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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 04-01-2009 , and ending 03-31-2010

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
NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
PO Drawer 913

City or town, state, and ZIP code
Bryan, TX 778050913

A Employer identification number
74-1721901

B Telephone number (see page 10 of the instructions)
(979) 776-3276

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 ▶ ☐

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 ▶ ☐

H Check type of organization ☐ Section 501(c)(3) exempt private foundation
☑ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

I Fair market value of all assets at end of year *(from Part II, col. (c), line 16)* ▶$ 6,527,897

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				
	4	Dividends and interest from securities	177,813	177,813		
	5a	Gross rents	55,929	55,929		
	b	Net rental income or (loss) 50,392				
	6a	Net gain or (loss) from sale of assets not on line 10	-820,038			
	b	Gross sales price for all assets on line 6a 3,892,957				
	7	Capital gain net income (from Part IV, line 2)		0		
	8	Net short-term capital gain				
	9	Income modifications				
	10a	Gross sales less returns and allowances				
	b	Less Cost of goods sold				
	c	Gross profit or (loss) (attach schedule)				
	11	Other income (attach schedule)				
	12	**Total.** Add lines 1 through 11	-586,296	233,742		
Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc	59,072	53,165		5,907
	14	Other employee salaries and wages				
	15	Pension plans, employee benefits				
	16a	Legal fees (attach schedule)				
	b	Accounting fees (attach schedule)	2,125	1,913		212
	c	Other professional fees (attach schedule)				
	17	Interest				
	18	Taxes (attach schedule) (see page 14 of the instructions)	3,462	0		0
	19	Depreciation (attach schedule) and depletion				
	20	Occupancy				
	21	Travel, conferences, and meetings				
	22	Printing and publications				
	23	Other expenses (attach schedule)	5,543	5,542		1
	24	**Total operating and administrative expenses.** Add lines 13 through 23	70,202	60,620		6,120
	25	Contributions, gifts, grants paid	175,500			175,500
	26	**Total expenses and disbursements.** Add lines 24 and 25	245,702	60,620		181,620
	27	Subtract line 26 from line 12				
	a	**Excess of revenue over expenses and disbursements**	-831,998			
	b	**Net investment income** (if negative, enter -0-)		173,122		
	c	**Adjusted net income** (if negative, enter -0-)				

Part II	**Balance Sheets** Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)	Beginning of year (a) Book Value	End of year (b) Book Value	End of year (c) Fair Market Value
Assets 1	Cash—non-interest-bearing	-2	-2	-2
2	Savings and temporary cash investments	432,080	323,450	323,450
3	Accounts receivable ▶ 1,907			
	Less allowance for doubtful accounts ▶		1,907	1,907
4	Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
5	Grants receivable			
6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
7	Other notes and loans receivable (attach schedule) ▶			
	Less allowance for doubtful accounts ▶			
8	Inventories for sale or use			
9	Prepaid expenses and deferred charges	13,646	10,184	10,184
10a	Investments—U S and state government obligations (attach schedule)	815,500	813,124	853,126
b	Investments—corporate stock (attach schedule)	4,613,628	4,325,436	4,889,609
c	Investments—corporate bonds (attach schedule)	526,349	179,426	168,060
11	Investments—land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
12	Investments—mortgage loans			
13	Investments—other (attach schedule)	382,347	298,025	281,562
14	Land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
15	Other assets (describe ▶)	1	1	1
16	**Total assets** (to be completed by all filers—see the instructions Also, see page 1, item I)	6,783,549	5,951,551	6,527,897
Liabilities 17	Accounts payable and accrued expenses			
18	Grants payable			
19	Deferred revenue			
20	Loans from officers, directors, trustees, and other disqualified persons			
21	Mortgages and other notes payable (attach schedule)			
22	Other liabilities (describe ▶)			
23	**Total liabilities** (add lines 17 through 22)	0	0	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.**			
24	Unrestricted			
25	Temporarily restricted			
26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☑ and complete lines 27 through 31.			
27	Capital stock, trust principal, or current funds	0	0	
28	Paid-in or capital surplus, or land, bldg , and equipment fund	0	0	
29	Retained earnings, accumulated income, endowment, or other funds	6,783,549	5,951,551	
30	**Total net assets or fund balances** (see page 17 of the instructions)	6,783,549	5,951,551	
31	**Total liabilities and net assets/fund balances** (see page 17 of the instructions)	6,783,549	5,951,551	

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	6,783,549
2	Enter amount from Part I, line 27a	2	-831,998
3	Other increases not included in line 2 (itemize) ▶	3	0
4	Add lines 1, 2, and 3	4	5,951,551
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	5,951,551

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)
1 a	short term	P	2009-04-01	2010-03-31
b	long term	P	2000-04-01	2010-03-31
c	Capital Gains Dividends	P		
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	1,249,691		969,544	280,147
b	2,642,081		3,743,451	-1,101,370
c	1,185			1,185
d				
e				

	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	
a				280,147
b				-1,101,370
c				1,185
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	-820,038
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	273,449	5,192,736	0 052660
2007	246,847	7,274,840	0 033932
2006	264,059	6,827,917	0 038673
2005	306,368	6,368,154	0 048109
2004	381,811	6,186,846	0 061713

2	**Total** of line 1, column (d).	2	0 235087
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 047017
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5.	4	5,967,461
5	Multiply line 4 by line 3.	5	280,572
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	1,731
7	Add lines 5 and 6.	7	282,303
8	Enter qualifying distributions from Part XII, line 4.	8	181,620

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	3,462
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	3,462
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	3,462
6	Credits/Payments		
a	2009 estimated tax payments and 2008 overpayment credited to 2009 — 6a — 13,646		
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	13,646
8	Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached	8	
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	10,184
11	Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶ 10,184 **Refunded** ▶	11	0

Part VII-A Statements Regarding Activities

			Yes	No
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		No
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?	1b		No
	*If the answer is "Yes" to **1a** or **1b**, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.*			
c	Did the foundation file **Form 1120-POL** for this year?	1c		No
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year **(1)** On the foundation ▶ $ 0 **(2)** On foundation managers ▶ $ 0			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ 0			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? *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) ▶ 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	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		No

Website address ▶N/A

14 The books are in care of ▶WELLS FARGO BANK NA - TRUST DEPT Telephone no ▶(979) 776-3237

Located at ▶3000 BRIARCREST DRIVE MAC T5177-020 BRYAN TX ZIP+4 ▶77802

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 | 0

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		
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)?	**5b**		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
c	If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? ☐ Yes ☐ No			
	If "Yes," attach the statement required by Regulations section 53.4945–5(d).			
6a	Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☑ No			
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?	**6b**		No
	If "Yes" to 6b, file Form 8870.			
7a	At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☑ No			
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
WELLS FARGO bank na po box 41629 austin, TX 787049926	TRUSTEE 2 00	0	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 ▶ 0

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

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE".

(a) Name and address of each person paid more than $50,000	**(b)** Type of service	**(c)** Compensation
NONE		
Total number of others receiving over $50,000 for professional services. . . . . ▶		0

Part IX-A **Summary of Direct Charitable Activities**

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

Part IX-B **Summary of Program-Related Investments** (see page 23 of the instructions)

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

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes		
a	Average monthly fair market value of securities	1a	5,743,559
b	Average of monthly cash balances	1b	314,777
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	6,058,336
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	6,058,336
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions)	4	90,875
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4	5	5,967,461
6	**Minimum investment return.** Enter 5% of line 5	6	298,373

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	298,373
2a	Tax on investment income for 2009 from Part VI, line 5 — 2a: 3,462		
b	Income tax for 2009 (This does not include the tax from Part VI) — 2b:		
c	Add lines 2a and 2b	2c	3,462
3	Distributable amount before adjustments Subtract line 2c from line 1	3	294,911
4	Recoveries of amounts treated as qualifying distributions	4	0
5	Add lines 3 and 4	5	294,911
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	294,911

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	181,620
b	Program-related investments—total from Part IX-B	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	**Qualifying distributions.** Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	181,620
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	181,620

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					294,911
2 Undistributed income, if any, as of the end of 2008					
a Enter amount for 2008 only.				0	
b Total for prior years 20___, 20___, 20___			0		
3 Excess distributions carryover, if any, to 2009					
a From 2004.					
b From 2005.					
c From 2006.					
d From 2007.	2,349				
e From 2008.	276,003				
f Total of lines 3a through e.		278,352			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 181,620					
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). . .		181,620			
d Applied to 2009 distributable amount.					0
e Remaining amount distributed out of corpus		0			
5 Excess distributions carryover applied to 2009 *(If an amount appears in column (d), the same amount must be shown in column (a).)*		278,352			278,352
6 Enter the net total of each column as indicated below:					
a Corpus Add lines 3f, 4c, and 4e Subtract line 5		181,620			
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					16,559
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)		0			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)		0			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a		181,620			
10 Analysis of line 9					
a Excess from 2005. . . .					
b Excess from 2006. . . .					
c Excess from 2007. . . .					
d Excess from 2008. . . .					
e Excess from 2009. . . .	181,620				

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 organization is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year	Prior 3 years			(e) Total
	(a) 2009	**(b)** 2008	**(c)** 2007	**(d)** 2006	
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 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

See Additional Data Table

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

See Additional Data Table

c Any submission deadlines

See Additional Data Table

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

See Additional Data Table

Part XV Supplementary Information (continued)

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

Recipient Name and address (home or business)	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
a *Paid during the year* See Additional Data Table				
Total . . . . ▶ **3a**				175,500
b *Approved for future payment*				
Total . . . . ▶ **3b**				0

Part XVI-A Analysis of Income-Producing Activities

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)
1 Program service revenue	**(a)** Business code	**(b)** Amount	**(c)** Exclusion code	**(d)** Amount	
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. . . .			14	177,813	
5 Net rental income or (loss) from real estate					
a Debt-financed property.			15	50,392	
b Not debt-financed property.					
6 Net rental income or (loss) from personal property					
7 Other investment income.					
8 Gain or (loss) from sales of assets other than inventory			18	-820,038	
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		-591,833	0

13 Total. Add line 12, columns (b), (d), and (e). . . . . **13** -591,833

(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 organization's exempt purposes (other than by providing funds for such purposes) (See page 28 of the instructions)
8	AMOUNT REPRESENTS Gain (LOSS) ON THE SALE OF INVESTMENTS THIS ALLOWS THE FOUNDATION TO CONTINUE INVESTING AND EARNING MONIES TO FURTHER THEIR CHARITABLE PURPOSES AND MAKE DONATIONS

Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

		Yes	No
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?			
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

(a) Line No	**(b)** Amount involved	**(c)** Name of noncharitable exempt organization	**(d)** Description of transfers, transactions, and sharing arrangements

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

b If "Yes," complete the following schedule

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

Sign Here

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

****** | 2010-08-16 | ******

Signature of officer or trustee | Date | Title

Paid Preparer's Use Only

		Date	Check if self-employed ☐	Preparer's identifying number (see **Signature** on page 30 of the instructions)
Preparer's Signature	William Milberger	2010-08-16		P00962478
Firm's name (or yours if self-employed), address, and ZIP code	DURST MILBERGER NESBITT & ASK LLP 304 POST OFFICE BRYAN, TX 778012141		EIN ▶ 74-2075264 Phone no (979) 822-0175	

Additional Data

Software ID: 09000028
Software Version: 2009.03020
EIN: 74-1721901
Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

Form 990PF Part XV Line 2a - 2d - Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

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

WELLS FARGO bank trust dept
3000 BRIARCREST
BRYAN,TX 77805
(979) 776-3267

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

OTHER APPLICATIONS ARE ACCEPTED BY LETTER OF REQUEST AND SHOULD INCLUDE THE LOCATION, TYPE OF ORGANIZATION, AND PURPOSE OF REQUEST

c Any submission deadlines

NO DEADLINE FOR OTHER REQUESTS May 1 for Scholarships

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

ALL OTHER AWARDS MUST BE TO INCOME TAX QUALIFYING CHARITIES

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

Bryan High School Counselors
3401 E 29th Street
bRYAN,TX 77802
(979) 774-3276

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

For scholarship applications contact the High School Counselors

c Any submission deadlines

May 1 for scholarships

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

scholarship applicants must be seniors at bryan high school or A&M Consolidated High School

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

AM Consolidated High School
701 West Loop South
BryAN,TX 77840
(979) 696-0544

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

For scholarship applications contact the High School Counselors

c Any submission deadlines

May 1 for scholarships

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

Scholarship applicants must be seniors at bryan high school or a&m consolidated high school

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

Recipient Name and address (home or business)	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
a *Paid during the year*				
blinn College2423 blinn blvd bryan, TX 77805	noNE	puBLIC	sCHOLARSHIP	750
boyS & GIRLS CLUB OF BRAZOS COUNTYpO BOX 524 bryan, TX 77806	noNE	puBLIC	gENERAL OPERATING EXPENSES	25,000
braZOS VALLEY REHAB CENTER sOUTH TEXaS AVE bryan, TX 77802	noNE	puBLIC	gENERAL OPERATING EXPENSES	25,000
fIRST PRESBYTERIAN CHURCH1100 CARTER CREEK PKWY bryan, TX 77802	noNE	puBLIC	gENERAL OPERATING EXPENSES	45,000
gooDLAND PRESBYTERIAN CHILDREN'S HOME1216 N 4200 RD huGO, OK 74743	noNE	puBLIC	gENERAL OPERATING EXPENSES	5,000
harvard universitymassachusetts hall cambridge, MA 02138	noNE	puBLIC	sCHOLARSHIP	1,500
heARD NATURAL SCIENCE MUSEUM MCKINNEY TX1 NATURE PLACE mcKINNEY, TX 75069	noNE	puBLIC	gENERAL OPERATING EXPENSES	1,000
kilgore university1100 broadway kilgore, TX 756623204	noNE	puBLIC	sCHOLARSHIP	1,500
mO Ranch2229 FM 1340 hunt, TX 78024	noNE	puBLIC	gENERAL OPERATING EXPENSES	8,000
new HORIZON SCHOLARSHIP FUND 2219 BOONEVILLE RD bryan, TX 77801	noNE	puBLIC	sCHOLARSHIP	6,000
pRESBYTERIAN SERVICE AGENCY 2255 W NORTHERN AVE phOENIX, AZ 85021	noNE	puBLIC	oPERATING EXPENSES	8,000
reed college3203 se woodstock blvd portland, OR 972028199	noNE	puBLIC	sCHOLARSHIP	750
tEXAS A&M UNIVERSITYtaMU CAMPUS coLLEGE STATION, TX 77843	noNE	puBLIC	sCHOLARSHIP	27,750
university of california at berkeley admissions berkeley, CA 94720	noNE	puBLIC	sCHOLARSHIP	1,500
university of tEXASpo box 7458 auSTIN, TX 78713	none	puBLIC	sCHOLARSHIP	16,500
Total . . . . ▶ **3a**				175,500

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

Recipient Name and address (home or business)	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
a *Paid during the year*				
Brigham young university150 east bulldog boulevard provo, UT 84602	none	publiC	scholARSHIP	750
University of Mary Hardin-Baylor900 college street belton, TX 76513	none	public	schoLARSHIP	1,500
Total . . . . ▶ **3a**				175,500

TY 2009 Accounting Fees Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
ACCOUNTING FEES	2,125	1,913		212
wells fargo multi-strategy 100	0	0		0

TY 2009 Distribution from Corpus Election

Name: NINA HEARD ASTIN CHARITABLE TRUST

WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Election: ELECTION UNDER IRC REG 53.4942(A)-3(D)(2) - THE NINA HEARD ASTIN CHARITABLE TRUST HEREBY ELECTS UNDER REG 53.4942 (A)-3(D)(2) TO TREAT ITS CURRENT YEAR QUALIFYING DISTRIBUTIONS IN EXCESS OF THE IMMDEIATELY PRECEEDING TAX YEAR'S UNDISTRIBUTED INCOME AS BEING MADE OUT OF CORPUS.

TY 2009 Investments Corporate Bonds Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Name of Bond	End of Year Book Value	End of Year Fair Market Value
INTL LEASE FINANCE CORP	179,426	168,060

TY 2009 Investments Corporate Stock Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Name of Stock	End of Year Book Value	End of Year Fair Market Value
TARGET	12,998	19,672
MICROSOFT	18,638	23,313
The travlers companies	8,323	13,539
CVS CORP	9,900	22,047
EMC CORP MASS	7,978	14,107
ABBOTT LABS	12,911	16,910
PROCTOR & GAMBLE CO	12,020	11,895
Hussman Strategic Growth #601	137,404	118,344
Templeton Global Bond #616	256,150	281,843
Berkshire hathaway 4.85% 1-15-15	101,704	107,491
Caterpillar Fin Serv 4.85% 12/07/12	103,595	107,550
Hewlett Packard Co. 4.5% 3-01-13	101,298	107,070
gen elec cap corp med term note	146,139	156,822
Apache Corp	12,280	13,094
Baker Hughes Inc Com	28,209	16,488
JP Morgan Chase	19,323	21,391
Hewlett Packard Co.	17,265	20,410
Ishares MSCI EAFE	475,840	531,474
L-3 Communications	22,233	21,716
Vodafone Group PLC NEw	14,621	11,958
comcast corp class a	13,057	17,550
tractor supply co	10,144	14,745
walt disney co	11,147	20,248
kraft foods inc	11,861	11,884
chevron corp	14,903	16,910
conocophillips	9,420	12,127
aflac	10,897	23,888
bank of new york mellon corp	14,353	14,884
capital one financial corp	5,704	13,293
morgan stanley	6,681	8,465

Name of Stock	End of Year Book Value	End of Year Fair Market Value
johnson & johnson	15,868	20,016
pfizer inc	9,541	12,211
quest diagnostics inc	10,700	12,766
thermo fisher scientific inc	6,843	8,796
unitedhealt group inc	11,317	15,061
harsco corp	6,952	8,688
iron mountain inc	13,695	15,125
apple inc	14,928	29,610
fiserv inc	9,998	13,807
intel corp	12,055	16,651
visa inc class a	10,655	16,294
ecolab inc	14,442	16,437
flp group inc	11,038	10,584
vanguard emerging markets etf	80,561	127,082
carnical corp	8,456	12,869
cooper inustries plc new ireland	9,701	17,258
diago plc adr	13,478	18,819
nestle sa registered shares adr	14,714	21,811
novartis ag adr	8,118	11,848
petroleo brasileiro sa comm adr	6,022	7,610
schlumberger ltd	6,088	8,694
teva pharmaceutical industries adr	6,205	7,696
berkshire hathaway inc	11,776	13,897
ishares iboxx investment grade corp bond fund	123,150	126,924
ridgeworth seix high yield bond fund	270,165	268,184
vanguard intermediate term b	313,466	321,120
vanguard bd index fd inc	659,303	664,000
ishares S&P 500 index fund	179,886	225,293
ishares S&P 400 growth	132,432	131,502
ishares S&P midcap 400 value	106,586	105,568

Name of Stock	End of Year Book Value	End of Year Fair Market Value
ıshares tr smallcap 600 ındex fd	167,387	237,562
powershares db commodıty ındex	160,253	152,880
spdr dȷ wılshıre ınternatıonal real	89,214	118,220
vanguard reıt vıper	183,447	303,598

TY 2009 Investments Government Obligations Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

US Government Securities - End of Year Book Value:	813,124
US Government Securities - End of Year Fair Market Value:	853,126
State & Local Government Securities - End of Year Book Value:	0
State & Local Government Securities - End of Year Fair Market Value:	0

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TY 2009 Investments - Other Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Category/ Item	Listed at Cost or FMV	Book Value	End of Year Fair Market Value
wells fargo Multi-strategy 100 hedge	AT COST	298,025	281,562

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TY 2009 Other Assets Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Description	Beginning of Year - Book Value	End of Year - Book Value	End of Year - Fair Market Value
MINERAL INTEREST	1	1	1

TY 2009 Other Expenses Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
Miscellanous Expense	6	5		1
PROPERTY TAX	0	0		0
SEVERANCE TAXES & MISC ROYALTY EXPENSES	5,537	5,537		0

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TY 2009 Taxes Schedule

Name: NINA HEARD ASTIN CHARITABLE TRUST
WELLS FARGO BANK NA ttee 33-6405-00

EIN: 74-1721901

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
FORM 990-PF EXCISE TAX	3,462	0		0