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Form

990-PF

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

2009

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

G

Check all that apply

☐ Initial return

☐ Initial return of a former public charity

☐ Final return

☐ Amended return

☐ Address change

☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.	Name of foundation THE O'MELIA FOUNDATION 1255000991		A Employer identification number 72-6183452	
	Number and street (or P O box number if mail is not delivered to street address) C/O REGIONS BANK TRUST DEPT PO BOX		Room/suite	B Telephone number (see page 10 of the instructions) (251) 690-1024
	City or town, state, and ZIP code MOBILE, AL 366522886		C If exemption application is pending, check here ☐ D 1. Foreign organizations, check here ☐ 2. Foreign organizations meeting the 85% test, check here and attach computation ☐	
H Check type of organization ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation			E If private foundation status was terminated under section 507(b)(1)(A), check here ☐ F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐	
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 1,863,423		J Accounting method ☐ Cash ☐ Accrual ☐ Other (specify) (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) (see page 11 of the instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc , received (attach schedule)				
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	193	193		
	4 Dividends and interest from securities.	30,952	30,241		
	5a Gross rents				
	b Net rental income or (loss) _____				
	6a Net gain or (loss) from sale of assets not on line 10	-79,152			
	b Gross sales price for all assets on line 6a _____ 273,520				
	7 Capital gain net income (from Part IV, line 2) . . .		0		
	8 Net short-term capital gain			0	
	9 Income modifications				
	10a Gross sales less returns and allowances				
Operating and Administrative Expenses	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)				
	12 Total. Add lines 1 through 11	-48,007	30,434		
	13 Compensation of officers, directors, trustees, etc	9,526	7,621		1,905
	14 Other employee salaries and wages		0	0	0
	15 Pension plans, employee benefits		0	0	
	16a Legal fees (attach schedule)				0
	b Accounting fees (attach schedule)	800	0	0	800
	c Other professional fees (attach schedule)				0
	17 Interest				0
	18 Taxes (attach schedule) (see page 14 of the instructions)	30,033	349		0
	19 Depreciation (attach schedule) and depletion . . .	0	0		
	20 Occupancy				
	21 Travel, conferences, and meetings		0	0	
	22 Printing and publications		0	0	
	23 Other expenses (attach schedule)				
	24 Total operating and administrative expenses. Add lines 13 through 23	40,359	7,970	0	2,705
	25 Contributions, gifts, grants paid	94,000			99,000
	26 Total expenses and disbursements. Add lines 24 and 25	134,359	7,970	0	101,705
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	-182,366			
	b Net investment income (if negative, enter -0-)		22,464		
	c Adjusted net income (if negative, enter -0-)			0	

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)	Beginning of year	End of year	
			(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1	Cash—non-interest-bearing			
	2	Savings and temporary cash investments	69,990	59,759	59,759
	3	Accounts receivable ▶ _____ Less allowance for doubtful accounts ▶ _____		0	0
	4	Pledges receivable ▶ _____ Less allowance for doubtful accounts ▶ _____			
	5	Grants receivable			
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
	7	Other notes and loans receivable (attach schedule) ▶ _____ Less allowance for doubtful accounts ▶ _____ 0			
	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)	2,021,754	1,849,619	1,803,664
	c	Investments—corporate bonds (attach schedule).			
	11	Investments—land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)			0
	14	Land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
Liabilities	15	Other assets (describe ▶ _____)			
	16	Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	2,091,744	1,909,378	1,863,423
	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
Net Assets or Fund Balances	22	Other liabilities (describe ▶ _____)			
	23	Total liabilities (add lines 17 through 22)		0	
		Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.			
	24	Unrestricted			
	25	Temporarily restricted			
	26	Permanently restricted			
		Foundations that do not follow SFAS 117, check here ▶ ☒ and complete lines 27 through 31.			
	27	Capital stock, trust principal, or current funds	2,091,744	1,909,378	
	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 (see page 17 of the instructions)	2,091,744	1,909,378	
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	2,091,744	1,909,378	

Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year—Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year’s return)	1	2,091,744
2	Enter amount from Part I, line 27a	2	-182,366
3	Other increases not included in line 2 (itemize) ▶ _____	3	0
4	Add lines 1, 2, and 3	4	1,909,378
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	1,909,378

Part IV Capital Gains and Losses for Tax on Investment Income

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

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

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

2	Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	-79,152
3	Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8	}	3	

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

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

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

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

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

1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2008	128,082	2,214,844	0 057829
2007	179,825	2,670,552	0 067336
2006	135,800	2,452,487	0 055372
2005	283,800	2,411,526	0 117685
2004	331,699	1,230,008	0 269672

2	Total of line 1, column (d).	2	0 567895
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 113579
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5.	4	1,624,945
5	Multiply line 4 by line 3.	5	184,559
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	225
7	Add lines 5 and 6.	7	184,784
8	Enter qualifying distributions from Part XII, line 4.	8	101,705

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

Part VI

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

1a		Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1			
		Date of ruling or determination letter _____ (attach copy of letter if necessary—see instructions)			
b		Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☐ and enter 1% of Part I, line 27b		1	449
c		All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)			
2		Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	0
3		Add lines 1 and 2.		3	449
4		Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	0
5		Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-		5	449
6		Credits/Payments			
a		2009 estimated tax payments and 2008 overpayment credited to 2009	6a	18,328	
b		Exempt foreign organizations—tax withheld at source	6b		
c		Tax paid with application for extension of time to file (Form 8868)	6c	0	
d		Backup withholding erroneously withheld	6d		
7		Total credits and payments Add lines 6a through 6d.		7	18,328
8		Enter any penalty for underpayment of estimated tax Check here ☐ if Form 2220 is attached		8	0
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	17,879
11		Enter the amount of line 10 to be Credited to 2010 estimated tax 452	Refunded	11	17,427

Part VII-A

Statements Regarding Activities

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

Part VII-A

Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions).	11		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	Yes	
Website address				
14	The books are in care of	REGIONS BANK TRUST DEPT		
	Telephone no	(251) 690-1024		
	Located at	11 N WATER STREET 25TH FLOOR MOBILE AL		
	ZIP+4	36602		
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041—Check here			
	and enter the amount of tax-exempt interest received or accrued during the year	15		

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required

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

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a	During the year did the foundation pay or incur any amount to			
	(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?	☐ Yes	☒ No	
	(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?	☐ Yes	☒ No	
	(3) Provide a grant to an individual for travel, study, or other similar purposes?	☐ Yes	☒ No	
	(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions).	☐ Yes	☒ No	
	(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?	☐ Yes	☒ No	
b	If any answer is "Yes" to 5a(1)–(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.	5b		
c	If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? <i>If "Yes," attach the statement required by Regulations section 53.4945–5(d).</i>			
6a	Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?			
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? <i>If "Yes" to 6b, file Form 8870.</i>	6b		No
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?	7b		

Part VIII

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

1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).				
(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
See Additional Data Table				
2 Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the instructions). If none, enter "NONE."				
(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				
Total number of other employees paid over \$50,000.				0

Part VIII

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

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

Part IX-A

Summary of Direct Charitable Activities

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

Part IX-B

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

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

Part X

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes		
a	Average monthly fair market value of securities.	1a	1,649,690
b	Average of monthly cash balances.	1b	0
c	Fair market value of all other assets (see page 24 of the instructions).	1c	0
d	Total (add lines 1a, b, and c).	1d	1,649,690
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	1,649,690
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	24,745
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	1,624,945
6	Minimum investment return. Enter 5% of line 5.	6	81,247

Part XI

Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☒ and do not complete this part.)

1	Minimum investment return from Part X, line 6.	1	81,247
2a	Tax on investment income for 2009 from Part VI, line 5.	2a	449
b	Income tax for 2009 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	449
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	80,798
4	Recoveries of amounts treated as qualifying distributions.	4	0
5	Add lines 3 and 4.	5	80,798
6	Deduction from distributable amount (see page 25 of the instructions).	6	0
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	80,798

Part XII

Qualifying Distributions (see page 25 of the instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc , purposes		
a	Expenses, contributions, gifts, etc —total from Part I, column (d), line 26.	1a	101,705
b	Program-related investments—total from Part IX-B.	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes.	2	0
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	0
b	Cash distribution test (attach the required schedule).	3b	0
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	101,705
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions).	5	0
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	101,705
Note: The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years			

Part XIII

Undistributed Income (see page 26 of the instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				80,798
2 Undistributed income, if any, as of the end of 2008				
a Enter amount for 2008 only.			0	
b Total for prior years 2007 , 20__ , 20__		0		
3 Excess distributions carryover, if any, to 2009				
a From 2004.				270,301
b From 2005.				167,439
c From 2006.				14,369
d From 2007.				53,268
e From 2008.				35,668
f Total of lines 3a through e.	541,045			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 101,705				
a Applied to 2008, but not more than line 2a			0	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c Treated as distributions out of corpus (Election required—see page 26 of the instructions). . .	0			
d Applied to 2009 distributable amount.				80,798
e Remaining amount distributed out of corpus	20,907			
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	561,952			
b Prior years' undistributed income Subtract line 4b from line 2b.		0		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.		0		
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions . . .		0		
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions			0	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)	0			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	270,301			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	291,651			
10 Analysis of line 9				
a Excess from 2005. . . .				167,439
b Excess from 2006. . . .				14,369
c Excess from 2007. . . .				53,268
d Excess from 2008. . . .				35,668
e Excess from 2009. . . .				20,907

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

1a

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

b

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

☐ 4942(j)(3) or ☐ 4942(j)(5)

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

Part XVSupplementary Information (Complete this part only if the organization had \$5,000 or more in assets at any time during the year—see page 27 of the instructions.)

1

Information Regarding Foundation Managers:

a

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

b

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

2

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

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

a

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

b

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

c

Any submission deadlines

d

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

Part XV

Supplementary Information (continued)

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year See Additional Data Table				
Total			▶ 3a	99,000
b Approved for future payment				
Total			▶ 3b	

Enter gross amounts unless otherwise indicated

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

Form **990-PF** (2009)

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

[illegible]

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

b If "Yes," complete the following schedule

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

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.				
***** Signature of officer or trustee	2010-05-10 Date	***** Title		

Paid Preparer's Use Only	Preparer's Signature	Date	Check if self-employed ☐	Preparer's identifying number (see Signature on page 30 of the instructions)
	Firm's name (or yours if self-employed), address, and ZIP code		EIN	
			Phone no	

Additional Data

Software ID: 09000072
Software Version: 09-0
EIN: 72-6183452
Name: THE O'MELIA FOUNDATION 1255000991

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

(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)	(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
80 AETNA U S HEALTHCARE INC	P	2008-09-12	2009-07-06
600 AETNA U S HEALTHCARE INC	P	2008-03-05	2009-07-06
670 BANK OF NEW YORK MELLON CORP	P	2008-03-05	2009-11-23
230 CITRIX SYSTEM INC	P	2008-09-12	2009-11-03
240 E M C CORP MASS COM	P	2008-03-05	2009-11-03
432 FIRSTENERGY CORP COM	P	2008-10-07	2009-11-23
300 GENENTECH INC COM NEW	P	2008-03-05	2009-03-25
360 GENERAL DYNAMICS CORP COM	P	2008-03-05	2009-05-14
1050 GENERAL ELEC CO COM	P	2008-09-12	2009-02-10
40 GOLDMAN SACHS GROUP INC COM	P	2008-09-12	2009-11-03
160 JP MORGAN CHASE & CO COM	D	2004-11-09	2009-11-03
1220 LOWES CO	P	2008-03-05	2009-02-10
1396 334 OPPENHEIMER MAIN ST SMALL CAP FD CL Y	P	2008-03-05	2009-11-04
190 ORACLE CORPORATION COM	P	2008-03-05	2009-11-03
2657 863 PIONEER SELECT MID CAP GROWTH Y	P	2008-03-05	2009-11-04
840 SYSCO CORP COM	P	2008-03-05	2009-06-02
130 TRAVELERS COMPANIES, INC	P	2008-03-05	2009-11-03
870 WELLS FARGO & CO NEW COM	P	2008-03-05	2009-12-11

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

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
1,926		3,392	-1,466
14,445		30,034	-15,589
17,882		30,127	-12,245
8,705		6,394	2,311
3,933		3,736	197
18,165		23,622	-5,457
28,428		24,035	4,393
19,940		30,042	-10,102
13,030		34,481	-21,451
6,843		6,268	575
6,787		1,952	4,835
22,065		29,593	-7,528
22,272		26,195	-3,923
3,935		3,615	320
36,094		43,217	-7,123
20,713		24,016	-3,303
6,494		6,159	335
21,863		25,794	-3,931

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

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
			-1,466
			-15,589
			-12,245
			2,311
			197
			-5,457
			4,393
			-10,102
			-21,451
			575
			4,835
			-7,528
			-3,923
			320
			-7,123
			-3,303
			335
			-3,931

Form 990PF Part VIII Line 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
REGIONS BANK	TRUSTEE 1	9,526		
PO BOX 2527 MOBILE,AL 36622				
THOMAS H O'MELIA JR	DISTR COMM MEMBER 1	0		
PO BOX 38 FULTON,AL 364460038				
APPLETON H O'MELIA	DISTR COMM MEMBER 1	0		
PO BOX 38 FULTON,AL 364460038				
APPLETON O'MELIA WESTON	DISTR COMM MEMBER 1	0		
PO BOX 38 FULTON,AL 364460038				
VIRGINIA O'MELIA MACPHERSON	DISTR COMM MEMBER 1	0		
PO BOX 38 FULTON,AL 364460038				

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
ST MARY'S HOME4350 MOFFAT ROAD MOBILE,AL 36618	NONE	PUBLIC	CHARITABLE	1,000
UNIV OF AL AT BIRMINGHAM MAXILLA FACIAL DEPT2000 SIXTH AVENUE SOUTH BIRMINGHAM,AL 35233	NONE	PUBLIC	CHARITABLE	11,000
ST JUDE CHILDREN'S HOSPITALPO BOX 1818 MEMPHIS,TN 38101	NONE	PUBLIC	CHARITABLE	10,000
SACRED HEART CHURCHBOX 70 HIGHWAY 43 NORTH GROVE HILL,AL 36451	NONE	PUBLIC	RELIGIOUS	10,000
CARE ALABAMAPO BOX 1237 ALEXANDER CITY,AL 35010	NONE	PUBLIC	CHARITABLE	2,000
VISITATION MONASTERY2300 SPRING HILL AVENUE MOBILE,AL 366073202	NONE	PUBLIC	CHARITABLE	1,000
MCGILL-TOOLEN HIGH SCHOOL 1501 OLD SHELL ROAD MOBILE,AL 36604	NONE	PUBLIC	CHARITABLE	1,000
GROVE HILL VOLUNTEER FIRE DEPARTMENTPO BOX 847 GROVE HILL,AL 36451	NONE	PUBLIC	CHARITABLE	4,000
SPRING HILL COLLEGE4000 DAUPHIN STREET MOBILE,AL 366081791	NONE	PUBLIC	CHARITABLE	3,000
MERCY MEDICAL CO SISTER MARY EILEEN WILHEM RSNP O BOX 1090 DAPHNE,AL 36526	NONE	PUBLIC	CHARITABLE	1,000
GROVE HILL PUBLIC LIBRARY C/O BETSY WEBB108 DUBOSE AVE GROVE HILL,AL 36451	NONE	PUBLIC	CHARITABLE	3,000
CAMP RAP A HOPE2701 AIRPORT BOULEVARD MOBILE,AL 36606	NONE	PUBLIC	CHARITABLE	5,000
SHRINE OF THE HOLY CROSS612 MAIN STREET DAPHNE,AL 36526	NONE	PUBLIC	RELIGIOUS	1,000
VICTORY HEALTH PARTNERS MR BEN TOM ROBERTS3664 DAUPHIN STREET MOBILE,AL 36608	NONE	PUBLIC	CHARITABLE	5,000
ST MARY CATHOLIC SCHOOL107 NORTH LAFAYETTE STREET MOBILE,AL 36604	NONE	PUBLIC	CHARITABLE	1,000
Total  3a				99,000

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
UMS-WRIGHT PREPARATORY SCHOOL MS LULIE RUTLEDGE65 NORTH MOBILE STREET MOBILE,AL 36607	NONE	PUBLIC	CHARITABLE	5,000
COFFEEVILLE VOLUNTEER FIRE DEPT5 SPRING STREET COFFEEVILLE,AL 36524	NONE	PUBLIC	CHARITABLE	1,000
CLARKE COUNTY DEVELOPMENT FUNDPO BOX 548 GROVE HILL,AL 36451	NONE	PUBLIC	CHARITABLE	1,000
GEORGETOWN PREPARATORY SCHOOL10900 ROCKVILLE PIKE NORTH BETHESDA,MD 20852	NONE	PUBLIC	EDUCATIONAL	1,000
UNIVERSITY OF ALABAMA-PO BOX 870292 TUSCALOOSA,AL 35487	NONE	PUBLIC	CHARITABLE	15,000
THE MORTON FOUNDATION1851 SOUTH HIGH STREET COLUMBUS,OH 43207	NONE	PUBLIC	CHARITABLE	5,000
MARY'S SHELTERPO BOX 18 ELBERTA,AL 36530	NONE	PUBLIC	CHARITABLE	1,000
CHILDREN'S ADVOCACY CENTER 1351 SPRINGHILL AVE MOBILE,AL 36604	NONE	PUBLIC	CHARITABLE	4,000
MCKEMIE PLACEPO BOX 9082 MOBILE,AL 36691	NONE	PUBLIC	CHARITABLE	1,000
FULL LIFE AHEAD2908 CLAIRMONT AVE S BIRMINGHAM,AL 35205	NONE	PUBLIC	CHARITABLE	1,000
BAYSIDE ACADEMY303 DRYER AVE DAPHNE,AL 36526	NONE	PUBLIC	EDUCATIONAL	5,000
Total  3a				99,000

TY 2009 Accounting Fees Schedule

Name: THE O'MELIA FOUNDATION 1255000991

EIN: 72-6183452

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
TAX PREPARATION FEE (NON-ALLOC	800			800

TY 2009 Investments Corporate
Stock Schedule

Name: THE O'MELIA FOUNDATION 1255000991
EIN: 72-6183452

Name of Stock	End of Year Book Value	End of Year Fair Market Value
EXXON MOBILE CORP	3,340	25,912
JPMORGAN CHASE & CO	7,320	25,002
3M CO COM	3,312	33,895
RMK SELECT MID CAP GROWTH FD		
DARDEN RESTAURANTS	17,966	21,042
WALT DISNEY CO	30,163	30,315
LOWE'S COMPANIES INC		
TIFFANY & CO	28,509	28,810
WALMART STORES INC	22,959	24,587
CVS/CAREMARK CORP	29,870	23,513
PEPSICO INC	30,250	26,144
PROCTOR & GAMBLE	26,827	24,252
SYSCO CORP		
WALGREEN CO	29,946	29,743
CHEVRON CORP	29,763	26,177
DEVON ENERGY CORP	29,556	21,315
HALLIBURTON CO	29,423	24,072
SCHLUMBERGER LTD	29,735	22,131
XTO ENERGY CORP	34,616	26,987
AMERICAN EXPRESS CO	30,099	28,364
BANK OF NEW YORK MELLON CORP		
GOLDMAN SACHS GROUP INC	23,506	25,326
PRUDENTIAL FINANCIAL	25,957	17,914
TRAVELERS COMPANIES	23,690	24,930
WELLS FARGO & CO		
ABBOTT LABS	26,106	26,455
AETNA INC		
ALLERGAN INC	27,449	30,245
GENENTECH INC		
JOHNSON & JOHNSON	25,865	26,408
STRYKER CORP	29,892	22,667
EATON CORP	28,542	26,084
GENERAL DYNAMICS CORP		
GENERAL ELECTRIC CO		
NORFOLK SOUTHERN CORP	28,281	22,016
UNITED TECHNOLOGIES CORP	30,159	29,846
CISCO SYSTEMS INC	29,924	29,446
CITRIX SYSTEM INC	22,239	33,288
DELL INC	30,192	21,540
EMC CORP MASS	26,466	29,699
INTEL CORP	30,021	30,396
JUNIPER NETWORKS INC	30,105	29,337
MICROSOFT CORP	30,375	32,614
ORACLE CORP	26,639	34,342
QUALCOMM INC	25,085	27,756
THERMO FISCHER SCIENTIFIC INC	25,820	24,942
AIR PRODS & CHEMS INC	30,513	26,750
FIDELITY ADV DIVERS INTL FD	108,526	81,151
ISHARES RUSSELL 1000 VALUE	111,500	94,136
MFS RESH INTL FD CL I	87,867	79,839
OPPENHEIMER MAIN ST SMALL CAP	135,942	126,087
AT&T INC	30,148	23,826
VERIZON COMMUNICATIONS	30,062	27,498
EXELON CORP	33,639	21,014
FIRST ENERGY CORP		
BANK OF AMERICA CORP	23,025	22,590
BEST BUY INC	17,426	23,676
HESS CORP	19,998	18,150
MONSANTO CO NEW	21,743	24,525
PHILIP MORRIS INTL INC	18,105	24,095
ROBERT HALF INTL INC	20,061	24,057
STATE STREET CORP	18,385	19,158
TRANSOCEAN LTD	18,889	18,216
TEVA PHARMACEUTICAL INDS SPONS	22,904	28,090
PIONEER SELECT MID CAP GRTH Y	140,919	133,294

TY 2009 Taxes Schedule**Name:** THE O'MELIA FOUNDATION 1255000991**EIN:** 72-6183452

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
FOREIGN TAXES	46	46		0
FEDERAL TAX PAYMENT - PRIOR YE	11,356	0		0
FEDERAL ESTIMATES - PRINCIPAL	18,328	0		0
FOREIGN TAXES ON QUALIFIED FOR	235	235		0
FOREIGN TAXES ON NONQUALIFIED	68	68		0