15	Other assets (describe ▶ _____)				
16	Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	2,719,775	2,520,120	2,871,297	
Liabilities	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe ▶ _____)			
	23	Total liabilities (add lines 17 through 22)	0	0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.				
	24	Unrestricted			
	25	Temporarily restricted			
	26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒ and complete lines 27 through 31.				
	27	Capital stock, trust principal, or current funds	0	0	
	28	Paid-in or capital surplus, or land, bldg , and equipment fund	0	0	
	29	Retained earnings, accumulated income, endowment, or other funds	2,719,775	2,520,120	
	30	Total net assets or fund balances (see page 17 of the instructions)	2,719,775	2,520,120	
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	2,719,775	2,520,120	

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 2,719,775
2	Enter amount from Part I, line 27a	2 -199,655
3	Other increases not included in line 2 (itemize) ▶ _____	3 0
4	Add lines 1, 2, and 3	4 2,520,120
5	Decreases not included in line 2 (itemize) ▶ _____	5 0
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6 2,520,120

Part IV Capital Gains and Losses for Tax on Investment Income

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

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

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(I) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a See Additional Data Table			
b			
c			
d			
e			

2	Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	-185,425
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	129,725	2,957,476	0 043863
2007	136,061	3,394,902	0 040078
2006	176,876	3,196,646	0 055332
2005	122,909	3,149,496	0 039025
2004	157,922	3,146,197	0 050195

2	Total of line 1, column (d).	2	0 228493
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 045699
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5.	4	2,540,162
5	Multiply line 4 by line 3.	5	116,083
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	612
7	Add lines 5 and 6.	7	116,695
8	Enter qualifying distributions from Part XII, line 4.	8	74,932

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

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)			
1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1			
Date of ruling or determination letter _____ (attach copy of letter if necessary—see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☐ and enter 1% of Part I, line 27b		1	1,225
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	1,225
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	1,225
6 Credits/Payments			
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6a	2,196
b	Exempt foreign organizations—tax withheld at source	6b	
c	Tax paid with application for extension of time to file (Form 8868)	6c	
d	Backup withholding erroneously withheld	6d	
7 Total credits and payments Add lines 6a through 6d.		7	2,196
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	971
11 Enter the amount of line 10 to be Credited to 2010 estimated tax 971 Refunded		11	0

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?			Yes No
		1a	No
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?		1b	No
If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.			
c Did the foundation file Form 1120-POL for this year?.		1c	No
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation \$ 0 (2) On foundation managers \$ 0			
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers \$ 0			
2 Has the foundation engaged in any activities that have not previously been reported to the IRS?		2	No
If "Yes," attach a detailed description of the activities.			
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		3	No
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?.		4a	No
b If "Yes," has it filed a tax return on Form 990-T for this year?.		4b	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?		5	No
If "Yes," attach the statement required by General Instruction T.			
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either			
• By language in the governing instrument, or			
• By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?		6	Yes
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col (c), and Part XV		7	Yes
8a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) WV			
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation .		8b	Yes
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV on page 27)? If "Yes," complete Part XIV		9	No
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		10	No

Part VII-A

Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions).	11		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address N/A	13	Yes	
14	The books are in care of PATRICIA L WATSON VICE PRESIDENT Telephone no (304) 285-2361 Located at 496 HIGH STREET MORGANTOWN WV ZIP+4 26505			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 —Check here and enter the amount of tax-exempt interest received or accrued during the year.			
		15		

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required

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

Part 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

5b

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)? Organizations relying on a current notice regarding disaster assistance check here.

☐

c

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

☐ Yes ☐ No

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

6a

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

☐ Yes ☒ No

6b

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

☐ Yes ☒ No

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

7a

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

☐ Yes ☒ No

7b

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

☐ Yes ☒ No

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
BRANCH BANKING TRUST CO	CO-TRUSTEE 3 00	19,688	0	0
PO BOX 1793 CHARLESTON, WV 25326				
DAVID C ROGERSON	CO-TRUSTEE 0 20	5,252	0	0
2204 Veterans Ave COPPERAS COVE, TX 765223321				

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.

0

Part VIII

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

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE".		
(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		
Total number of others receiving over \$50,000 for professional services.		0

Part IX-A

Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.	Expenses
1	
2	
3	
4	

Part IX-B

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

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1	
2	
All other program-related investments. See page 24 of the instructions.	
3	
Total. Add lines 1 through 3.	0

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	2,204,610
b	Average of monthly cash balances.	1b	374,235
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	2,578,845
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation).	1e	0
2	Acquisition indebtedness applicable to line 1 assets.	2	0
3	Subtract line 2 from line 1d.	3	2,578,845
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	38,683
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	2,540,162
6	Minimum investment return. Enter 5% of line 5.	6	127,008

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	127,008
2a	Tax on investment income for 2009 from Part VI, line 5.	2a	1,225
b	Income tax for 2009 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	1,225
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	125,783
4	Recoveries of amounts treated as qualifying distributions.	4	0
5	Add lines 3 and 4.	5	125,783
6	Deduction from distributable amount (see page 25 of the instructions).	6	0
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	125,783

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	74,932
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	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	
b	Cash distribution test (attach the required schedule).	3b	
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	74,932
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	0
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	74,932
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				125,783
2	Undistributed income, if any, as of the end of 2008				
a	Enter amount for 2008 only.			0	
b	Total for prior years 20____, 20____, 20____		0		
3	Excess distributions carryover, if any, to 2009				
a	From 2004.				9,585
b	From 2005.				
c	From 2006.				21,006
d	From 2007.				
e	From 2008.				
f	Total of lines 3a through e.	30,591			
4	Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 74,932				
a	Applied to 2008, but not more than line 2a			0	
b	Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c	Treated as distributions out of corpus (Election required—see page 26 of the instructions). . .	0			
d	Applied to 2009 distributable amount.				74,932
e	Remaining amount distributed out of corpus	0			
5	Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	30,591			30,591
6	Enter the net total of each column as indicated below:				
a	Corpus Add lines 3f, 4c, and 4e Subtract line 5	0			
b	Prior years' undistributed income Subtract line 4b from line 2b.		0		
c	Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.		0		
d	Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions . . .		0		
e	Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions			0	
f	Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				20,260
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)	0			
8	Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	0			
9	Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	0			
10	Analysis of line 9				
a	Excess from 2005.				
b	Excess from 2006.				
c	Excess from 2007.				
d	Excess from 2008.				
e	Excess from 2009.				

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

1a

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

b

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

☐ 4942(j)(3) or ☐ 4942(j)(5)

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

Part XVSupplementary 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))

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

PATRICIA L WATSON VICE PRESIDENT
BBT WEALTH MANAGEMENT 496 HIGH STREET
MORGANTOWN, WV 26505
(304) 285-2361

b

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

CONTACT PATRICIA L WATSON FOR APPLICATION FORM

c

Any submission deadlines

NONE

d

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

ALL DISTRIBUTIONS FROM THE EVAN G ROBERTS CHARITABLE TRUST MUST BE TO WELL ESTABLISHED CHARITABLE, RELIGIOUS OR EDUCATIONAL INSTITUTIONS, LOCATED WITHIN MARSHALL COUNTY, WEST VIRGINIA, WHICH ARE EXEMPT FROM TAXATION UNDER SECTION 501(C), AND DESCRIBED IN SECTION 170(C) OF THE INTERNAL REVENUE CODE

Part XV

Supplementary Information (continued)

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year See Additional Data Table				
Total			3a	58,211
b Approved for future payment				
Total			3b	0

Enter gross amounts unless otherwise indicated

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

Form **990-PF** (2009)

1 Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?		Yes	No
a Transfers from the reporting foundation to a noncharitable exempt organization of			
(1) Cash.	1a(1)		No
(2) Other assets.	1a(2)		No
b Other transactions			
(1) Sales of assets to a noncharitable exempt organization.	1b(1)		No
(2) Purchases of assets from a noncharitable exempt organization.	1b(2)		No
(3) Rental of facilities, equipment, or other assets.	1b(3)		No
(4) Reimbursement arrangements.	1b(4)		No
(5) Loans or loan guarantees.	1b(5)		No
(6) Performance of services or membership or fundraising solicitations.	1b(6)		No
c Sharing of facilities, equipment, mailing lists, other assets, or paid employees.	1c		No
d If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received			

[illegible]

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

b If "Yes," complete the following schedule

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

Sign Here

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

*****	2010-05-12	*****
Signature of officer or trustee	Date	Title

Paid Preparer's Use Only	Preparer's Signature  Robert J Krall	Date	Check if self-employed  ☒	Preparer's identifying number (see Signature on page 30 of the instructions)
	Firm's name (or yours if self-employed), address, and ZIP code 	HERNDON MORTON HERNDON & YAEGER 83 Edgington Lane Wheeling, WV 260031541		EIN 
				Phone no (304) 242-2300

Additional Data

Software ID: 09000028

Software Version: 2009.03040

EIN: 55-6016455

Name: EVAN G ROBERTS CHARITABLE TRUST

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

(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)	(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
50K FED NATL MTG 5 25% 1/11/99	P	1999-01-11	2009-01-15
2,502 SHS BARCLAYS IPATH DOW JONES	P	2008-07-24	2009-02-05
100K FED HOME LOAN 4 07% 05/28/2009	P	2003-11-28	2009-05-28
2,430 SHS ATT INC	P	1984-02-27	2009-07-10
200 SHS AMERICAN EXPRESS	P	1983-01-03	2009-07-10
700 SHS BANK OF AMERICA	P	2002-11-15	2009-07-10
500 SHS BRISTOL MYERS SQUIBB	P	1989-12-31	2009-07-10
600 SHS CAMPBELL SOUP	P	2005-09-08	2009-07-10
250 SHS CHEVRON	P	2002-11-15	2009-07-10
286 SHS CLOROX CO	P	2008-07-24	2009-07-10
180 SHS CONCOCOPHILLIPS	P	2003-10-27	2009-07-10
200 SHS HARTFORD	P	1990-08-23	2009-07-10
200 SHS ITT INDUSTRIES	P	1990-08-23	2009-07-10
656 SHS INTERNATIONAL PAPER	P	2008-07-24	2009-07-10
1,200 SHS RUSSELL MIDCAP VALUE	P	2008-07-24	2009-07-10
1,509 SHS ISHARES RUSSELL MIDCAP GROWTH	P	2008-07-24	2009-07-10
1,500 SHS ISHARES RUSSELL 1000 GROWTH	P	2008-07-24	2009-07-10
900 SHS ISHARES RUSSELL 2000 VALUE	P	2008-07-24	2009-07-10
210 SHS ISHARES DOW JONES	P	2008-07-24	2009-07-10
3,333 SHS S&P SMALLCAP 600	P	2008-07-24	2009-07-10
230 SHS JOHNSON & JOHNSON	P	2002-11-15	2009-07-10
800 SHS MARATHON OIL	P	2003-10-23	2009-07-10
216 SHS NORFOLK SOUTHERN CORP	P	2008-07-24	2009-07-10
210 SHS PEPSICO INC	P	2003-10-27	2009-07-10
230 SHS PROCTOR AND GAMBLE	P	2003-10-27	2009-07-10
341 SHS TARGET	P	2008-07-24	2009-07-10
198 SHS UNION PACIFIC	P	2008-07-24	2009-07-10
1,200 SHS VERIZON	P	1984-03-27	2009-07-10
254 SHS BP PLC SPONS	P	2008-07-24	2009-07-10
3,750 SHS ISHARES MSCI EAFE INDEX FUND	P	2004-11-08	2009-07-10

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)
50,000		49,783	217
82,791		155,573	-72,782
100,000		100,000	0
59,048		3,743	55,305
4,512		77	4,435
8,491		23,926	-15,435
9,850		33	9,817
17,658		18,072	-414
15,685		8,413	7,272
16,124		15,558	566
7,182		5,155	2,027
2,156		265	1,891
8,344		124	8,220
9,151		15,659	-6,508
32,914		50,972	-18,058
52,014		76,224	-24,210
58,994		79,395	-20,401
39,914		62,370	-22,456
8,471		15,788	-7,317
149,118		214,160	-65,042
12,933		13,510	-577
22,520		11,752	10,768
7,759		15,379	-7,620
11,751		9,997	1,754
11,923		11,102	821
12,518		15,604	-3,086
9,676		15,426	-5,750
35,519		9,299	26,220
11,528		15,626	-4,098
165,558		209,560	-44,002

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) FM V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
			217
			-72,782
			0
			55,305
			4,435
			-15,435
			9,817
			-414
			7,272
			566
			2,027
			1,891
			8,220
			-6,508
			-18,058
			-24,210
			-20,401
			-22,456
			-7,317
			-65,042
			-577
			10,768
			-7,620
			1,754
			821
			-3,086
			-5,750
			26,220
			-4,098
			-44,002

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

(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)	(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
50k FED HOME LOAN 4 25%	P	2005-03-17	2009-07-15
200 SHS PNC FINANCIAL SERVICES GROUP	P	1986-01-03	2009-07-16
CARDINAL HEALTH SETTLEMENT	P	2008-01-01	2009-09-10
75k IBM CORP	P	2008-12-09	2009-09-11

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)
50,000		49,906	94
7,402		3,390	4,012
481			481
75,000		76,569	-1,569

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	
			94
			4,012
			481
			-1,569

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a <i>Paid during the year</i>				
FIRST PRESBYTERIAN CHURCH 1000 3RD ST MOUNDSVILLE, WV 26041	N/A	CHURCH	BUILDING RENOVATION	10,283
MARSHALL COUNTY BOARD OF EDUCATION 2700 FOURTH STREET MOUNDSVILLE, WV 26041	N/A	COUNTY BOARD OF EDUC	MUSICAL INSTRUMENTS	960
MARSHALL COUNTY BOARD OF EDUCATION 2700 FOURTH STREET MOUNDSVILLE, WV 26041	N/A	COUNTY BOARD OF EDUC	SPORTS EQUIPMENT	11,200
MOUNDSVILLE-MARSHALL CO PUBLIC LIBRARY 700 FIFTH ST MOUNDSVILLE, WV 26041	N/A	PUBLIC LIBRARY	SUMMER READING PROGRAM	4,408
ST JUDE PARISH 710 JEFFERSON AVE GLEN DALE, WV 26038	n/A	CHURCH	st JUDE PARK MAINTENANCE	31,360
Total  3a				58,211

**TY 2009 Investments Corporate
Bonds Schedule****Name:** EVAN G ROBERTS CHARITABLE TRUST**EIN:** 55-6016455

Name of Bond	End of Year Book Value	End of Year Fair Market Value
50M GENERAL DYNAMICS CORP. (4.5% DTD 8/14/03 DUE, 8/15/10)	50,699	51,291
50M TARGET CORP 4% DTD 6/11/03 DUE 6/15/13	49,873	52,105
50M GENERAL ELECTRIC CORP. 5.45% DTD 12/6/02 DUE 1/15/13	50,468	53,155
75M IBM CORP 4.25% DTD 9/10/02 DUE 9/15/09	0	0
50M JP MORGAN CHASE DTD 11/7/03 4.5% 11/15/10	50,028	51,687

TY 2009 Investments Corporate
Stock Schedule

Name: EVAN G ROBERTS CHARITABLE TRUST
EIN: 55-6016455

Name of Stock	End of Year Book Value	End of Year Fair Market Value
1,500 SHS ISHARES RUSSELL 1000 GROWTH	0	0
200 SHS PNC BANK CORP.	0	0
200 SHS AMERICAN EXPRESS CO.	0	0
500 SHS BRISTOL MYERS SQUIBB CO.	0	0
200 SHS HARTFORD FINANCIAL SERVICES GROUP INC.	0	0
200 SHS ITT INDUSTRIES INC.	0	0
660 SHS AT&T	1,016	18,500
1,200 SHS VERIZON COMMUNICATIONS INC.	0	0
1,510 SHS MICROSOFT	38,118	46,025
250 SHS CHEVRON TEXACO	8,413	19,248
270 shs johnson & johnson	15,860	17,391
470 SHS CONOCOPHILLIPS	13,461	24,003
1,000 SHS GENERAL ELECTRIC COMPANY	28,820	15,130
800 SHS MARATHON OIL CORP.	0	0
240SHS PEPSICO INC.	11,426	14,592
170 SHS PROCTOR AND GAMBLE	8,206	10,307
3,750 ISHARES EAFE INDEX FUND	0	0
700 SHS BANK OF AMERICA	0	0
600 SHS CAMPBELL SOUP CO.	0	0
1,460 SHS INTEL	29,801	29,784
2502 SHS BARCLAYS IPATH	0	0
2716 SHS ISHARES RUSSELL MIDCAP GROWTH	0	0
2123 SHS ISHARES S&p sMALL cAP 600	0	0
830 SHS WALT DISNEY	20,934	26,768
660 SHS STAPLES	14,325	16,229
341 SHS TARGET	0	0
286 SHS CLOROX	0	0
550 SHS CVS CAREMARK	18,470	17,716
590 SHS SYSCO	14,785	16,485
262 SHS ANADARKO PETE CORP	15,699	16,354

Name of Stock	End of Year Book Value	End of Year Fair Market Value
254 SHS BP PLC	0	0
426 SHS SCHLUMBERGER	29,068	27,728
187 SHS TRANSOCEAN INC	20,741	15,484
715 SHS US BANCORP	15,639	16,095
460 SHS WELLS FARGO	12,250	12,415
271 SHS ABBOTT LABORATORIES	15,580	14,631
470 SHS MEDTRONIC	19,724	20,671
1000 SHS MERCK AND CO	28,526	36,540
564 SHS AVERY DENNISON	20,696	20,580
216 SHS NORFOLK SOUTHERN CORP	0	0
198 SHS UNION PACIFIC	0	0
1380 SHS APPLIED MATERIALS	20,823	19,237
713 SHS CISCO	15,608	17,069
1,117 SHS CORNING	20,688	21,569
810 SHS ORACLE	16,865	19,869
296 SHS QUALCOM	15,661	13,693
656 SHS INTERNATIONAL PAPER	0	0
210 SHS DOW JONES US	0	0
8618.99 SHS PIMCO	92,137	86,276
1210 SHS ISHARES S&p SMALLCAP 600	0	0
900 SHS ISHARES RUSSELL 200 VALUE INDEX	0	0
1,060 SHS ABB LTD	15,783	20,246
3,583.625 SHS AIM INTL GROWTH FUND	73,751	89,806
3,850.688 SHS ALLIANZ OCC OPPORTUNITY FUND	58,723	74,434
230 SHS AMGEN	12,075	13,011
110 SHS APACHE	7,305	11,349
280 SHS ARCHER DANIELS	7,641	8,767
6,449 SHS ARTISAN MID CAP VALUE	90,795	115,944
6,901.536 SHS BB&T SPECIAL OPP FUND	89,858	108,768
320 SHS BAXTER INTL	16,896	18,778

Name of Stock	End of Year Book Value	End of Year Fair Market Value
10 SHS BERKSHIRE HATHAWAY INC	28,167	32,860
1,020 SHS COMCAST	13,586	17,197
390 SHS E I DUPONT	9,391	13,131
670 SHS EBAY	10,686	15,765
330 SHS EDISON INTL	10,111	11,477
540 SHS EMERSON ELECTRIC	16,713	23,004
240 SHS EXELON CORP	11,637	11,729
3,402.796 SHS FIDELITY ADVISOR SMALL CAP	63,292	78,196
1,650 SHS FINANCIAL SELECT SECTOR SPDR FUND	18,727	23,760
90 SHS SPDR GOLD TRUST	8,167	9,658
5,666.345 SHS GOLDMAN SACH GROWTH FUND	87,885	116,897
16 SHS GOOGLE	6,351	9,920
1,808.776 SHS HARBOR INTERNATIONAL	75,643	99,248
360 SHS HEWLETT PACKARD	13,291	18,544
110 SHS INTERNATIONAL BUSINESS MACHINES	11,055	14,399
600 SHS KRAFT FOODS	15,468	16,308
150 SHS MONSANTO CO	10,884	12,263
580 SHS PALL CORPORATION	14,970	20,996
400 SHS SMITH INTL INC	9,080	10,868
300 SHS SUNCOR ENERGY INC	7,944	10,593
320 SHS TRAVELERS	12,461	15,955
920 SHS UNILEVER	21,609	29,348
420 SHS UNITED HEALTH GROUP	10,605	12,802
7,289.793 SHS VANGUARD MIDCAP GROWTH	87,842	111,971
920 SHS VODAFONE GROUP	17,094	21,243
430 SHS WELLPOINT INC	21,942	25,065
5,520.473 SHS LAZARD EMERGING MARKETS	77,121	99,424

TY 2009 Legal Fees Schedule

Name: EVAN G ROBERTS CHARITABLE TRUST

EIN: 55-6016455

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
HERNDON, MORTON, HERNODN & YAEGER	2,150	0		2,150

TY 2009 Other Expenses Schedule

Name: EVAN G ROBERTS CHARITABLE TRUST

EIN: 55-6016455

Description	Revenue and Expenses per Books	Net Invest ment Income	Adjusted Net Income	Disbursements for Charit able Purposes
ADR FEES	11	11		0

TY 2009 Taxes Schedule

Name: EVAN G ROBERTS CHARITABLE TRUST

EIN: 55-6016455

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
2008 FEDERAL TAX ESTIMATED PAYMENTS	532	0		0
FOREIGN TAX WITHHELD	8	0		0