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

OMB No 1545 0052

**2009**Department of the Treasury  
Internal Revenue Service**Note:** The foundation may be able to use a copy of this return to satisfy state reporting requirements**For calendar year 2009, or tax year beginning** , **2009, and ending**

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

|  |  |   |  |
|--|--|---|--|
| Use the IRS label. Otherwise, print or type. See Specific Instructions.  | <b>WILLIAM A. AND ELEANOR R. NICHOLS FOUNDATION</b><br>C/O 6101 CARNEGIE BOULEVARD #150<br>CHARLOTTE, NC 28209 |   | <b>A</b> Employer identification number<br>57-1066131              |
|  |  |   | <b>B</b> Telephone number (see the instructions)<br>(704) 643-8900 |
| <b>H</b> Check type of organization. <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation<br><input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation |  | <b>C</b> If exemption application is pending, check here <input type="checkbox"/>   |  |
| <b>I</b> Fair market value of all assets at end of year (from Part II, column (c), line 16)<br>\$ 15,213.  |  | <b>D</b> 1 Foreign organizations, check here <input type="checkbox"/><br>2 Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/> |  |
| <b>J</b> Accounting method. <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual<br><input type="checkbox"/> Other (specify) _____  |  | <b>E</b> If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>  |  |
| (Part I, column (d) must be on cash basis.)  |  | <b>F</b> If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>   |  |

| <b>Part I Analysis of Revenue and Expenses</b> (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see the instructions).) |  | (a) Revenue and expenses per books | (b) Net investment income | (c) Adjusted net income | (d) Disbursements for charitable purposes (cash basis only) |
|--|--|------------------------------------|---------------------------|-------------------------|---|
| <b>REVENUE</b>   | 1 Contributions, gifts, grants, etc., received (att sch)         | 7,778.                             |                           |                         |   |
|  | 2 <input type="checkbox"/> If the foundn is not req to att Sch B |                                    |                           |                         |   |
|  | 3 Interest on savings and temporary cash investments             | 7.                                 | 7.                        | 7.                      |   |
|  | 4 Dividends and interest from securities                         |                                    |                           |                         |   |
|  | 5a Gross rents   |                                    |                           |                         |   |
|  | b Net rental income or (loss)                                    |                                    |                           |                         |   |
|  | 6a Net gain/(loss) from sale of assets not on line 10            |                                    |                           |                         |   |
|  | b Gross sales price for all assets on line 6a                    |                                    |                           |                         |   |
|  | 7 Capital gain net income (from Part IV, line 2)                 |                                    |                           |                         |   |
|  | 8 Net short-term capital gain                                    |                                    |                           |                         |   |
|  | 9 Income modifications   |                                    |                           |                         |   |
| <b>ADMINISTRATIVE AND OPERATING EXPENSES</b>   | 10a Gross sales less returns and allowances                      |                                    |                           |                         |   |
|  | b Less Cost of goods sold  |                                    |                           |                         |   |
|  | c Gross profit/(loss) (att sch)                                  |                                    |                           |                         |   |
|  | 11 Other income (attach schedule)                                |                                    |                           |                         |   |
|  | 12 <b>Total.</b> Add lines 1 through 11                          | 7,785.                             | 7.                        | 7.                      |   |
|  | 13 Compensation of officers, directors, trustees, etc            | 0.                                 |                           |                         |   |
|  | 14 Other employee salaries and wages                             |                                    |                           |                         |   |
|  | 15 Pension plans, employee benefits                              |                                    |                           |                         |   |
|  | 16a Legal fees (attach schedule)                                 |                                    |                           |                         |   |
|  | b Accounting fees (attach sch) See St 1                          | 1,100.                             |                           |                         | 1,100.  |
|  | c Other prof fees (attach sch)                                   |                                    |                           |                         |   |
| 17 Interest  |  |                                    |                           |                         |   |
| 18 Taxes (attach schedule)(see instr)  |  |                                    |                           |                         |   |
| 19 Depreciation (attach sch) and depletion   |  |                                    |                           |                         |   |
| 20 Occupancy   |  |                                    |                           |                         |   |
| 21 Travel, conferences, and meetings   |  |                                    |                           |                         |   |
| 22 Printing and publications   |  |                                    |                           |                         |   |
| 23 Other expenses (attach schedule) See Statement 2  | 175.   | 150.                               |                           | 25.                     |   |
| 24 <b>Total operating and administrative expenses.</b> Add lines 13 through 23   | 1,275.   | 150.                               |                           | 1,125.                  |   |
| 25 Contributions, gifts, grants paid Stmt 3  | 10,470.  |                                    |                           | 10,470.                 |   |
| 26 <b>Total expenses and disbursements.</b> Add lines 24 and 25  | 11,745.  | 150.                               | 0.                        | 11,595.                 |   |
| 27 Subtract line 26 from line 12:  |  |                                    |                           |                         |   |
| a <b>Excess of revenue over expenses and disbursements</b>   | -3,960.  |                                    |                           |                         |   |
| b <b>Net investment income</b> (if negative, enter 0)  |  | 0.                                 |                           |                         |   |
| c <b>Adjusted net income</b> (if negative, enter 0)  |  |                                    | 7.                        |                         |   |

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| Part II Balance Sheets      |  | Beginning of year | End of year    |                |
|-----------------------------|--|-------------------|----------------|----------------|
|                             |  |                   | (a) Book Value | (b) Book Value |
| ASSETS                      | 1 Cash — non-interest-bearing  | 19,173.           | 15,213.        | 15,213.        |
|                             | 2 Savings and temporary cash investments   |                   |                |                |
|                             | 3 Accounts receivable  |                   |                |                |
|                             | Less: allowance for doubtful accounts  |                   |                |                |
|                             | 4 Pledges receivable   |                   |                |                |
|                             | Less: allowance for doubtful accounts  |                   |                |                |
|                             | 5 Grants receivable  |                   |                |                |
|                             | 6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see the instructions)          |                   |                |                |
|                             | 7 Other notes and loans receivable (attach sch.)   |                   |                |                |
|                             | 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)  |                   |                |                |
|                             | b Investments — corporate stock (attach schedule)  |                   |                |                |
|                             | c Investments — corporate bonds (attach schedule)  |                   |                |                |
|                             | 11 Investments — land, buildings, and equipment: basis   |                   |                |                |
| LIABILITIES                 | 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 instructions. Also, see page 1, item I)   | 19,173.           | 15,213.        | 15,213.        |
|                             | 17 Accounts payable and accrued expenses   |                   |                |                |
|                             | 18 Grants payable  |                   |                |                |
|                             | 19 Deferred revenue  |                   |                |                |
| NET ASSETS OR FUND BALANCES | 20 Loans from officers, directors, trustees, & 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.             |                |
|                             | Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31. <input checked="" type="checkbox"/> |                   |                |                |
|                             | 24 Unrestricted  | 19,173.           | 15,213.        |                |
|                             | 25 Temporarily restricted  |                   |                |                |
|                             | 26 Permanently restricted  |                   |                |                |
|                             | Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. <input type="checkbox"/>                         |                   |                |                |
|                             | 27 Capital stock, trust principal, or current funds  |                   |                |                |
|                             | 28 Paid-in or capital surplus, or land, building, and equipment fund   |                   |                |                |
|                             | 29 Retained earnings, accumulated income, endowment, or other funds  |                   |                |                |
|                             | 30 Total net assets or fund balances (see the instructions)  | 19,173.           | 15,213.        |                |
|                             | 31 Total liabilities and net assets/fund balances (see the instructions)   | 19,173.           | 15,213.        |                |

## 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 | 19,173. |
| 2 Enter amount from Part I, line 27a   | 2 | -3,960. |
| 3 Other increases not included in line 2 (itemize)   | 3 |         |
| 4 Add lines 1, 2, and 3  | 4 | 15,213. |
| 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 | 15,213. |

**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 shares MLC Company) |  | (b) How acquired<br>P — Purchase<br>D — Donation | (c) Date acquired<br>(month, day, year) | (d) Date sold<br>(month, day, year) |
|--|--|--|---|-------------------------------------|
| 1 a N/A  |  |  |   |                                     |
| b  |  |  |   |                                     |
| c  |  |  |   |                                     |
| d  |  |  |   |                                     |
| e  |  |  |   |                                     |

| (e) Gross sales price | (f) Depreciation allowed<br>(or allowable) | (g) Cost or other basis<br>plus expense of sale | (h) Gain or (loss)<br>(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) Gains (Column (h)<br>gain minus column (k), but not less<br>than -0-) or Losses (from column (h)) |
|---|--------------------------------------|---|---|
| (i) Fair Market Value<br>as of 12/31/69   | (j) Adjusted basis<br>as of 12/31/69 | (k) Excess of column (i)<br>over column (j), if any |   |
| a   |                                      |   |   |
| b   |                                      |   |   |
| c   |                                      |   |   |
| d   |                                      |   |   |
| e   |                                      |   |   |

2 Capital gain net income or (net capital loss).

☐ If gain, also enter in Part I, line 7  
☐ If (loss), enter -0- in Part I, line 7

2

3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6):

☐ If gain, also enter in Part I, line 8, column (c) (see 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 the instructions before making any entries.

| (a)<br>Base period years<br>Calendar year (or tax year<br>beginning in) | (b)<br>Adjusted qualifying distributions | (c)<br>Net value of<br>noncharitable-use assets | (d)<br>Distribution ratio<br>(column (b) divided by column (c)) |
|---|--|---|---|
| 2008  | 13,818.                                  | 26,352.   | 0.524362  |
| 2007  | 13,159.                                  | 20,171.   | 0.652372  |
| 2006  | 9,697.                                   | 9,254.  | 1.047871  |
| 2005  | 14,718.                                  | 12,164.   | 1.209964  |
| 2004  | 13,192.                                  | 16,809.   | 0.784818  |

2 Total of line 1, column (d)

2

4.219387

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

0.843877

4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5

4

13,579.

5 Multiply line 4 by line 3

5

11,459.

6 Enter 1% of net investment income (1% of Part I, line 27b)

6

7 Add lines 5 and 6

7

11,459.

8 Enter qualifying distributions from Part XII, line 4

8

11,595.

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

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

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

**Part VII-A Statements Regarding Activities**

|  | Yes | No  |
|--|-----|-----|
| 1 a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?   |     | X   |
| b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see the instructions for definition)?<br><i>If the answer is 'Yes' to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.</i> |     | X   |
| c Did the foundation file <b>Form 1120-POL</b> for this year?  |     | X   |
| d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year.<br>(1) On the foundation <input type="checkbox"/> \$ 0. (2) On foundation managers <input type="checkbox"/> \$ 0.   |     |     |
| e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$ 0.  |     |     |
| 2 Has the foundation engaged in any activities that have not previously been reported to the IRS?<br><i>If 'Yes,' attach a detailed description of the activities.</i>   |     | 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? <i>If 'Yes,' attach a conformed copy of the changes</i>  |     | X   |
| 4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year?  |     | X   |
| b If 'Yes,' has it filed a tax return on <b>Form 990-T</b> for this year?  |     | N/A |
| 5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?<br><i>If 'Yes,' attach the statement required by General Instruction T.</i>   |     | X   |
| 6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either:<br>• By language in the governing instrument, or<br>• By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?                 | X   |     |
| 7 Did the foundation have at least \$5,000 in assets at any time during the year? <i>If 'Yes,' complete Part II, column (c), and Part XV</i>   | X   |     |
| 8 a Enter the states to which the foundation reports or with which it is registered (see the instructions)<br>NC   |     |     |
| 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 <i>General Instruction G</i> ? <i>If 'No,' attach explanation</i>   | 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)? <i>If 'Yes,' complete Part XIV</i>  |     | X   |
| 10 Did any persons become substantial contributors during the tax year? <i>If 'Yes,' attach a schedule listing their names and addresses.</i><br>See Statement 4   | X   |     |

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**Part VII-A Statements Regarding Activities Continued**

|    |  |     |                          |     |
|----|--|-----|--------------------------|-----|
| 11 | At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If 'Yes', attach schedule (see instructions)          | 11  |                          | X   |
| 12 | Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?  | 12  |                          | X   |
| 13 | Did the foundation comply with the public inspection requirements for its annual returns and exemption application?<br>Website address <u>N/A</u>  | 13  | X                        |     |
| 14 | The books are in care of <u>WILLIAM A. NICHOLS, JR.</u> Telephone no. <u>(704) 643-8900</u><br>Located at <u>6101 CARNEGIE BLVD, SUITE 150 CHARLOTTE NC</u> ZIP + 4 <u>28209</u>                 |     |                          |     |
| 15 | Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here<br>and enter the amount of tax-exempt interest received or accrued during the year <u>15</u> | N/A | <input type="checkbox"/> | N/A |

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

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

|   | Yes                          | No                                     |
|---|------------------------------|--|
| 1a During the year did the foundation (either directly or indirectly):  |                              |  |
| (1) Engage in the sale or exchange, or leasing of property with a disqualified person?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (6) Agree to pay money or property to a government official? (Exception. Check 'No' if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b If any answer is 'Yes' to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see the instructions)?<br>Organizations relying on a current notice regarding disaster assistance check here <input type="checkbox"/>   | 1b                           | N/A                                    |
| 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?<br>If 'Yes,' list the years <u>20__</u> , <u>20__</u> , <u>20__</u> , <u>20__</u> .   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer 'No' and attach statement - see 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<br><u>20__</u> , <u>20__</u> , <u>20__</u> , <u>20__</u> .  |                              |  |
| 3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b If 'Yes,' did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.) | 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                                      |

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

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

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see 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 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? ☐ Yes ☐ No

N/A

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 ☒ Nob Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? ☐ Yes ☒ No

6b 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 ☒ Nob If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? ☐ Yes ☒ No

7b N/A

**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 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 |
|--|--|---|---|---------------------------------------|
| WILLIAM A NICHOLS JR<br>6101 CARNEGIE BLVD, STE 150<br>CHARLOTTE, NC 28209 | President<br>0   | 0.  | 0.  | 0.                                    |
| MONROE JACKSON NICHOLS<br>2501 KENMORE DRIVE<br>RALEIGH, NC 27608          | Director<br>0  | 0.  | 0.  | 0.                                    |
| HENRY RATHBONE NICHOLS<br>8456 HOLLY LEAF DRIVE<br>MCLEAN, VA 22102        | Director<br>0  | 0.  | 0.  | 0.                                    |
| MARK ADAMS NICHOLS<br>1852 MAPLE LEAF DRIVE<br>WINDEMERE, FL 34786         | Director<br>0  | 0.  | 0.  | 0.                                    |

2 Compensation of five highest-paid employees (other than those included on line 1— see 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 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 GRANTS TO VARIOUS CHARITABLE ORGANIZATIONS TO ASSIST IN ACHIEVING THE TAX-EXEMPT GOALS OF THEIR RESPECTIVE ACTIVITIES. |          |
| 2  |          |
| 3  |          |
| 4  |          |

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

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

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Form 990-PF (2009)



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

|   |   |    |         |
|---|---|----|---------|
| 1 | Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes. |    |         |
| a | Average monthly fair market value of securities   | 1a |         |
| b | Average of monthly cash balances  | 1b | 13,786. |
| c | Fair market value of all other assets (see instructions)  | 1c |         |
| d | <b>Total</b> (add lines 1a, b, and c)   | 1d | 13,786. |
| 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  | 13,786. |
| 4 | Cash deemed held for charitable activities. Enter 1-1/2% of line 3 (for greater amount, see instructions)   | 4  | 207.    |
| 5 | <b>Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4 | 5  | 13,579. |
| 6 | <b>Minimum investment return.</b> Enter 5% of line 5  | 6  | 679.    |

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

|    |   |    |      |
|----|---|----|------|
| 1  | Minimum investment return from Part X, line 6   | 1  | 679. |
| 2a | Tax on investment income for 2009 from Part VI, line 5  | 2a |      |
| b  | Income tax for 2009. (This does not include the tax from Part VI)   | 2b |      |
| c  | Add lines 2a and 2b   | 2c |      |
| 3  | Distributable amount before adjustments. Subtract line 2c from line 1                                     | 3  | 679. |
| 4  | Recoveries of amounts treated as qualifying distributions   | 4  |      |
| 5  | Add lines 3 and 4   | 5  | 679. |
| 6  | Deduction from distributable amount (see instructions)  | 6  |      |
| 7  | <b>Distributable amount</b> as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1 | 7  | 679. |

**Part XII Qualifying Distributions** (see instructions)

|   |  |    |         |
|---|--|----|---------|
| 1 | Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:   |    |         |
| a | Expenses, contributions, gifts, etc. — total from Part I, column (d), line 26  | 1a | 11,595. |
| b | Program-related investments — total from Part IX-B   | 1b |         |
| 2 | Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes  | 2  |         |
| 3 | Amounts set aside for specific charitable projects that satisfy the:   |    |         |
| a | Suitability test (prior IRS approval required)   | 3a |         |
| b | Cash distribution test (attach the required schedule)  | 3b |         |
| 4 | <b>Qualifying distributions.</b> Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4                                    | 4  | 11,595. |
| 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 instructions) | 5  |         |
| 6 | <b>Adjusted qualifying distributions.</b> Subtract line 5 from line 4  | 6  | 11,595. |

**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.

BAA

Form 990-PF (2009)

**Part XIII** Undistributed Income (see instructions)

|  | (a)<br>Corpus | (b)<br>Years prior to 2008 | (c)<br>2008 | (d)<br>2009 |
|--|---------------|----------------------------|-------------|-------------|
| 1 Distributable amount for 2009 from Part XI, line 7   |               |                            |             | 679.        |
| 2 Undistributed income, if any, as of the end of 2009:   |               |                            |             |             |
| 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  | 12,352.       |                            |             |             |
| b From 2005  | 14,110.       |                            |             |             |
| c From 2006  | 9,234.        |                            |             |             |
| d From 2007  | 12,152.       |                            |             |             |
| e From 2008  | 12,500.       |                            |             |             |
| f Total of lines 3a through e  | 60,348.       |                            |             |             |
| 4 Qualifying distributions for 2009 from Part XII, line 4. ▶ \$ 11,595.  |               |                            |             |             |
| a Applied to 2008, but not more than line 2a   |               |                            | 0.          |             |
| b Applied to undistributed income of prior years (Election required — see instructions)  |               | 0.                         |             |             |
| c Treated as distributions out of corpus (Election required — see instructions)  | 0.            |                            |             |             |
| d Applied to 2009 distributable amount   |               |                            |             | 679.        |
| e Remaining amount distributed out of corpus   | 10,916.       |                            |             |             |
| 5 Excess distributions carryover applied to 2009. (If an amount appears in column (d), the same amount must be shown in column (a).)                                       | 0.            |                            |             | 0.          |
| 6 Enter the net total of each column as indicated below:   |               |                            |             |             |
| a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5  | 71,264.       |                            |             |             |
| 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 instructions   |               | 0.                         |             |             |
| e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount — see instructions  |               |                            | 0.          |             |
| f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010.   |               |                            |             | 0.          |
| 7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)                                  | 0.            |                            |             |             |
| 8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see instructions)  | 12,352.       |                            |             |             |
| 9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a  | 58,912.       |                            |             |             |
| 10 Analysis of line 9.   |               |                            |             |             |
| a Excess from 2005   | 14,110.       |                            |             |             |
| b Excess from 2006   | 9,234.        |                            |             |             |
| c Excess from 2007   | 12,152.       |                            |             |             |
| d Excess from 2008   | 12,500.       |                            |             |             |
| e Excess from 2009   | 10,916.       |                            |             |             |

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

N/A

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

**Part XV Supplementary Information** (Complete this part only if the organization had \$5,000 or more in assets at any time during the year — see instructions.)

- 1 Information Regarding Foundation Managers:**
- a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000). (See section 507(d)(2).)
- None
- b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest.
- None

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

Check here ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc, (see 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.

See Statement 5

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

See Statement for Line 2a

- c Any submission deadlines:

See Statement for Line 2a

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

See Statement for Line 2a



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

Enter gross amounts unless otherwise indicated.

| Enter gross amounts unless otherwise indicated. |  | Unrelated business income |               | Excluded by section 512, 513, or 514 |               |   |
|---|--|---------------------------|---------------|--------------------------------------|---------------|---|
|   |  | (a)<br>Business<br>code   | (b)<br>Amount | (c)<br>Exclu-<br>sion<br>code        | (d)<br>Amount | (e)<br>Related or exempt<br>function income<br>(see the instructions) |
| 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                                   |               | 7.  |
| 4   | Dividends and interest from securities                   |                           |               |                                      |               |   |
| 5   | Net rental income or (loss) from real estate:            |                           |               |                                      |               |   |
| a   | Debt-financed property                                   |                           |               |                                      |               |   |
| b   | Not debt-financed property                               |                           |               |                                      |               |   |
| 6   | Net rental income or (loss) from personal property       |                           |               |                                      |               |   |
| 7   | Other investment income                                  |                           |               |                                      |               |   |
| 8   | Gain or (loss) from sales of assets other than inventory |                           |               |                                      |               |   |
| 9   | Net income or (loss) from special events                 |                           |               |                                      |               |   |
| 10  | Gross profit or (loss) from sales of inventory           |                           |               |                                      |               |   |
| 11  | Other revenue.   |                           |               |                                      |               |   |
| a   |  |                           |               |                                      |               |   |
| b   |  |                           |               |                                      |               |   |
| c   |  |                           |               |                                      |               |   |
| d   |  |                           |               |                                      |               |   |
| e   |  |                           |               |                                      |               |   |
| 12  | Subtotal. Add columns (b), (d), and (e)                  |                           |               |                                      |               | 7.  |
| 13  | Total. Add line 12, columns (b), (d), and (e)            |                           |               |                                      |               | 7.  |

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

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

[illegible]



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

Department of the Treasury  
Internal Revenue Service

**Schedule of Contributors**

► **Attach to Form 990, 990-EZ, or 990-PF**

OMB No 1545-0047

**2009**

Name of the organization **WILLIAM A. AND ELEANOR R. NICHOLS  
FOUNDATION**

Employer identification number  
**57-1066131**

**Organization type** (check one)

**Filers of:**

Form 990 or 990-EZ

**Section:**

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

Form 990-PF

- ☒ 501(c)(3) exempt private foundation  
☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation  
☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.

**Note:** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

**General Rule —**

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

**Special Rules —**

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

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

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

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

Name of organization

Employer identification number

WILLIAM A. AND ELEANOR R. NICHOLS

57-1066131

**Part I** Contributors (see instructions)

| (a)<br>Number | (b)<br>Name, address, and ZIP + 4  | (c)<br>Aggregate<br>contributions | (d)<br>Type of contribution   |
|---------------|--|-----------------------------------|---|
| 1             | NICHOLS CHARITABLE LEAD UNITRUST<br>6101 CARNEGIE BLVD, STE 150<br>CHARLOTTE, NC 29209 | \$ 7,778.                         | Person <input checked="checked" type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.) |
|               |  | \$                                | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.)                   |
|               |  | \$                                | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.)                   |
|               |  | \$                                | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.)                   |
|               |  | \$                                | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.)                   |
|               |  | \$                                | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.)                   |
|               |  | \$                                | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.)                   |
|               |  | \$                                | Person <input type="checkbox"/><br>Payroll <input type="checkbox"/><br>Noncash <input type="checkbox"/><br>(Complete Part II if there is a noncash contribution.)                   |



Name of organization

WILLIAM A. AND ELEANOR R. NICHOLS

Employer identification number

57-1066131

**Part II** Noncash Property (see instructions.)

| (a)<br>No. from<br>Part I | (b)<br>Description of noncash property given | (c)<br>FMV (or estimate)<br>(see instructions) | (d)<br>Date received |
|---------------------------|--|--|----------------------|
|                           | N/A  |  |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  | \$   |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  | \$   |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  | \$   |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  | \$   |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  | \$   |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  |  |                      |
|                           |  | \$   |                      |
|                           |  |  |                      |

BAA

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

Name of organization

Employer identification number

WILLIAM A. AND ELEANOR R. NICHOLS

57-1066131

**Part III Exclusively religious, charitable, etc, individual contributions to section 501(c)(7), (8), or (10) organizations aggregating more than \$1,000 for the year.** (Complete cols (a) through (e) and the following line entry.)For organizations completing Part III, enter total of *exclusively* religious, charitable, etc, contributions of **\$1,000 or less** for the year. (Enter this information once — see instructions.)

► \$ N/A

| (a)<br>No. from<br>Part I | (b)<br>Purpose of gift                  | (c)<br>Use of gift | (d)<br>Description of how gift is held   |
|---------------------------|---|--------------------|--|
|                           | N/A                                     |                    |  |
|                           |   |                    |  |
|                           |   |                    |  |
|                           |   |                    |  |
|                           | (e)<br>Transfer of gift                 |                    |  |
|                           | Transferee's name, address, and ZIP + 4 |                    | Relationship of transferor to transferee |
|                           |   |                    |  |
|                           |   |                    |  |
|                           |   |                    |  |
|                           | (e)<br>Transfer of gift                 |                    |  |
|                           | Transferee's name, address, and ZIP + 4 |                    | Relationship of transferor to transferee |
|                           |   |                    |  |
|                           |   |                    |  |
|                           |   |                    |  |
|                           | (e)<br>Transfer of gift                 |                    |  |
|                           | Transferee's name, address, and ZIP + 4 |                    | Relationship of transferor to transferee |
|                           |   |                    |  |
|                           |   |                    |  |
|                           |   |                    |  |
|                           | (e)<br>Transfer of gift                 |                    |  |
|                           | Transferee's name, address, and ZIP + 4 |                    | Relationship of transferor to transferee |
|                           |   |                    |  |
|                           |   |                    |  |
|                           |   |                    |  |
|                           | (e)<br>Transfer of gift                 |                    |  |
|                           | Transferee's name, address, and ZIP + 4 |                    | Relationship of transferor to transferee |
|                           |   |                    |  |
|                           |   |                    |  |
|                           |   |                    |  |

2009

## Federal Statements

Page 1

Client 637

WILLIAM A. AND ELEANOR R. NICHOLS  
FOUNDATION

57-1066131

5/06/10

05.05PM

Statement 1  
Form 990-PF, Part I, Line 16b  
Accounting Fees

|                 | (a)<br>Expenses<br>per Books | (b) Net<br>Investment<br>Income | (c)<br>Adjusted<br>Net Income | (d)<br>Charitable<br>Purposes |
|-----------------|------------------------------|---------------------------------|-------------------------------|-------------------------------|
| ACCOUNTING FEES | \$ 1,100.                    |                                 |                               | \$ 1,100.                     |
| Total           | \$ 1,100.                    | \$ 0.                           | \$ 0.                         | \$ 1,100.                     |

Statement 2  
Form 990-PF, Part I, Line 23  
Other Expenses

|                          | (a)<br>Expenses<br>per Books | (b) Net<br>Investment<br>Income | (c)<br>Adjusted<br>Net Income | (d)<br>Charitable<br>Purposes |
|--------------------------|------------------------------|---------------------------------|-------------------------------|-------------------------------|
| EMA ANNUAL FEE           | \$ 150.                      | \$ 150.                         |                               |                               |
| PUBLIC INSPECTION NOTICE | 25.                          |                                 |                               | \$ 25.                        |
| Total                    | \$ 175.                      | \$ 150.                         | \$ 0.                         | \$ 25.                        |

Statement 3  
Form 990-PF, Part I, Line 25  
Contributions, Gifts, and GrantsCash Grants and Allocations

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: ARTS & SCIENCE COUNCIL  
 Donee's Address: 227 WEST TRADE STREET  
 CHARLOTTE, NC 28202  
 Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: \$ 100.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: AMERICAN CANCER SOCIETY  
 Donee's Address: 600 FAIRVIEW ROAD  
 CHARLOTTE, NC 28210  
 Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: US OLYMPIC COMMITTEE  
 Donee's Address: 1 OLYMPIC PLAZA  
 COLORADO SPRINGS, CO 80909  
 Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 100.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: BOYS TOWN  
 Donee's Address: PO BOX 6000  
 BOYS TOWN, NE 68010  
 Relationship of Donee: NONE

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**Statement 3 (continued)**  
**Form 990-PF, Part I, Line 25**  
**Contributions, Gifts, and Grants**

Organizational Status of Donee: EXEMPT  
 Amount Given: \$ 25.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: NORTH CAROLINA MUSEUM OF ART  
 Donee's Address: 2110 BLUE RIDGE ROAD  
 RALEIGH, NC 27669

Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 50.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: LOUISIANA ART & SCIENCE MUSEUM  
 Donee's Address: 100 RIVER ROAD S  
 BATON ROUGE, LA 70802

Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 50.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: COMMUNITY FOUNDATION OF HENDERSON CTY  
 Donee's Address: 401 NORTH MAIN STREET  
 HENDERSONVILLE, NC 28792

Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 50.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: PARALYZED VETERANS OF AMERICA  
 Donee's Address: 801 EIGHTEENTH STREET, NW  
 WASHINGTON, DC 20006

Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: NATIONAL MULTIPLE SCLEROSIS SOCIETY  
 Donee's Address: P O BOX 4527  
 NEW YORK, NY 10163

Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: NATIONAL LAW ENFORCEMENT OFFICER MEM FD  
 Donee's Address: 400 7TH STREET, NW, STE 300  
 WASHINGTON, DC 20004

Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT  
 Amount Given: 15.

Class of Activity: EXEMPT PURPOSE  
 Donee's Name: AMERICAN INSTITUTE CANCER RESEARCH  
 Donee's Address: 1759 R STREET NW  
 WASHINGTON, DC 20009

Relationship of Donee: NONE  
 Organizational Status of Donee: EXEMPT

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**Statement 3 (continued)**  
**Form 990-PF, Part I, Line 25**  
**Contributions, Gifts, and Grants**

Amount Given: \$ 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: CYSTIC FIBROSIS FOUNDATION  
Donee's Address: 7506 E. INDEPENDENCE BOULEVARD  
CHARLOTTE, NC 28227  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: AMERICAN HEART ASSOCIATION  
Donee's Address: 222 SOUTH CHURCH STREET  
CHARLOTTE, NC 28202  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: NC SHERIFF'S ASSOCIATION  
Donee's Address: 323 WEST JONES STREET, STE 300  
RALEIGH, NC 27603  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: NATIONAL WORLD WAR II MUSEUM  
Donee's Address: 945 MAGAZINE STREET  
NEW ORLEANS, LA 70130  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: VETERANS OF FOREIGN WARS  
Donee's Address: 1917 CENTRAL AVENUE  
CHARLOTTE, NC 28205  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: CHRIST EPISCOPAL CHURCH  
Donee's Address: 1412 PROVIDENCE ROAD  
CHARLOTTE, NC 28207  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 3,650.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: THE SALVATION ARMY  
Donee's Address: 515 CLANTON ROAD  
CHARLOTTE, NC 28217  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT

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**Statement 3 (continued)**  
**Form 990-PF, Part I, Line 25**  
**Contributions, Gifts, and Grants**

Amount Given: \$ 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: MARCH OF DIMES  
Donee's Address: 7506 INDEPENDENCE BOULEVARD  
CHARLOTTE, NC 28227Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 20.Class of Activity: EXEMPT PURPOSE  
Donee's Name: WTVI CHARLOTTE  
Donee's Address: 3242 COMMONWEALTH AVENUE  
CHARLOTTE, NC 28205Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.Class of Activity: EXEMPT PURPOSE  
Donee's Name: NATIONAL PARKS CONSERVATION ASSOC  
Donee's Address: 1300 19TH STREET, NW, STE 300  
WASHINGTON, DC 20036Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.Class of Activity: EXEMPT PURPOSE  
Donee's Name: TOYS FOR TOTS  
Donee's Address: 18251 QUANTICO GATEWAY DRIVE  
TRIANGLE, VA 22172Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 35.Class of Activity: EXEMPT PURPOSE  
Donee's Name: AMERICAN RED CROSS  
Donee's Address: 2425 PARK ROAD  
CHARLOTTE, NC 28203Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 35.Class of Activity: EXEMPT PURPOSE  
Donee's Name: QUEENS UNIVERSITY OF CHARLOTTE  
Donee's Address: 1900 SELWYN AVENUE  
CHARLOTTE, NC 28274Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.Class of Activity: EXEMPT PURPOSE  
Donee's Name: METROPOLITAN MUSEUM OF ART  
Donee's Address: 1000 FIFTH AVENUE  
NEW YORK, NY 10028Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT

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**Statement 3 (continued)**  
**Form 990-PF, Part I, Line 25**  
**Contributions, Gifts, and Grants**

Amount Given: \$ 50.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: HABITAT FOR HUMANITY INTERNATIONAL  
Donee's Address: 121 HABITAT STREET  
AMERICUS, GA 31709Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 50.Class of Activity: EXEMPT PURPOSE  
Donee's Name: LOAVES & FISHES, INC.  
Donee's Address: P.O. BOX 11234  
CHARLOTTE, NC 28220Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 100.Class of Activity: EXEMPT PURPOSE  
Donee's Name: THIRD PRESBYTERIAN CHURCH OF CHARLOTTE  
Donee's Address: 4019 CENTRAL AVENUE  
CHARLOTTE, NC 28205Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 50.Class of Activity: EXEMPT PURPOSE  
Donee's Name: RONALD REAGAN PRESIDENTIAL LIBRARY  
Donee's Address: 40 PRESIDENTIAL DRIVE  
SIMI VALLEY, CA 93065Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.Class of Activity: EXEMPT PURPOSE  
Donee's Name: GEORGE BUSH PRESIDENTIAL LIBRARY FNDTN  
Donee's Address: 1145 TAMU  
COLLEGE STATION, TX 77843Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.Class of Activity: EXEMPT PURPOSE  
Donee's Name: MECKLENBURG COUNTY COUNCIL BSA  
Donee's Address: 1410 EAST SEVENTH STREET  
CHARLOTTE, NC 28204Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 4,525.Class of Activity: EXEMPT PURPOSE  
Donee's Name: DEMOCRACY NORTH CAROLINA  
Donee's Address: 1821 GREEN STREET  
DURHAM, NC 27705Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT

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**Statement 3 (continued)**  
**Form 990-PF, Part I, Line 25**  
**Contributions, Gifts, and Grants**

Amount Given: \$ 100.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: BILLY GRAHAM EVANGELISTIC ASSN  
Donee's Address: 1 BILLY GRAHAM PARKWAY  
CHARLOTTE, NC 28201  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 25.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: CAMP THUNDERBIRD (YMCA)  
Donee's Address: 1 THUNDERBIRD LANE  
LAKE WYLIE, SC 29710  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 100.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: DISCOVERY PLACE  
Donee's Address: 301 NORTH TRYON STREET  
CHARLOTTE, NC 28202  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 75.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: UNITED WAY OF CENTRAL CAROLINA  
Donee's Address: 301 SOUTH BREVARD STREET  
CHARLOTTE, NC 28202  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 100.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: JUNIOR LEAGUE OF CHARLOTTE  
Donee's Address: 1332 MARYLAND AVENUE  
CHARLOTTE, NC 28209  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 40.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: NSCDA IN LOUISIANA  
Donee's Address: 1413 LOUISIANA AVENUE  
NEW ORLEANS, LA 70115  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT  
Amount Given: 110.

Class of Activity: EXEMPT PURPOSE  
Donee's Name: DISABLED AMERICAN VETERANS  
Donee's Address: PO BOX 14301  
CINCINNATI, OH 45250  
Relationship of Donee: NONE  
Organizational Status of Donee: EXEMPT



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**Statement 3 (continued)**  
**Form 990-PF, Part I, Line 25**  
**Contributions, Gifts, and Grants**

|               |        |
|---------------|--------|
| Amount Given: | \$ 25. |
|---------------|--------|

|                    |   |
|--------------------|---|
| Class of Activity: | EXEMPT PURPOSE                          |
| Donee's Name:      | DUKE UNIVERSITY                         |
| Donee's Address:   | 103 ALLEN BOULEVARD<br>DURHAM, NC 27708 |

|                                 |        |     |
|---------------------------------|--------|-----|
| Relationship of Donee:          | NONE   |     |
| Organizational Status of Donee: | EXEMPT |     |
| Amount Given:                   |        | 45. |

|                    |   |
|--------------------|---|
| Class of Activity: | EXEMPT PURPOSE  |
| Donee's Name:      | INJURED MARINE SEMPER FI FUND                         |
| Donee's Address:   | 825 COLLEGE BOULEVARD, STE 102<br>OCEANSIDE, CA 92057 |

|                                 |        |      |
|---------------------------------|--------|------|
| Relationship of Donee:          | NONE   |      |
| Organizational Status of Donee: | EXEMPT |      |
| Amount Given:                   |        | 100. |

|                    |  |
|--------------------|--|
| Class of Activity: | EXEMPT PURPOSE                                       |
| Donee's Name:      | MARINE CORPS SCHOLARSHIP FUNDS                       |
| Donee's Address:   | 121 SOUTH SAINT ASAPH STREET<br>ALEXANDRIA, VA 22314 |

|                                 |        |      |
|---------------------------------|--------|------|
| Relationship of Donee:          | NONE   |      |
| Organizational Status of Donee: | EXEMPT |      |
| Amount Given:                   |        | 145. |

|                    |                |
|--------------------|----------------|
| Class of Activity: | EXEMPT PURPOSE |
| Donee's Name:      | DVNF           |
| Donee's Address:   |                |

|                                 |        |     |
|---------------------------------|--------|-----|
| Relationship of Donee:          | NONE   |     |
| Organizational Status of Donee: | EXEMPT |     |
| Amount Given:                   |        | 25. |

|                    |  |
|--------------------|--|
| Class of Activity: | EXEMPT PURPOSE                               |
| Donee's Name:      | VANDERBILT UNIVERSITY                        |
| Donee's Address:   | 2301 VANDERBILT PLACE<br>NASHVILLE, TN 37240 |

|                                 |        |      |
|---------------------------------|--------|------|
| Relationship of Donee:          | NONE   |      |
| Organizational Status of Donee: | EXEMPT |      |
| Amount Given:                   |        | 200. |

|                    |   |
|--------------------|---|
| Class of Activity: | EXEMPT PURPOSE                          |
| Donee's Name:      | KAPPA KAPPA GAMMA                       |
| Donee's Address:   | 103 ALLEN BOULEVARD<br>DURHAM, NC 27708 |

|                                 |        |     |
|---------------------------------|--------|-----|
| Relationship of Donee:          | NONE   |     |
| Organizational Status of Donee: | EXEMPT |     |
| Amount Given:                   |        | 25. |

|                    |  |
|--------------------|--|
| Class of Activity: | EXEMPT PURPOSE   |
| Donee's Name:      | WASHINGTON NATIONAL CATHEDRAL                              |
| Donee's Address:   | MASSACHUSETTES & WISCONSIN AVE, NW<br>WASHINGTON, DC 20016 |

|                                 |        |  |
|---------------------------------|--------|--|
| Relationship of Donee:          | NONE   |  |
| Organizational Status of Donee: | EXEMPT |  |

**2009****Federal Statements****Page 8****Client 637****WILLIAM A. AND ELEANOR R. NICHOLS  
FOUNDATION****57-1066131**

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**Statement 3 (continued)  
Form 990-PF, Part I, Line 25  
Contributions, Gifts, and Grants**

Amount Given: \$ 25.

**Class of Activity:**

Donee's Name:

CHARLOTTE FIREFIGHTERS ASSOCIATION

Donee's Address:

4419 MONROE ROAD

CHARLOTTE, NC 28208

Relationship of Donee:

NONE

Organizational Status of Donee:

EXEMPT

Amount Given: 50.

Total \$ 10,470.**Statement 4  
Form 990-PF, Part VII-A, Line 10  
Substantial Contributors During the Tax Year**Name of Substantial ContributorAddress of Substantial Contributor

NICHOLS CHARITABLE LEAD UNITRUST

C/O BANK OF AMERICA P.O. BOX 1525  
PENNINGTON, NJ 08534-1525**Statement 5  
Form 990-PF, Part XV, Line 2a-d  
Application Submission Information**

Name of Grant Program:

Name:

WILLIAM A &amp; ELEANOR R NICHOLS FOUNDATION

Care Of:

BECK, LINDSEY &amp; DYER LLP

Street Address:

6101 CARNEGIE BOULEVARD, STE 150

City, State, Zip Code:

CHARLOTTE, NC 28209

Telephone:

(704) 643-8900

Form and Content:

PLEASE SUBMIT WRITTEN APPLICATION WITH COPY OF  
ORGANIZATION'S EXEMPTION LETTER FROM IRS. ALL REQUESTS  
SHOULD DETAIL THE SPECIFIC USE FOR THE CONTRIBUTION BEING  
SOLICITED.

Submission Deadlines:

NONE

Restrictions on Awards:

NONE