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

2009

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

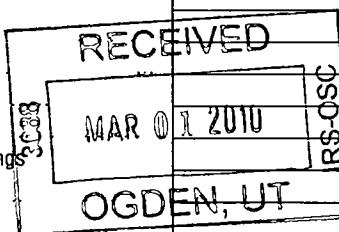
For calendar year 2009, or tax year beginning \_\_\_\_\_, and ending \_\_\_\_\_

G Check all that apply:

<input type="checkbox"/> Initial return	<input type="checkbox"/> Initial return of a former public charity	<input type="checkbox"/> Final return
<input type="checkbox"/> Amended return	<input type="checkbox"/> Address change	<input type="checkbox"/> Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.	Name of foundation <b>THE TRACTOR AND EQUIPMENT COMPANY FOUNDATION</b> Number and street (or P O box number if mail is not delivered to street address) <b>5336 AIRPORT HIGHWAY</b>	Room/suite	A Employer identification number <b>63-0718825</b>
	City or town, state, and ZIP code <b>BIRMINGHAM, AL 35212</b>		B Telephone number <b>205-591-2131</b>
H Check type of organization:	<input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation		
I Fair market value of all assets at end of year (from Part II, col. (c), line 16)	J Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	C If exemption application is pending, check here ► <input type="checkbox"/> D 1. Foreign organizations, check here ► <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation ► <input type="checkbox"/> E If private foundation status was terminated under section 507(b)(1)(A), check here ► <input type="checkbox"/> F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ► <input type="checkbox"/>	
► \$ <b>213,484.</b> (Part I, column (d) must be on cash basis.)			

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received	<b>25,000.</b>		<b>N/A</b>	
	2 Check ► <input type="checkbox"/> if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	<b>5,746.</b>	<b>5,746.</b>		<b>STATEMENT 1</b>
	4 Dividends and interest from securities				
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10				
	b Gross sales price for all assets on line 6a				
	7 Capital gain net income (from Part IV, line 2)		<b>0.</b>		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit or (loss)					
11 Other income	<b>320.</b>	<b>320.</b>		<b>STATEMENT 2</b>	
12 Total Add lines 1 through 11	<b>31,066.</b>	<b>6,066.</b>			
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	<b>0.</b>	<b>0.</b>		<b>0.</b>
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees	<b>790.</b>	<b>790.</b>		<b>0.</b>
	c Other professional fees				
	17 Interest				
	18 Taxes				
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses				
	24 Total operating and administrative expenses. Add lines 13 through 23	<b>790.</b>	<b>790.</b>		<b>0.</b>
25 Contributions, gifts, grants paid	<b>89,748.</b>			<b>89,748.</b>	
26 Total expenses and disbursements Add lines 24 and 25	<b>90,538.</b>	<b>790.</b>		<b>89,748.</b>	
27 Subtract line 26 from line 12*	<b>&lt;59,472.►</b>				
a Excess of revenue over expenses and disbursements					
b Net investment income (if negative, enter -0-)		<b>5,276.</b>			
c Adjusted net income (if negative, enter -0-)			<b>N/A</b>		



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Part II	Balance Sheets	Attached schedules and amounts in the description column should be for end-of-year amounts only	Beginning of year	End of year
			(a) Book Value	(b) Book Value
			264,605.	213,484.
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments			
	3 Accounts receivable ►			
	Less: allowance for doubtful accounts ►			
	4 Pledges receivable ►			
	Less: allowance for doubtful accounts ►			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ►			
	Less: allowance for doubtful accounts ►			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U.S. and state government obligations			
	b Investments - corporate stock			
	c Investments - corporate bonds			
Liabilities	11 Investments - land, buildings, and equipment basis ►			
	Less accumulated depreciation ►			
	12 Investments - mortgage loans			
	13 Investments - other			
	14 Land, buildings, and equipment: basis ►			
	Less accumulated depreciation ►			
	15 Other assets (describe ► )			
	16 Total assets (to be completed by all filers)	264,605.	213,484.	213,484.
	17 Accounts payable and accrued expenses			
	18 Grants payable			
Net Assets or Fund Balances	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ► )			
	23 Total liabilities (add lines 17 through 22)	0.	0.	
	Foundations that follow SFAS 117, check here ► <input checked="" type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted	264,605.	213,484.	
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ► <input type="checkbox"/> and complete lines 27 through 31.			
Net Assets or Fund Balances	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg., and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 Total net assets or fund balances	264,605.	213,484.	
	31 Total liabilities and net assets/fund balances	264,605.	213,484.	

**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)	1 264,605.
2 Enter amount from Part I, line 27a	2 <59,472.>
3 Other increases not included in line 2 (itemize) ►	3 8,351.
4 Add lines 1, 2, and 3	4 213,484.
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	6 213,484.

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**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.)
a					
b	NONE				
c					
d					
e					
	(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)	
a					
b					
c					
d					
e					
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				(I) 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					
b					
c					
d					
e					
2 Capital gain net income or (net capital loss)	$\begin{cases} \text{If gain, also enter in Part I, line 7} \\ \text{If (loss), enter -0- in Part I, line 7} \end{cases}$			2	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8				3	

**Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income**

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

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

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

Yes  No

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

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	67,391.	275,762.	.244381
2007	102,818.	262,057.	.392350
2006	123,883.	228,937.	.541123
2005	108,036.	221,461.	.487833
2004	110,043.	151,042.	.728559

2 Total of line 1, column (d)

2 2.394246

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 .478849

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

4 241,066.

5 Multiply line 4 by line 3

5 115,434.

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

6 53.

7 Add lines 5 and 6

7 115,487.

8 Enter qualifying distributions from Part XII, line 4

8 89,748.

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.

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

1a Exempt operating foundations described in section 4940(d)(2), check here ► <input type="checkbox"/> and enter "N/A" on line 1.		
Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)		}
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► <input type="checkbox"/> and enter 1% of Part I, line 27b	1	
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b)	106.	
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	2	
3 Add lines 1 and 2	3	
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	4	
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-	5	
6 Credits/Payments:		
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	}
b Exempt foreign organizations - tax withheld at source	6b	
c Tax paid with application for extension of time to file (Form 8868)	6c	
d Backup withholding erroneously withheld	6d	
7 Total credits and payments. Add lines 6a through 6d	7	
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	8	►
9 Tax due If the total of lines 5 and 8 is more than line 7, enter amount owed	9	
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax ►	11	Refunded ►

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

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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? Website address ► N/A

13  X

14 The books are in care of ► LLOYD ADAMS Telephone no. ► 205-591-2131

Located at ► 5336 AIRPORT HIGHWAY, BIRMINGHAM, AL ZIP+4 ► 35212

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

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

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

Yes No

1a During the year did the foundation (either directly or indirectly):

Yes  X No

(1) Engage in the sale or exchange, or leasing of property with a disqualified person?

Yes  X No

(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?

Yes  X No

(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?

Yes  X No

(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?

Yes  X 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  X 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  X 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)?

N/A

►

Organizations relying on a current notice regarding disaster assistance check here

c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?

1c  X

2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(i)(3) or 4942(i)(5)):

a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009?  Yes  X No

If "Yes," list the years ► \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.)

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.

2b

3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?  Yes  X No

b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)

N/A

4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?

3b

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?

4a  X

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))?
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?
- (3) Provide a grant to an individual for travel, study, or other similar purposes?
- (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)?
- (5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

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)?

Organizations relying on a current notice regarding disaster assistance check here ►

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

N/A

Yes  No

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

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

Yes  No

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

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?

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

Yes  No

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.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
JAMES W. WAITZMAN, JR 5336 AIRPORT HIGHWAY BIRMINGHAM, AL 35212	PRESIDENT 0.00	0.	0.	0.
LLOYD ADAMS 5336 AIRPORT HIGHWAY BIRMINGHAM, AL 35212	SECRETARY/TREASURER 0.00	0.	0.	0.

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

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

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

►

0

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**Part VIII** **Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)****3 Five highest-paid independent contractors for professional services. If none, enter "NONE."**

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

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

<b>1 SCHOLARSHIP PROGRAM (PROVIDING VARIOUS SCHOLARSHIPS TO A TOTAL OF 13 STUDENTS AT VARIOUS UNIVERSITIES IN THE TOTAL AMOUNT OF \$41,798)</b>	<b>41,798.</b>
<b>2 CHARITABLE PROGRAM (PROVIDING SUPPORT TO A TOTAL OF 14 CHARITABLE ORGANIZATIONS IN THE TOTAL AMOUNT OF \$47950)</b>	<b>47,950.</b>
3	
4	

**Part IX-B** **Summary of Program-Related Investments**

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.

Amount

<b>1</b> <b>N/A</b>	
2	
All other program-related investments. See instructions.	
3	
<b>Total. Add lines 1 through 3</b>	<b>0.</b>

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

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a Average monthly fair market value of securities	1a	0.
b Average of monthly cash balances	1b	244,737.
c Fair market value of all other assets	1c	
d Total (add lines 1a, b, and c)	1d	244,737.
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	244,737.
4 Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	3,671.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	241,066.
6 Minimum investment return Enter 5% of line 5	6	12,053.

**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	12,053.
2a Tax on investment income for 2009 from Part VI, line 5	2a	106.
b Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c Add lines 2a and 2b	2c	106.
3 Distributable amount before adjustments. Subtract line 2c from line 1	3	11,947.
4 Recoveries of amounts treated as qualifying distributions	4	0.
5 Add lines 3 and 4	5	11,947.
6 Deduction from distributable amount (see instructions)	6	0.
7 Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	11,947.

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

1 Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes.	1a	89,748.
a Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1b	0.
b Program-related investments - total from Part IX-B	2	
2 Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	3a	
3 Amounts set aside for specific charitable projects that satisfy the:	3b	
a Suitability test (prior IRS approval required)	4	89,748.
b Cash distribution test (attach the required schedule)	5	0.
4 Qualifying distributions Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	6	89,748.
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		
6 Adjusted qualifying distributions. Subtract line 5 from line 4		

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.

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

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				<b>11,947.</b>
2 Undistributed income, if any, as of the end of 2008			0.	
a Enter amount for 2008 only				
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004	<b>104,111.</b>			
b From 2005	<b>97,235.</b>			
c From 2006	<b>112,653.</b>			
d From 2007	<b>90,018.</b>			
e From 2008	<b>53,603.</b>			
f Total of lines 3a through e		<b>457,620.</b>		
4 Qualifying distributions for 2009 from Part XII, line 4: ► \$ <b>89,748.</b>			0.	
a Applied to 2008, but not more than line 2a				
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				<b>11,947.</b>
e Remaining amount distributed out of corpus		<b>77,801.</b>		0.
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))		0.		
6 Enter the net total of each column as indicated below:		<b>535,421.</b>		
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 instructions			0.	
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see instr.			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)		0.		
8 Excess distributions carryover from 2004 not applied on line 5 or line 7		<b>104,111.</b>		
9 Excess distributions carryover to 2010 Subtract lines 7 and 8 from line 6a		<b>431,310.</b>		
10 Analysis of line 9:				
a Excess from 2005	<b>97,235.</b>			
b Excess from 2006	<b>112,653.</b>			
c Excess from 2007	<b>90,018.</b>			
d Excess from 2008	<b>53,603.</b>			
e Excess from 2009	<b>77,801.</b>			



## 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)				
<i>a Paid during the year</i>				
SEE ATTACHED STATEMENT A				47,950.
 SEE ATTACHED STATEMENT B				41,798.
 <b>Total</b>			► 3a	89,748.
<i>b Approved for future payment</i>				
NONE				
 <b>Total</b>			► 3b	0.

THE TRACTOR AND EQUIPMENT COMPANY  
FOUNDATION

**Form 990-PF (2009)**

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

Enter gross amounts unless otherwise indicated.

Enter gross amounts unless otherwise indicated.	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income
	(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
1 Program service revenue:					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					
4 Dividends and interest from securities					
5 Net rental income or (loss) from real estate:					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					320.
8 Gain or (loss) from sales of assets other than inventory					
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue:					
a					
b					
c					
d					
e					
12 Subtotal. Add columns (b), (d), and (e)		0.		5,746.	320.
13 Total. Add line 12, columns (b), (d), and (e)					6,066.

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

Line No ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes).
N/A	



**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****THE TRACTOR AND EQUIPMENT COMPANY  
FOUNDATION****Employer identification number****63-0718825****Organization type (check one):****Filers of:****Section:**

Form 990 or 990-EZ

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

Form 990-PF

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

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

**Special Rules**

For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1 Complete Parts I and II

For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.

For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received *nonexclusively* religious, charitable, etc., contributions of \$5,000 or more during the year.

► \$ \_\_\_\_\_

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

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

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

Name of organization

THE TRACTOR AND EQUIPMENT COMPANY  
FOUNDATION

Employer identification number

63-0718825

## Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	TRACTOR & EQUIPMENT COMPANY 5336 AIRPORT HIGHWAY BIRMINGHAM, AL 35212	\$ 25,000.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>
			Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> <small>(Complete Part II if there is a noncash contribution.)</small>

## FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	AMOUNT
RBC	5,746.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	5,746.

## FORM 990-PF OTHER INCOME STATEMENT 2

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
TAXES - REFUND	320.	320.	
TOTAL TO FORM 990-PF, PART I, LINE 11	320.	320.	

## FORM 990-PF ACCOUNTING FEES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
TAX PREPARATION FEES	790.	790.		0.
TO FORM 990-PF, PG 1, LN 16B	790.	790.		0.

## FORM 990-PF OTHER INCREASES IN NET ASSETS OR FUND BALANCES STATEMENT 4

DESCRIPTION	AMOUNT
NET APPRECIATION IN FAIR VALUE OF ASSETS	8,351.
TOTAL TO FORM 990-PF, PART III, LINE 3	8,351.

THE TRACTOR & EQUIPMENT COMPANY FOUNDATION

LD. #63-0718825

SCHEDULE ATTACHED TO AND MADE A PART OF  
FORM 990-PF

SCHEDULE RE: PART VII-B, ITEM 5(b)

Pursuant to Regulation 53.4945-1(d)(3), the Foundation has applied for advance approval of its grant making procedures, and pursuant to letter dated August 31, 1978, from the Internal Revenue Service, it was determined that the Foundation's procedures for the awarding of the scholarships complied with the requirements contained in Section 4945(g)(1) of the Code and, further, that scholarships granted in accordance with such procedures would not constitute taxable expenditures within the meaning of Section 4945(d)(3).

THE TRACTOR & EQUIPMENT COMPANY FOUNDATION

I.D. #63-0718825

SCHEDULE ATTACHED TO AND MADE A PART OF  
FORM 990-PF

SCHEDULE RE: PART XV, ITEM 2(b), AND 2(d)

The name, address and telephone number of the person to whom an application for a scholarship should be addressed is Mr. J.W. Waitzman Jr., Tractor & Equipment Company, Post Office Box 12326, Birmingham, AL 35202 [telephone (205) 591-2131]. A copy of the application has previously been forwarded to the Internal Revenue Service. The deadline for submission of this application is March 1 of each year.

Scholarships may be granted only to children whose parents are employees of Tractor & Equipment Company and who have either been accepted at or made proper application to be accepted at an accredited institution of higher education. The number of scholarship grants to be awarded annually is limited to not more than 25 percent of the number of employees' children who were eligible to attend an institution of higher education and who had either been accepted at such institutions or who had met the necessary criteria so that acceptance could be reasonably anticipated.

The Tractor & Equipment Company Foundation selects the most qualified scholarship applicants from those submitting applications. The number of scholarships to be awarded in a given year, and the amount of such scholarship will have been determined by the Foundation in advance of the submission of the applications to the Foundation.

**TEC Foundation**  
**ID: 63-0718825**  
**Schedule Re: Part XV, Item 3(a)**  
**Attachments A & B**

Recipient Name and Address (Home or Business)	If recipient is an individual, show relationship to any or substantial contributor	Concise statement of purpose of grant or contribution	Amount
Bay Education Foundation, Inc 1311 Balboa Avenue Panama City, FL 32401	None	Contribution	500
Juvenile Diabetes Research Foundation International 14 Office Park Circle Suite 115 Birmingham, AL 35223	None	Contribution	1,300
American Heart Association 1449 Medical park Drive Birmingham, AL 35213	None	Contribution	5,000
UAB 1530 3rd Avenue South Birmingham, AL 35294	None	Contribution	3,600
Crippled Children's Foundation 2019 Fourth Ave North, Suite 101 Birmingham, AL 35203	None	Contribution	1,000
Alabama Symphony Endowment 3261 6th Avenue South Birmingham, AL 35222	None	Contribution	2,000
Mobile Christian 5900 Cottage Hill Road Mobile, AL 36609	None	Contribution	10,000
Bethesda Union Society of Savannah 9520 Ferguson Avenue Savannah, GA 31406	None	Contribution	5,000
Senior Bowl Charities, Inc P O Box 1408 Mobile, AL 36633	None	Contribution	550
Junior Achievement of Greater Birmingham P O Box 19307 Birmingham, Alabama 35219	None	Contribution	400

Recipient Name and Address (Home or Business)	If recipient is an individual, show relationship to any or substantial contributor	Concise statement of purpose of grant or contribution	Amount
United Way of Central Alabama P O Box 320189 Birmingham, AL 35232-0189	None	Contribution	8,000
Auburn University 203 Martin Hall Auburn University, AL 36849-5119	None	Contribution	5,000
Boy Scouts of America P O Box 43307 Birmingham, AL 35213	None	Contribution	5,000
University of West Georgia Foundation 1601 Maple Street Carrollton, GA 30118	None	Contribution	600
Subtotal Charitable Contributions			<u>47,950</u>
UAB 1530 3rd Avenue South Birmingham, AL 35294	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Jaleesa Gilyard	1,000
UAB 1530 3rd Avenue South Birmingham, AL 35294	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Katie Kohlenberg	4,000
Auburn University 203 Martin Hall Auburn University, AL 36849-5119	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Sarah Singleton	1,000
Auburn University 203 Martin Hall Auburn University, AL 36849-5119	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Courtney Sanders	6,394
Auburn University 203 Martin Hall Auburn University, AL 36849-5119	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Andie Woods	8,077
GCSU Campus Box 022 Milledgeville, GA 31061	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Amber Raley	2,000
Georgia Institute of Technology 225 North Ave Atlanta, GA 30332-0255	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Kathy Robinson	2,000

Recipient Name and Address (Home or Business)	If recipient is an individual, show relationship to any or substantial contributor	Concise statement of purpose of grant or contribution	Amount
Georgia Institute of Technology 225 North Ave Atlanta, GA 30332-0255	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Kelly Robinson	2,000
Huntingdon College 1500 East Fairview Avenue Montgomery, AL 366106-2148	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Matthew Goble	5,828
University of Alabama Box 870120 Tuscaloosa, AL 35487-0120	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Ashley Thorn	4,000
University of Alabama Box 870120 Tuscaloosa, AL 35487-0120	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Taylor Johnson	4,000
University of Alabama Box 870120 Tuscaloosa, AL 35487-0120	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Joshua Shoultz	1,000
University of Southern Alabama Meisler Hall Suite 1200 Mobile, AL 36688-0002	Parent of scholarship recipient employed by Tractor & Equipment Co a substantial contributor	Scholarship for Tent Jarrell	<u>500</u>
Subtotal Scholarships			<u>41,798</u>
Total			<u>89,748</u>