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Form 990-PF

**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 \_\_\_\_\_, and ending \_\_\_\_\_

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

<b>Use the IRS label. Otherwise, print or type. See Specific Instructions.</b>	Name of foundation <b>EMMETT AND MIRIAM MCCOY FOUNDATION</b>		<b>A Employer identification number 74-2686146</b>
	Number and street (or P O box number if mail is not delivered to street address) <b>P.O. BOX 1028</b>		
	City or town, state, and ZIP code <b>SAN MARCOS TX 78667</b>		<b>B Telephone number (see page 10 of the instructions) 512-353-5400</b>
<b>H Check type of organization</b> <input checked="" type="checkbox"/> <b>Section 501(c)(3) exempt private foundation</b> <input type="checkbox"/> <b>Section 4947(a)(1) nonexempt charitable trust</b> <input type="checkbox"/> <b>Other taxable private foundation</b>			
<b>I Fair market value of all assets at end of year (from Part II, col. (c), line 16) ► \$ 3,686,358</b> (Part I, column (d) must be on cash basis)	<b>J Accounting method</b> <input checked="" type="checkbox"/> <b>Cash</b> <input type="checkbox"/> <b>Accrual</b> <input type="checkbox"/> <b>Other (specify)</b>		<b>C If exemption application is pending, check here ►</b> <b>D 1. Foreign organizations, check here ►</b> <b>2. Foreign organizations meeting the 85% test, check here and attach computation ►</b> <b>E If private foundation status was terminated under section 507(b)(1)(A), check here ►</b> <b>F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ►</b>

Part I Analysis of Revenue and Expenses (The total 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)
<b>1 Contributions, gifts, grants, etc., received (attach schedule)</b> <b>2 Check ► <input checked="" type="checkbox"/> If the foundation is not required to attach Sch B</b> <b>3 Interest on savings and temporary cash investments</b> <b>4 Dividends and interest from securities</b> <b>5a Gross rents</b> <b>b Net rental income or (loss)</b> <b>6a Net gain or (loss) from sale of assets not on line 10</b> <b>b Gross sales price for all assets on line 6a</b> <b>178,679</b> <b>7 Capital gain net income (from Part IV, line 2)</b> <b>8 Net short-term capital gain</b> <b>9 Income modifications</b> <b>10a Gross sales less returns &amp; allowances</b> <b>b Less Cost of goods sold</b> <b>c Gross profit or (loss) (attach schedule)</b> <b>11 Other income (attach schedule)</b> <b>12 Total. Add lines 1 through 11</b>	<b>55</b> <b>35,076</b> <b>73,123</b> <b>178,679</b> <b>73,123</b> <b>0</b> <b>108,254</b> <b>108,254</b> <b>0</b>	<b>55</b> <b>35,076</b> <b>73,123</b> <b>0</b> <b>0</b> <b>0</b> <b>108,254</b> <b>108,254</b> <b>0</b>	<b>108,254</b> <b>108,254</b> <b>0</b>	<b>108,254</b> <b>108,254</b> <b>0</b>	
<b>13 Compensation of officers, directors, trustees, etc</b> <b>14 Other employee salaries and wages</b> <b>15 Pension plans, employee benefits</b> <b>16a Legal fees (attach schedule)</b> <b>b Accounting fees (attach schedule)</b> <b>STMT 1</b> <b>c Other professional fees (attach schedule)</b> <b>17 Interest</b>	<b>7,248</b> <b>3,624</b> <b>3,624</b>	<b>2,093</b> <b>5</b> <b>5</b>	<b>2,093</b> <b>5</b> <b>5</b>	<b>2,093</b> <b>5</b> <b>5</b>	
<b>18 Taxes (attach schedule) (see page 14 of the instructions)</b> <b>STMT 2</b> <b>19 Depreciation (attach schedule) and depletion</b> <b>20 Occupancy</b> <b>21 Travel, conferences, and meetings</b> <b>22 Printing and publications</b> <b>23 Other expenses (alt sch)</b> <b>STMT 3</b> <b>24 Total operating and administrative expenses.</b> <b>Add lines 13 through 23</b> <b>25 Contributions, gifts, grants paid</b> <b>26 Total expenses and disbursements. Add lines 24 and 25</b>	<b>9,346</b> <b>3,629</b> <b>3,629</b>	<b>107,700</b> <b>117,046</b> <b>117,046</b>	<b>107,700</b> <b>0</b> <b>0</b>	<b>107,700</b> <b>0</b> <b>0</b>	
<b>27 Subtract line 26 from line 12</b> <b>a Excess of revenue over expenses and disbursements</b> <b>b Net investment income (if negative, enter -0-)</b> <b>c Adjusted net income (if negative, enter -0-)</b>	<b>-8,792</b> <b>104,625</b> <b>0</b>	<b>104,625</b> <b>0</b> <b>0</b>	<b>104,625</b> <b>0</b> <b>0</b>	<b>104,625</b> <b>0</b> <b>0</b>	

For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions.

Form 990-PF (2009)

Q5

<b>Part II Balance Sheets</b> 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
<b>Assets</b>	1 Cash—non-interest-bearing			
	2 Savings and temporary cash investments	136,863	241,948	241,948
	3 Accounts receivable ►			
	Less allowance for doubtful accounts ►			
	4 Pledges receivable ►			
	Less allowance for doubtful accounts ►			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 16 of the instructions)			
	7 Other notes and loans receivable (att schedule) ►			
	Less allowance for doubtful accounts ►			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments—U S and state government obligations (attach schedule)			
	b Investments—corporate stock (attach schedule) <b>SEE STMT 4</b>	2,661,547	2,505,192	3,444,410
	c Investments—corporate bonds (attach schedule)			
<b>Liabilities</b>	11 Investments—land, buildings, and equipment basis ►			
	Less accumulated depreciation (attach sch) ►			
	12 Investments—mortgage loans			
	13 Investments—other (attach schedule)			
	14 Land, buildings, and equipment basis ►			
	Less accumulated depreciation (attach sch) ►			
	15 Other assets (describe ► <b>SEE STATEMENT 5</b> )	6,874		
	16 Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	2,805,284	2,747,140	3,686,358
<b>Net Assets or Fund Balances</b>	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe ► <b>SEE STATEMENT 6</b> )	1,447		
	23 Total liabilities (add lines 17 through 22)	0	1,447	
	Foundations that follow SFAS 117, check here ► <input type="checkbox"/> 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 ► <input checked="" type="checkbox"/> and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg, and equipment fund	3,115,716	3,115,716	
	29 Retained earnings, accumulated income, endowment, or other funds	-310,432	-370,023	
	30 Total net assets or fund balances (see page 17 of the instructions)	2,805,284	2,745,693	
	31 Total liabilities and net assets/fund balances (see page 17 of the instructions)	2,805,284	2,747,140	

**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	2,805,284
2 Enter amount from Part I, line 27a	2	-8,792
3 Other increases not included in line 2 (itemize) ►	3	
4 Add lines 1, 2, and 3	4	2,796,492
5 Decreases not included in line 2 (itemize) ► <b>SEE STATEMENT 7</b>	5	50,799
6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	2,745,693

## 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 2200 ENBRIDGE ENERGY MGMT		P	VARIOUS	01/07/09
b 1200 KINDER MORGAN MGMT LLC		P	01/26/06	10/14/09
c 1700 CVS CAREMARK CORP		P	07/11/05	11/12/09
d CAPITAL GAIN DISTRIBUTIONS				
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 62,756		72,693	-9,937	
b 58,994		26,230	32,764	
c 50,209		6,633	43,576	
d 6,720			6,720	
e				
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				(i) Adjusted basis as of 12/31/69
a	(j) Excess of col. (i) over col. (l), if any	(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))		
b		-9,937		
c		32,764		
d		43,576		
e		6,720		
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	73,123	
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	2,088,904	5,525,268	0.378064
2007	1,461,533	7,123,589	0.205168
2006	529,351	7,012,138	0.075491
2005	557,774	6,757,727	0.082539
2004	855,888	6,602,549	0.129630

- 2 Total of line 1, column (d) 2 0.870892
- 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 0.174178
- 4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5 4 3,219,341
- 5 Multiply line 4 by line 3 5 560,738
- 6 Enter 1% of net investment income (1% of Part I, line 27b) 6 1,046
- 7 Add lines 5 and 6 7 561,784
- 8 Enter qualifying distributions from Part XII, line 4 8 111,324

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)

1 2,093

b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► □ 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, col (b)

2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)

3 Add lines 1 and 2

4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)

5 Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-

6 Credits/Payments

a 2009 estimated tax payments and 2008 overpayment credited to 2009 6a 646

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 7 646

8 Enter any penalty for underpayment of estimated tax Check here □ if Form 2220 is attached

9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed 9 1,447

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 ► Refunded ► 11

**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? 1a X

b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)? 1b X

If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities

c Did the foundation file Form 1120-POL for this year? 1c X

d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year  
 (1) On the foundation ► \$ \_\_\_\_\_ (2) On foundation managers ► \$ \_\_\_\_\_

e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ► \$ \_\_\_\_\_

2 Has the foundation engaged in any activities that have not previously been reported to the IRS? 2 X

If "Yes," attach a detailed description of the activities

3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes 3 X

4a Did the foundation have unrelated business gross income of \$1,000 or more during the year? 4a X

b If "Yes," has it filed a tax return on Form 990-T for this year? 4b X

5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? 5 X

If "Yes," attach the statement required by General Instruction T.

6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either  
 • By language in the governing instrument, or  
 • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument? 6 X

7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col (c), and Part XV 7 X

8a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ► TX

b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation 8b X

9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV on page 27)? If "Yes," complete Part XIV 9 X

10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses 10 X

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

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	<input checked="" type="checkbox"/>
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12	<input checked="" type="checkbox"/>
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► <b>N/A</b>	13	<input checked="" type="checkbox"/>
14	The books are in care of ► <b>MIRIAM M. MCCOY</b> <b>1200 NORTH IH-35</b> Located at ► <b>SAN MARCOS, TX</b>	Telephone no ► <b>512-353-5400</b>	
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	ZIP+4 ► <b>78666</b>	► <input type="checkbox"/> 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)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(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 page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here	<b>N/A</b>	
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?	► <input type="checkbox"/>	
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))		
a	At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? If "Yes," list the years ► 20 , 20 , 20 , 20	<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 page 20 of the instructions)	<b>N/A</b>	
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	2b	
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)	<b>N/A</b>	
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	
		4b	

## 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(1)	Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(2)	Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(3)	Provide a grant to an individual for travel, study, or other similar purposes?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		N/A	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? If "Yes," attach the statement required by Regulations section 53.4945-5(d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		N/A	
6a	Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			6b
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? If "Yes" to 6b, file Form 8870	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			X
7a	At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
b	If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		N/A	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
EMMETT F. MCCOY P.O. BOX 1424	SAN MARCOS TX 78667	PRES/DIR 10.00	0	0
MIRIAM M. MCCOY P.O. BOX 1424	SAN MARCOS TX 78667	VP/TREAS/DIR 10.00	0	0
BRENDA M. REMME P.O. BOX 1315	SAN MARCOS TX 78667	SEC/DIR 10.00	0	0

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

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

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

Form 990-PF (2009)

**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
<b>NONE</b>		

Total number of others receiving over \$50,000 for professional services

**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 <b>N/A</b>	
2	
3	
4	

**Part IX-B** Summary of Program-Related Investments (see page 24 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 <b>N/A</b>	
2	

All other program-related investments. See page 24 of the instructions

3

Total. Add lines 1 through 3

► Form 990-PF (2009)

**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	3,125,414
b	Average of monthly cash balances	1b	142,953
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	3,268,367
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	3,268,367
4	Cash deemed held for charitable activities Enter 1½ % of line 3 (for greater amount, see page 25 of the instructions)	4	49,026
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	3,219,341
6	Minimum investment return. Enter 5% of line 5	6	160,967

**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	160,967
2a	Tax on investment income for 2009 from Part VI, line 5	2a	2,093
b	Income tax for 2009 (This does not include the tax from Part VI )	2b	
c	Add lines 2a and 2b	2c	2,093
3	Distributable amount before adjustments Subtract line 2c from line 1	3	158,874
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	158,874
6	Deduction from distributable amount (see page 25 of the instructions)	6	
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1	7	158,874

**Part XII Qualifying Distributions** (see page 25 of the instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc , purposes	1a	111,324
a	Expenses, contributions, gifts, etc —total from Part I, column (d), line 26	1b	
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	111,324
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	111,324
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)		
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

**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				<b>158,874</b>
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only				
b Total for prior years 20 _____, 20 _____, 20 _____				
3 Excess distributions carryover, if any, to 2009				
a From 2004	<b>537,441</b>			
b From 2005	<b>232,495</b>			
c From 2006	<b>184,430</b>			
d From 2007	<b>1,120,376</b>			
e From 2008	<b>1,813,933</b>			
f Total of lines 3a through e	<b>3,888,675</b>			
4 Qualifying distributions for 2009 from Part XII, line 4 ► \$ <b>111,324</b>				
a Applied to 2008, but not more than line 2a				
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)				
c Treated as distributions out of corpus (Election required—see page 26 of the instructions)				
d Applied to 2009 distributable amount				<b>111,324</b>
e Remaining amount distributed out of corpus				
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))	<b>47,550</b>			<b>47,550</b>
6 Enter the net total of each column as indicated below:	<b>3,841,125</b>			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5				
b Prior years' undistributed income Subtract line 4b from line 2b				
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed				
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions				
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions				
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				<b>0</b>
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)				
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	<b>489,891</b>			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	<b>3,351,234</b>			
10 Analysis of line 9				
a Excess from 2005	<b>232,495</b>			
b Excess from 2006	<b>184,430</b>			
c Excess from 2007	<b>1,120,376</b>			
d Excess from 2008	<b>1,813,933</b>			
e Excess from 2009				

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

**Part XV Supplementary Information** (Complete this part only if the foundation had \$5,000 or more in assets at any time during the year—see page 28 of the instructions.)**1 Information Regarding Foundation Managers:**

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

**N/A**

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

**N/A****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

**N/A**

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

**N/A**

c Any submission deadlines

**N/A**

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

**N/A**

**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 <b>SEE ATTACHED STATEMENT</b>				<b>107,700</b>
<b>Total</b>			► 3a	<b>107,700</b>
b Approved for future payment <b>N/A</b>				
<b>Total</b>			► 3b	

## 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 (See page 28 of the instructions )
		(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
<b>1</b>	<b>Program service revenue</b>					
a						
b						
c						
d						
e						
f						
g	Fees and contracts from government agencies					
<b>2</b>	<b>Membership dues and assessments</b>					
<b>3</b>	<b>Interest on savings and temporary cash investments</b>			<b>14</b>	<b>55</b>	
<b>4</b>	<b>Dividends and interest from securities</b>			<b>14</b>	<b>35,076</b>	
<b>5</b>	<b>Net rental income or (loss) from real estate</b>					
a	Debt-financed property					
b	Not debt-financed property					
<b>6</b>	<b>Net rental income or (loss) from personal property</b>					
<b>7</b>	<b>Other investment income</b>					
<b>8</b>	<b>Gain or (loss) from sales of assets other than inventory</b>			<b>18</b>	<b>73,123</b>	
<b>9</b>	<b>Net income or (loss) from special events</b>					
<b>10</b>	<b>Gross profit or (loss) from sales of inventory</b>					
<b>11</b>	<b>Other revenue a</b>					
b						
c						
d						
e						
<b>12</b>	<b>Subtotal Add columns (b), (d), and (e)</b>		<b>0</b>		<b>108,254</b>	<b>0</b>
<b>13</b>	<b>Total. Add line 12, columns (b), (d), and (e)</b>			<b>13</b>	<b>108,254</b>	

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

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

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes) (See page 29 of the instructions )
N/A	



10064 Emmett and Miriam McCoy Foundation  
74-2686146  
FYE: 12/31/2009

## Federal Statements

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

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
ACCOUNTING	\$ 7,248	\$ 3,624	\$	\$ 3,624
TOTAL	\$ 7,248	\$ 3,624	\$ 0	\$ 3,624

### Statement 2 - Form 990-PF, Part I, Line 18 - Taxes

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
EXCISE TAXES	\$ 2,093	\$	\$	\$
TOTAL	\$ 2,093	\$ 0	\$ 0	\$ 0

### Statement 3 - Form 990-PF, Part I, Line 23 - Other Expenses

Description	Total	Net Investment	Adjusted Net	Charitable Purpose
EXPENSES	\$	\$	\$	\$
BANK CHARGES	5	5	5	0
TOTAL	\$ 5	\$ 5	\$ 0	\$ 0

10064 Emmett and Miriam McCoy Foundation

74-2686146

FYE: 12/31/2009

## Federal Statements

### Statement 4 - Form 990-PF, Part II, Line 10b - Corporate Stock Investments

Description	Beginning of Year	End of Year	Basis of Valuation	Fair Market Value
SEE ATTACHED STATEMENT	\$ 2,661,547	\$ 2,505,192		\$ 3,444,410
TOTAL	\$ 2,661,547	\$ 2,505,192		\$ 3,444,410

### Statement 5 - Form 990-PF, Part II, Line 15 - Other Assets

Description	Beginning of Year	End of Year	Fair Market Value
REFUNDABLE FEDERAL EXCISE TAX	\$ 6,874	\$ _____	\$ _____
TOTAL	\$ 6,874	\$ 0	\$ 0

### Statement 6 - Form 990-PF, Part II, Line 22 - Other Liabilities

Description	Beginning of Year	End of Year
ACCRUED EXCISE TAX	\$ _____	\$ 1,447
TOTAL	\$ 0	\$ 1,447

### Statement 7 - Form 990-PF, Part III, Line 5 - Other Decreases

Description	Amount
PRIOR PERIOD ADJUSTMENT TO BASIS OF CVS STOCK	\$ 50,799
TOTAL	\$ 50,799

## MIRIAM AND EMMETT MCCOY FOUNDATION

## GRANTS AND CONTRIBUTIONS PAID

PART XV 3(a)

74-2686146

2009

RECIPIENT NAME	RELATIONSHIP	STATUS	PURPOSE	AMOUNT
UTMB STARK DIABETIC CENTER 301 UNIVERSITY BOULEVARD GALVESTON, TX 77555	NONE	PUBLIC	GENERAL FUND	100,000
CLASSICALLY AUSTIN 89.5 3001 N LAMAR BLVD, SUITE 100 AUSTIN, TX 78705	NONE	PUBLIC	GENERAL FUND	400
WESTON RANCH FOUNDATION 10000 GREEN VALLEY RD MARION, TX 78124	NONE	PUBLIC	GENERAL FUND	50
GRAND COMPANIONS HUMANE SOCIETY P O BOX 1156 FORT DAVIS, TX 79734	NONE	PUBLIC	GENERAL FUND	100
KLRU-TV P O BOX 7158 AUSTIN, TX 78713	NONE	PUBLIC	GENERAL FUND	400
JAMES SMITHSON SOCIETY 1100 JEFFERSON DRIVE, SUITE 3150 WASHINGTON, DC 20560-0410	NONE	PUBLIC	GENERAL FUND	1,000
SPECIAL OLYMPICS TEXAS INC 7715 CHEVY CHASE DR #120 AUSTIN, TX 78752	NONE	PUBLIC	GENERAL FUND	50
PUBLIC FOR ANIMAL WELFARE 48 FM 150 EAST KYLE, TX 78640	NONE	PUBLIC	GENERAL FUND	450
SAN MARCOS CHAMBER OF COMMERCE P O BOX 2310 SAN MARCOS, TX 78667	NONE	PUBLIC	GENERAL FUND	2,000
DENNIS P MCCOY EMPLOYEE CRISIS FUND P O BOX 1682 SAN MARCOS, TX 78667-1682	NONE	PUBLIC	GENERAL FUND	3,000
HUMANE SOCIETY OF THE US 2100 L ST, NW WASHINGTON, D C 20037	NONE	PUBLIC	GENERAL FUND	50
SALVATION ARMY 4216 S CONGRESS AVENUE AUSTIN, TX 78667	NONE	PUBLIC	GENERAL FUND	100
FRIENDS OF THE SAN MARCOS LIBRARY 625 E HOPKINS STREET SAN MARCOS, TX 78666	NONE	PUBLIC	GENERAL FUND	100
<b>TOTAL</b>				<b>107,700</b>

FORM 990-PF, PAGE 2, PART II LINE 10b -  
INVESTMENTS IN CORPORATE STOCK

NAME OF SECURITY	SHARES	COST BASIS	MARKET VALUE
<b>Charles Schwab</b>			
American Financial GP New	5,250	107,145	130,988
Bank of America Corp	2,003	50,078	30,165
BP PLC ADR	1,000	57,107	57,970
Capital Source Inc REIT	1,664	32,250	6,606
CVS Corp	8,300	32,384	267,343
Cummings Inc	2,800	49,355	128,408
General Dynamics Corp	2,000	108,550	136,340
General Electric	4,000	105,275	60,520
Exxon Mobil Corp	3,000	112,143	204,570
ITT Educ Svcs Inc	2,000	96,510	191,920
Mosaic	3,200	42,511	191,136
Wal-Mart Stores Inc	2,000	99,710	106,900
Williams Companies Inc	12,700	64,460	267,716
Berkshire Hathaway	1,000	737,075	992,000
Plum Creek Timber Co REIT	4,000	102,455	151,040
Tronox Incorporated CL B	403	0	153
Enbridge Energy Mgmt LLC	2,378	67,901	126,345
Kinder Morgan Mgmt LLC	5,300	113,434	289,590
<b>Total Charles Schwab</b>	<b>1,978,343</b>		<b>3,339,710</b>
 <b>Louisiana Pacific Corp</b>	 15,000	 526,849	 104,700
<b>TOTAL for 12.31.09</b>		<b>2,505,192</b>	<b>3,444,410</b>