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## Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

► The organization may have to use a copy of this return to satisfy state reporting requirements

A For the 2009 calendar year, or tax year beginning 09/01/09, and ending 08/31/10

B Check if applicable

Address change  
 Name change  
 Initial return  
 Termination  
 Amended return  
 Application pending

C Name of organization

The Marian Home

Doing Business As

Number and street (or P O box if mail is not delivered to street address)

2400 6th Avenue North

Room/suite

City or town, state or country, and ZIP + 4

Fort Dodge IA 50501

D Employer identification number

42-1025626

E Telephone number

515-576-1138

G Gross receipts \$ 5,559,151

H(a) Is this a group return for

affiliates?  Yes  No

H(b) Are all affiliates

included?  Yes  No

If "No," attach a list (see instructions)

H(c) Group exemption number ► 0928

I Tax-exempt status  501(c) ( 3 ) (insert no)  4947(a)(1) or  527

J Website: ► www.marianhome.com

K Type of organization  Corporation  Trust  Association  Other ►

L Year of formation

M State of legal domicile IA

## Part I Summary

Activities & Governance	1 Briefly describe the organization's mission or most significant activities <b>to provide housing, health care, skilled nursing and other related services for aging citizens.</b>		
	2 Check this box ► <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets	3	8
	3 Number of voting members of the governing body (Part VI, line 1a)	4	8
	4 Number of independent voting members of the governing body (Part VI, line 1b)	5	186
	5 Total number of employees (Part V, line 2a)	6	
	6 Total number of volunteers (estimate if necessary)	7a	
	7a Total gross unrelated business revenue from Part VIII, column (C), line 12	7b	0
	b Net unrelated business taxable income from Form 990-T, line 34	Prior Year	Current Year
	8 Contributions and grants (Part VIII, line 1h)	28,973	39,034
	9 Program service revenue (Part VIII, line 2g)	5,214,991	5,478,333
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	17,654	31,967
Revenue	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	3,000	4,492
	12 Total revenue – add lines 8 through 11 (must equal Part VIII, column (A), line 12)	5,264,618	5,553,826
	13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)	4,712	7,381
	14 Benefits paid to or for members (Part IX, column (A), line 4)		
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	3,483,353	3,440,683
	16a Professional fundraising fees (Part IX, column (A), line 16)		
	b Total fundraising expenses (Part IX, column (D), line 25) ►	1,487,460	1,542,962
	17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24f)	4,975,525	4,991,026
	18 Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)	289,093	562,800
	19 Revenue less expenses Subtract line 18 from line 12	Beginning of Current Year	End of Year
	20 Total assets (Part X, line 16)	3,050,435	3,615,260
Expenses	21 Total liabilities (Part X, line 26)	414,120	416,149
	22 Net assets or fund balances Subtract line 21 from line 20	2,636,315	3,199,111

## Part II Signature Block

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 officer) is based on all information of which preparer has any knowledge

Sign Here

Signature of officer

Eric Halverson

Type or print name and title

Date

Administrator

12.29.10

Paid  
Preparer's  
Use OnlyPreparer's  
signature

Mark Thompson

Date

12/29/10

Check if  
self-  
employed ►Preparer's identifying number  
(see instructions)

P00368547

Firm's name (or yours  
if self-employed),  
address, and ZIP + 4Thompson & Eich CPAs  
805 Central Ave Ste 731  
Fort Dodge, IA 50501

EIN ►

26-1448873

Phone

no ►

515-955-1989

May the IRS discuss this return with the preparer shown above? (see instructions)

X Yes  No

For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

DAA

Form 990 (2009)

5 G17

**Part III Statement of Program Service Accomplishments**

1 Briefly describe the organization's mission

**to provide housing, health care, skilled nursing and other related services for aging citizens.**

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?

 Yes  No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services?

 Yes  No

If "Yes," describe these changes on Schedule O

4 Describe the exempt purpose achievements for each of the organization's three largest program services by expenses

Section 501(c)(3) and 501(c)(4) organizations and section 4947(a)(1) trusts are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code ) (Expenses \$ **4,390,493** including grants of \$ **7,381** ) (Revenue \$ **5,103,416** )  
**The Marian Home provides care to residents unable to care for themselves in a 97 bed facility.**

4b (Code ) (Expenses \$ **126,768** including grants of \$ **0** ) (Revenue \$ **379,409** )  
**The Marian Village is a retirement apartment complex consisting of 29 apartments.**

4c (Code ) (Expenses \$ **0** including grants of \$ **0** ) (Revenue \$ **0** )

4d Other program services. (Describe in Schedule O)

(Expenses \$ **0** including grants of \$ **0** ) (Revenue \$ **0** )4e Total program service expenses ► **4,517,261**

## Part IV Checklist of Required Schedules

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A	1 <input checked="" type="checkbox"/>	
2 Is the organization required to complete Schedule B, Schedule of Contributors?	2 <input checked="" type="checkbox"/>	
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I	3 <input checked="" type="checkbox"/>	
4 <b>Section 501(c)(3) organizations.</b> Did the organization engage in lobbying activities? If "Yes," complete Schedule C, Part II	4 <input checked="" type="checkbox"/>	
5 <b>Section 501(c)(4), 501(c)(5), and 501(c)(6) organizations.</b> Is the organization subject to the section 6033(e) notice and reporting requirement and proxy tax? If "Yes," complete Schedule C, Part III	5	
6 Did the organization maintain any donor advised funds or any similar funds or accounts where donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I	6 <input checked="" type="checkbox"/>	
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II	7 <input checked="" type="checkbox"/>	
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III	8 <input checked="" type="checkbox"/>	
9 Did the organization report an amount in Part X, line 21, serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV	9 <input checked="" type="checkbox"/>	
10 Did the organization, directly or through a related organization, hold assets in term, permanent, or quasi-endowments? If "Yes," complete Schedule D, Part V	10 <input checked="" type="checkbox"/>	
11 Is the organization's answer to any of the following questions "Yes"? If so, complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable	11 <input checked="" type="checkbox"/>	
● Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI		
● Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII		
● Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII		
● Did the organization report an amount for other assets related in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX		
● Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X		
● Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48? If "Yes," complete Schedule D, Part X		
12 Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI, XII, and XIII	12 <input checked="" type="checkbox"/>	
12A Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," completing Schedule D, Parts XI, XII, and XIII is optional	12A <input checked="" type="checkbox"/>	
13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	13 <input checked="" type="checkbox"/>	
14a Did the organization maintain an office, employees, or agents outside of the United States?	14a <input checked="" type="checkbox"/>	
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, and program service activities outside the United States? If "Yes," complete Schedule F, Part I		
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or assistance to any organization or entity located outside the United States? If "Yes," complete Schedule F, Part II	15 <input checked="" type="checkbox"/>	
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or assistance to individuals located outside the United States? If "Yes," complete Schedule F, Part III	16 <input checked="" type="checkbox"/>	
17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I	17 <input checked="" type="checkbox"/>	
18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II	18 <input checked="" type="checkbox"/>	
19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If "Yes," complete Schedule G, Part III	19 <input checked="" type="checkbox"/>	
20 Did the organization operate one or more hospitals? If "Yes," complete Schedule H	20 <input checked="" type="checkbox"/>	

## Part IV Checklist of Required Schedules (continued)

		Yes	No
21	Did the organization report more than \$5,000 of grants and other assistance to governments and organizations in the United States on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II	21	X
22	Did the organization report more than \$5,000 of grants and other assistance to individuals in the United States on Part IX, column (A), line 2? If "Yes," complete Schedule I, Parts I and III	22	X
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? If "Yes," complete Schedule J	23	X
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25	24a	X
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24b	
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c	
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	24d	
25a	<b>Section 501(c)(3) and 501(c)(4) organizations.</b> Did the organization engage in an excess benefit transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I	25a	X
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I	25b	X
26	Was a loan to or by a current or former officer, director, trustee, key employee, highly compensated employee, or disqualified person outstanding as of the end of the organization's tax year? If "Yes," complete Schedule L, Part II	26	X
27	Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor, or a grant selection committee member, or to a person related to such an individual? If "Yes," complete Schedule L, Part III	27	X
28	Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions)	28a	X
a	A current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV	28b	X
b	A family member of a current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV	28c	X
c	An entity of which a current or former officer, director, trustee, or key employee of the organization (or a family member) was an officer, director, trustee, or direct or indirect owner? If "Yes," complete Schedule L, Part IV	29	X
29	Did the organization receive more than \$25,000 in non-cash contributions? If "Yes," complete Schedule M	30	X
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? If "Yes," complete Schedule M	31	X
31	Did the organization liquidate, terminate, or dissolve and cease operations? If "Yes," complete Schedule N, Part I	32	X
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If "Yes," complete Schedule N, Part II	33	X
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301 7701-2 and 301 7701-3? If "Yes," complete Schedule R, Part I	34	X
34	Was the organization related to any tax-exempt or taxable entity? If "Yes," complete Schedule R, Parts II, III, IV, and V, line 1	35	X
35	Is any related organization a controlled entity within the meaning of section 512(b)(13)? If "Yes," complete Schedule R, Part V, line 2	36	X
36	<b>Section 501(c)(3) organizations.</b> Did the organization make any transfers to an exempt non-charitable related organization? If "Yes," complete Schedule R, Part V, line 2	37	X
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? If "Yes," complete Schedule R, Part VI	38	X
38	Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11 and 19? <b>Note.</b> All Form 990 filers are required to complete Schedule O		

## Part V Statements Regarding Other IRS Filings and Tax Compliance

1a Enter the number reported in Box 3 of Form 1096, Annual Summary and Transmittal of U S Information Returns Enter -0- if not applicable

1a	6
1b	0

b Enter the number of Forms W-2G included in line 1a Enter -0- if not applicable

c Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?

2a Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return

2a	186
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b If at least one is reported on line 2a, did the organization file all required federal employment tax returns? **Note.** If the sum of lines 1a and 2a is greater than 250, you may be required to e-file this return (see instructions)

3a Did the organization have unrelated business gross income of \$1,000 or more during the year covered by this return?

b If "Yes," has it filed a Form 990-T for this year? If "No," provide an explanation in Schedule O

4a At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?

b If "Yes," enter the name of the foreign country ►

See the instructions for exceptions and filing requirements for Form TD F 90-22 1, Report of Foreign Bank and Financial Accounts

5a Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?

b Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?

c If "Yes," to line 5a or 5b, did the organization file Form 8886-T, Disclosure by Tax-Exempt Entity Regarding Prohibited Tax Shelter Transaction?

6a Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible?

b If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?

**7 Organizations that may receive deductible contributions under section 170(c).**

a Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?

b If "Yes," did the organization notify the donor of the value of the goods or services provided?

c Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?

d If "Yes," indicate the number of Forms 8282 filed during the year

7d	
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e Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

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

g For all contributions of qualified intellectual property, did the organization file Form 8899 as required?

h For contributions of cars, boats, airplanes, and other vehicles, did the organization file a Form 1098-C as required?

**8 Sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations.** Did the supporting organization, or a donor advised fund maintained by a sponsoring organization, have excess business holdings at any time during the year?

**9 Sponsoring organizations maintaining donor advised funds.**

a Did the organization make any taxable distributions under section 4966?

b Did the organization make a distribution to a donor, donor advisor, or related person?

**10 Section 501(c)(7) organizations.** Enter

a Initiation fees and capital contributions included on Part VIII, line 12

b Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities

10a	
10b	

**11 Section 501(c)(12) organizations.** Enter

a Gross income from members or shareholders

b Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them )

11a	
11b	

**12a Section 4947(a)(1) non-exempt charitable trusts.** Is the organization filing Form 990 in lieu of Form 1041?

b If "Yes," enter the amount of tax-exempt interest received or accrued during the year

12b	
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	Yes	No
1c	X	
2b	X	
3a	X	
3b		
4a	X	
5a	X	
5b	X	
5c		
6a	X	
6b		
7a	X	
7b		
7c	X	
7e	X	
7f	X	
7g		
7h		
8		
9a		
9b		
10a		
10b		
11a		
11b		
12a		

**Part VI Governance, Management, and Disclosure** For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions

### Section A. Governing Body and Management

1a Enter the number of voting members of the governing body **8**  
 b Enter the number of voting members that are independent **8**

2 Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee? **2 X**

3 Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person? **3 X**

4 Did the organization make any significant changes to its organizational documents since the prior Form 990 was filed? **4 X**

5 Did the organization become aware during the year of a material diversion of the organization's assets? **5 X**

6 Does the organization have members or stockholders? **6 X**

7a Does the organization have members, stockholders, or other persons who may elect one or more members of the governing body? **7a X**  
 b Are any decisions of the governing body subject to approval by members, stockholders, or other persons? **7b X**

8 Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following **8a X**  
 a The governing body? **8b X**  
 b Each committee with authority to act on behalf of the governing body?

9 Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O **9 X**

### Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

10a Does the organization have local chapters, branches, or affiliates? **10a X**  
 b If "Yes," does the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with those of the organization? **10b**

11 Has the organization provided a copy of this Form 990 to all members of its governing body before filing the form? **11 X**

11a Describe in Schedule O the process, if any, used by the organization to review this Form 990 **11b**

12a Does the organization have a written conflict of interest policy? If "No," go to line 13 **12a X**  
 b Are officers, directors or trustees, and key employees required to disclose annually interests that could give rise to conflicts? **12b X**  
 c Does the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this is done **12c X**

13 Does the organization have a written whistleblower policy? **13 X**

14 Does the organization have a written document retention and destruction policy? **14 X**

15 Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision? **15a X**  
 a The organization's CEO, Executive Director, or top management official **15b X**  
 b Other officers or key employees of the organization  
 If "Yes" to line 15a or 15b, describe the process in Schedule O (See instructions )

16a Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year? **16a X**  
 b If "Yes," has the organization adopted a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and taken steps to safeguard the organization's exempt status with respect to such arrangements? **16b X**

### Section C. Disclosure

17 List the states with which a copy of this Form 990 is required to be filed ► **IA**

18 Section 6104 requires an organization to make its Forms 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you make these available. Check all that apply  
 Own website  Another's website  Upon request

19 Describe in Schedule O whether (and if so, how), the organization makes its governing documents, conflict of interest policy, and financial statements available to the public

20 State the name, physical address, and telephone number of the person who possesses the books and records of the organization ► **The Marian Home** **2400 6th Ave N**

**Fort Dodge****IA 50501****515-576-1138**

## **Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors**

**Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees**

**1a** Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year. Use Schedule J-2 if additional space is needed.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid
  - List all of the organization's **current** key employees. See instructions for definition of "key employee."
  - List the organization's **five current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than \$100,000 from the organization and any related organizations
    - List all of the organization's **former** officers, key employees, and highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations
    - List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of

the organization, more than \$10,000 of reportable compensation from the organization and any related organizations  
List persons in the following order individual trustees or directors, institutional trustees, officers, key employees, highest  
compensated employees, and former such persons.

Check this box if the organization did not compensate any current officer, director, or trustee.

**Part VII** **Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees (continued)**

**1b Total**

2 Total number of individuals (including but not limited to those listed above) who received more than \$100,000 in reportable compensation from the organization ► 0

3 Did the organization list any former officer, director or trustee, key employee, or highest compensated employee on line 1a? If "Yes," complete Schedule J for such individual

4 For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than \$150,000? If "Yes," complete Schedule J for such individual

5 Did any person listed on line 1a receive or accrue compensation from any unrelated organization for services rendered to the organization? If "Yes," complete Schedule J for such person

	Yes	No
3		X
4		X
5		X

## Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than \$100,000 of compensation from the organization

(A) Name and business address	(B) Description of services	(C) Compensation

2 Total number of independent contractors (including but not limited to those listed above) who received more than \$100,000 in compensation from the organization ►

0

## **Part VIII Statement of Revenue**

		(A) Total revenue		(B) Related or exempt function revenue		(C) Unrelated business revenue		(D) Revenue excluded from tax under sections 512, 513, or 514	
Contributions, gifts, grants and other similar amounts									
1a Federated campaigns	1a								
b Membership dues	1b								
c Fundraising events	1c								
d Related organizations	1d	6,563							
e Government grants (contributions)	1e								
f All other contributions, gifts, grants, and similar amounts not included above	1f	32,471							
g Noncash contributions included in lines 1a-1f		\$							
h Total. Add lines 1a-1f			►	39,034					
Program Service Revenue		Busn. Code							
2a Room & Board Medicaid			2,555,592	2,555,592					
b Room & Board Private Pay			1,738,490	1,738,490					
c Room & Board Medicare - PART			502,525	502,525					
d Room and board private			362,248	362,248					
e Room and Board Private Pay Sk			134,732	134,732					
f All other program service revenue			184,746	184,746					
g Total. Add lines 2a-2f		►	5,478,333						
3 Investment income (including dividends, interest, and other similar amounts)			36,509	36,509					
4 Income from investment of tax-exempt bond proceeds			►						
5 Royalties			►						
6a Gross Rents	(i) Real	(ii) Personal							
b Less rental exps									
c Rental inc or (loss)									
d Net rental income or (loss)		►							
7a Gross amount from sales of assets other than inventory	(i) Securities	(ii) Other	783						
b Less cost or other basis & sales exps			5,325						
c Gain or (loss)			-4,542						
d Net gain or (loss)		►	-4,542	-4,542					
8a Gross income from fundraising events (not including \$ of contributions reported on line 1c) See Part IV, line 18	a								
b Less direct expenses	b								
c Net income or (loss) from fundraising events		►							
9a Gross income from gaming activities See Part IV, line 19	a								
b Less direct expenses	b								
c Net income or (loss) from gaming activities		►							
10a Gross sales of inventory, less returns and allowances	a								
b Less cost of goods sold	b								
c Net income or (loss) from sales of inventory		►							
Miscellaneous Revenue	Busn. Code								
11a MISC. INCOME			3,205	3,205					
b MISCELLANEOUS			1,287	1,287					
c									
d All other revenue									
e Total. Add lines 11a-11d	►		4,492						
12 Total Revenue. See instructions	►		5,553,826	5,514,792			0	0	0

**Part IX Statement of Functional Expenses**

Section 501(c)(3) and 501(c)(4) organizations must complete all columns.

All other organizations must complete column (A) but are not required to complete columns (B), (C), and (D).

<b>Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.</b>	<b>(A) Total expenses</b>	<b>(B) Program service expenses</b>	<b>(C) Management and general expenses</b>	<b>(D) Fundraising expenses</b>
1 Grants and other assistance to governments and organizations in the U.S. See Part IV, line 21	<b>7,381</b>	<b>7,381</b>		
2 Grants and other assistance to individuals in the U.S. See Part IV, line 22				
3 Grants and other assistance to governments, organizations, and individuals outside the U.S. See Part IV, lines 15 and 16				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees				
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages	<b>2,831,736</b>	<b>2,633,020</b>	<b>198,716</b>	
8 Pension plan contributions (include section 401(k) and section 403(b) employer contributions)				
9 Other employee benefits	<b>387,422</b>	<b>367,754</b>	<b>19,668</b>	
10 Payroll taxes	<b>221,525</b>	<b>205,198</b>	<b>16,327</b>	
11 Fees for services (non-employees)				
a Management				
b Legal	<b>20,394</b>		<b>20,394</b>	
c Accounting	<b>19,000</b>		<b>19,000</b>	
d Lobbying				
e Professional fundraising services See Part IV, line 17				
f Investment management fees				
g Other				
12 Advertising and promotion	<b>23,524</b>		<b>23,524</b>	
13 Office expenses	<b>62,812</b>		<b>62,812</b>	
14 Information technology				
15 Royalties				
16 Occupancy	<b>258,559</b>	<b>258,559</b>		
17 Travel	<b>18,083</b>	<b>10,940</b>	<b>7,143</b>	
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings				
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization	<b>142,870</b>	<b>142,870</b>		
23 Insurance	<b>54,674</b>	<b>54,674</b>		
24 Other expenses Itemize expenses not covered above (Expenses grouped together and labeled miscellaneous may not exceed 5% of total expenses shown on line 25 below)				
a FOOD	<b>200,583</b>	<b>200,583</b>		
b Routine medical supplies	<b>147,918</b>	<b>147,918</b>		
c PT CONTRACT SERVICES	<b>65,839</b>	<b>65,839</b>		
d OT Consultant	<b>65,737</b>	<b>65,737</b>		
e QA Assessment fee	<b>60,627</b>	<b>60,627</b>		
f All other expenses	<b>402,342</b>	<b>296,161</b>	<b>106,181</b>	
25 Total functional expenses. Add lines 1 through 24f	<b>4,991,026</b>	<b>4,517,261</b>	<b>473,765</b>	
26 Joint costs. Check here ► <input type="checkbox"/> if following SOP 98-2 Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation				

## Part X Balance Sheet

		(A) Beginning of year		(B) End of year
Assets	1 Cash—non-interest bearing	594,086	1	355,839
	2 Savings and temporary cash investments	388,026	2	1,232,040
	3 Pledges and grants receivable, net		3	
	4 Accounts receivable, net	619,754	4	587,954
	5 Receivables from current and former officers, directors, trustees, key employees, and highest compensated employees Complete Part II of Schedule L		5	
	6 Receivables from other disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) Complete Part II of Schedule L		6	
	7 Notes and loans receivable, net		7	
	8 Inventories for sale or use	23,323	8	19,572
	9 Prepaid expenses and deferred charges	76,064	9	63,914
	10a Land, buildings, and equipment. cost or other basis Complete Part VI of Schedule D	10a 4,916,404		
	b Less accumulated depreciation	10b 3,854,460	10c 1,072,794	10c 1,061,944
	11 Investments—publicly traded securities	276,388	11	290,264
	12 Investments—other securities See Part IV, line 11		12	
	13 Investments—program-related See Part IV, line 11		13	
	14 Intangible assets		14	
	15 Other assets See Part IV, line 11		15	3,733
	16 Total assets. Add lines 1 through 15 (must equal line 34)	3,050,435	16	3,615,260
Liabilities	17 Accounts payable and accrued expenses	222,458	17	227,925
	18 Grants payable		18	
	19 Deferred revenue		19	
	20 Tax-exempt bond liabilities		20	
	21 Escrow or custodial account liability Complete Part IV of Schedule D	5,372	21	4,803
	22 Payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons Complete Part II of Schedule L		22	
	23 Secured mortgages and notes payable to unrelated third parties		23	
	24 Unsecured notes and loans payable to unrelated third parties		24	
	25 Other liabilities Complete Part X of Schedule D	186,290	25	183,421
	26 Total liabilities. Add lines 17 through 25	414,120	26	416,149
Net Assets or Fund Balances	Organizations that follow SFAS 117, check here ► <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.			
	27 Unrestricted net assets	2,636,315	27	3,174,111
	28 Temporarily restricted net assets		28	25,000
	29 Permanently restricted net assets		29	
	Organizations that do not follow SFAS 117, check here ► <input type="checkbox"/> and complete lines 30 through 34.			
	30 Capital stock or trust principal, or current funds		30	
	31 Paid-in or capital surplus, or land, building, or equipment fund		31	
	32 Retained earnings, endowment, accumulated income, or other funds		32	
	33 Total net assets or fund balances	2,636,315	33	3,199,111
	34 Total liabilities and net assets/fund balances	3,050,435	34	3,615,260

**Part XI/ Financial Statements and Reporting**

**1** Accounting method used to prepare the Form 990  Cash  Accrual  Other \_\_\_\_\_

If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O

**2a** Were the organization's financial statements compiled or reviewed by an independent accountant?

**b** Were the organization's financial statements audited by an independent accountant?

**c** If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?

If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O

**d** If "Yes" to line 2a or 2b, check a box below to indicate whether the financial statements for the year were issued on a consolidated basis, separate basis, or both

Separate basis  Consolidated basis  Both consolidated and separate basis

**3a** As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?

**b** If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits

	Yes	No
<b>2a</b>		<input checked="" type="checkbox"/>
<b>2b</b>	<input checked="" type="checkbox"/>	
<b>2c</b>	<input checked="" type="checkbox"/>	
<b>3a</b>		
<b>3b</b>		

**SCHEDULE A**  
**(Form 990 or 990-EZ)**

Department of the Treasury  
Internal Revenue Service

## Public Charity Status and Public Support

**Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.**

► Attach to Form 990 or Form 990-EZ. ► See separate instructions.

OMB No 1545-0047

2009

**Open to Public  
Inspection**

**Name of the organization**

## The Marian Home

**Employer identification number**  
**42-1025626**

**Part I Reason for Public Charity Status** (All organizations must complete this part.) See instructions.

**The organization is not a private foundation because it is (For lines 1 through 11, check only one box )**

1  A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i)**.  
2  A school described in **section 170(b)(1)(A)(ii)**. (Attach Schedule E )  
3  A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii)**.  
4  A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii)**. Enter the hospital's name, city, and state  
5  An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv)**. (Complete Part II )  
6  A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v)**.  
7  An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi)**. (Complete Part II )  
8  A community trust described in **section 170(b)(1)(A)(vi)**. (Complete Part II )  
9  An organization that normally receives (1) more than 33 1/3 % of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3 % of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975 See **section 509(a)(2)**. (Complete Part III )  
10  An organization organized and operated exclusively to test for public safety See **section 509(a)(4)**.  
11  An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2)** See **section 509(a)(3)**. Check the box that describes the type of supporting organization and complete lines 11e through 11h  
a  Type I      b  Type II      c  Type III—Functionally integrated      d  Type III—Other  
e  By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2)**  
f  If the organization received a written determination from the IRS that it is a Type I, Type II, or Type III supporting organization, check this box

g Since August 17, 2006, has the organization accepted any gift or contribution from the following persons?

- (i) A person who directly or indirectly controls, either alone or together with (ii) and (iii) below, the governing body of the supported organization?
- (ii) A family member of a person described in (i) above?
- (iii) A 35% controlled entity of a person described in (i) or (ii) above?

h Provide the following information about the supported organization(s).

	Yes	No
11g(i)		
11g(ii)		
11g(iii)		

**h** Provide the following information about the supported organization(s)

Total

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

**Schedule A (Form 990 or 990-EZ) 2009**

**Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)**  
 (Complete only if you checked the box on line 5, 7, or 8 of Part I.)
**Section A. Public Support**

Calendar year (or fiscal year beginning in) ►	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants")						
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
<b>4 Total.</b> Add lines 1 through 3						
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						
<b>6 Public support.</b> Subtract line 5 from line 4						

**Section B. Total Support**

Calendar year (or fiscal year beginning in) ►	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
7 Amounts from line 4						
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income Do not include gain or loss from the sale of capital assets (Explain in Part IV)						
<b>11 Total support.</b> Add lines 7 through 10						
12 Gross receipts from related activities, etc (see instructions)					<b>12</b>	
<b>13 First five years.</b> If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here						► <input type="checkbox"/>

**Section C. Computation of Public Support Percentage**

14 Public support percentage for 2009 (line 6, column (f) divided by line 11, column (f))	<b>14</b>	%
15 Public support percentage from 2008 Schedule A, Part II, line 14	<b>15</b>	%
<b>16a 33 1/3 % support test—2009.</b> If the organization did not check the box on line 13, and line 14 is 33 1/3 % or more, check this box and stop here. The organization qualifies as a publicly supported organization	► <input type="checkbox"/>	
<b>b 33 1/3 % support test—2008.</b> If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3 % or more, check this box and stop here. The organization qualifies as a publicly supported organization	► <input type="checkbox"/>	
<b>17a 10%-facts-and-circumstances test—2009.</b> If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization	► <input type="checkbox"/>	
<b>b 10%-facts-and-circumstances test—2008.</b> If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization	► <input type="checkbox"/>	
<b>18 Private foundation.</b> If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions	► <input type="checkbox"/>	

**Part III Support Schedule for Organizations Described in Section 509(a)(2)**  
 (Complete only if you checked the box on line 9 of Part I.)
**Section A. Public Support**

Calendar year (or fiscal year beginning in) ►	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants")	7,618	40,265	33,182	15,743	39,034	135,842
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose	4,295,105	4,142,890	4,580,740	5,101,990	5,519,334	23,640,059
3 Gross receipts from activities that are not an unrelated trade or business under section 513						
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 Total. Add lines 1 through 5	4,302,723	4,183,155	4,613,922	5,117,733	5,558,368	23,775,901
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 Public support (Subtract line 7c from line 6 )						23,775,901

**Section B. Total Support**

Calendar year (or fiscal year beginning in) ►	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
9 Amounts from line 6	4,302,723	4,183,155	4,613,922	5,117,733	5,558,368	23,775,901
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	16,884	24,847	24,304	18,497	22,633	107,165
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b	16,884	24,847	24,304	18,497	22,633	107,165
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on					0	
12 Other income Do not include gain or loss from the sale of capital assets (Explain in Part IV )						
13 Total support. (Add lines 9, 10c, 11, and 12 )	4,319,607	4,208,002	4,638,226	5,136,230	5,581,001	23,883,066
14 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here	► <input type="checkbox"/>					

**Section C. Computation of Public Support Percentage**

15 Public support percentage for 2009 (line 8, column (f) divided by line 13, column (f))	15	99.55 %
16 Public support percentage from 2008 Schedule A, Part III, line 15	16	99.55 %

**Section D. Computation of Investment Income Percentage**

17 Investment income percentage for 2009 (line 10c, column (f) divided by line 13, column (f))	17	%
18 Investment income percentage from 2008 Schedule A, Part III, line 17	18	%
19a 33 1/3 % support tests—2009. If the organization did not check the box on line 14, and line 15 is more than 33 1/3 %, and line 17 is not more than 33 1/3 %, check this box and stop here. The organization qualifies as a publicly supported organization	► <input checked="" type="checkbox"/>	
b 33 1/3 % support tests—2008. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3 %, and line 18 is not more than 33 1/3 %, check this box and stop here. The organization qualifies as a publicly supported organization	► <input type="checkbox"/>	
20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions	► <input type="checkbox"/>	

**Part IV** **Supplemental Information.** Complete this part to provide the explanations required by Part II, line 10; Part II, line 17a or 17b; and Part III, line 12. Provide any other additional information. See instructions.

**SCHEDULE D**  
**(Form 990)**Department of the Treasury  
Internal Revenue Service**Supplemental Financial Statements**

► Complete if the organization answered "Yes," to Form 990,

Part IV, line 6, 7, 8, 9, 10, 11, or 12.

► Attach to Form 990. ► See separate instructions.

OMB No 1545-0047

**2009**Open to Public  
Inspection

Name of the organization

Employer identification number

**The Marian Home****42-1025626****Part I** // **Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.** Complete if the organization answered "Yes" to Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1 Total number at end of year		
2 Aggregate contributions to (during year)		
3 Aggregate grants from (during year)		
4 Aggregate value at end of year		
5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control?		<input type="checkbox"/> Yes <input type="checkbox"/> No
6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit?		<input type="checkbox"/> Yes <input type="checkbox"/> No

**Part II** // **Conservation Easements.** Complete if the organization answered "Yes" to Form 990, Part IV, line 7.

## 1 Purpose(s) of conservation easements held by the organization (check all that apply)

Preservation of land for public use (e.g., recreation or pleasure)  Preservation of an historically important land area  
 Protection of natural habitat  Preservation of certified historic structure  
 Preservation of open space

## 2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year

	Held at the End of the Tax Year
2a Total number of conservation easements	
2b Total acreage restricted by conservation easements	
2c Number of conservation easements on a certified historic structure included in (a)	
2d Number of conservation easements included in (c) acquired after 8/17/06	
3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the taxable year ►	
4 Number of states where property subject to conservation easement is located ►	
5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6 Staff and volunteer hours devoted to monitoring, inspecting, and enforcing conservation easements during the year ►	
7 Amount of expenses incurred in monitoring, inspecting, and enforcing conservation easements during the year ► \$	
8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9 In Part XIV, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements	

**Part III** // **Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.**  
Complete if the organization answered "Yes" to Form 990, Part IV, line 8.

## 1a If the organization elected, as permitted under SFAS 116, not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIV, the text of the footnote to its financial statements that describes these items

## b If the organization elected, as permitted under SFAS 116, to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items

(i) Revenues included in Form 990, Part VIII, line 1 ► \$ \_\_\_\_\_  
(ii) Assets included in Form 990, Part X ► \$ \_\_\_\_\_

## 2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 relating to these items

a Revenues included in Form 990, Part VIII, line 1 ► \$ \_\_\_\_\_  
b Assets included in Form 990, Part X ► \$ \_\_\_\_\_

**Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)**

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply)

a  Public exhibition  
 b  Scholarly research  
 c  Preservation for future generations

d  Loan or exchange programs  
 e  Other \_\_\_\_\_

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIV

5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection?

Yes  No

**Part IV Escrow and Custodial Arrangements.** Complete if the organization answered "Yes" to Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X?

Yes  No

b If "Yes," explain the arrangement in Part XIV and complete the following table

	Amount
1c	
1d	
1e	
1f	

2a Did the organization include an amount on Form 990, Part X, line 21?

Yes  No

b If "Yes," explain the arrangement in Part XIV

**Part V Endowment Funds.** Complete if organization answered "Yes" to Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
1a Beginning of year balance					
b Contributions					
c Net investment earnings, gains, and losses					
d Grants or scholarships					
e Other expenditures for facilities and programs					
f Administrative expenses					
g End of year balance					

2 Provide the estimated percentage of the year end balance held as

a Board designated or quasi-endowment ► \_\_\_\_\_ %

b Permanent endowment ► \_\_\_\_\_ %

c Term endowment ► \_\_\_\_\_ %

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by

(i) unrelated organizations  
 (ii) related organizations

Yes	No
3a(i)	
3a(ii)	
3b	

b If "Yes" to 3a(ii), are the related organizations listed as required on Schedule R?

4 Describe in Part XIV the intended uses of the organization's endowment funds

**Part VI Investments—Land, Buildings, and Equipment.** See Form 990, Part X, line 10.

Description of investment	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a Land		65,000		65,000
b Buildings		3,655,892	2,974,643	681,249
c Leasehold improvements				
d Equipment		1,195,512	879,817	315,695
e Other				

Total. Add lines 1a through 1e (Column (d) must equal Form 990, Part X, column (B), line 10(c)) ►

1,061,944

**Part VII. Investments—Other Securities. See Form 990, Part X, line 12**

(a) Description of security or category (including name of security)	(b) Book value	(c) Method of valuation Cost or end-of-year market value
Financial derivatives		
Closely-held equity interests		
Other _____		
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**Part VIII Investments—Program Related. See Form 990, Part X, line 13.**

**Total. (Column (b) must equal Form 990, Part X, col (B) line 13 )** ►  
**Part IX Other Assets See Form 990 Part X line 15**

**Total. (Column (b) must equal Form 990, Part X, col. (B) line 15 )**

2. FIN 48 Footnote. In Part XIV, provide the text of the footnote to the organization's financial statement.

2. FIN 48 Footnote: In Part XIV, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48

**Part XI Reconciliation of Change in Net Assets from Form 990 to Audited Financial Statements**

1 Total revenue (Form 990, Part VIII, column (A), line 12)	1
2 Total expenses (Form 990, Part IX, column (A), line 25)	2
3 Excess or (deficit) for the year Subtract line 2 from line 1	3
4 Net unrealized gains (losses) on investments	4
5 Donated services and use of facilities	5
6 Investment expenses	6
7 Prior period adjustments	7
8 Other (Describe in Part XIV)	8
9 Total adjustments (net) Add lines 4 through 8	9
10 Excess or (deficit) for the year per audited financial statements Combine lines 3 and 9	10

**Part XII Reconciliation of Revenue per Audited Financial Statements With Revenue per Return**

1 Total revenue, gains, and other support per audited financial statements	1
2 Amounts included on line 1 but not on Form 990, Part VIII, line 12	
a Net unrealized gains on investments	2a
b Donated services and use of facilities	2b
c Recoveries of prior year grants	2c
d Other (Describe in Part XIV)	2d
e Add lines 2a through 2d	2e
3 Subtract line 2e from line 1	3
4 Amounts included on Form 990, Part VIII, line 12, but not on line 1:	
a Investment expenses not included on Form 990, Part VIII, line 7b	4a
b Other (Describe in Part XIV)	4b
c Add lines 4a and 4b	4c
5 Total revenue Add lines 3 and 4c. (This must equal Form 990, Part I, line 12)	5

**Part XIII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return**

1 Total expenses and losses per audited financial statements	1
2 Amounts included on line 1 but not on Form 990, Part IX, line 25	
a Donated services and use of facilities	2a
b Prior year adjustments	2b
c Other losses	2c
d Other (Describe in Part XIV)	2d
e Add lines 2a through 2d	2e
3 Subtract line 2e from line 1	3
4 Amounts included on Form 990, Part IX, line 25, but not on line 1:	
a Investment expenses not included on Form 990, Part VIII, line 7b	4a
b Other (Describe in Part XIV)	4b
c Add lines 4a and 4b	4c
5 Total expenses Add lines 3 and 4c. (This must equal Form 990, Part I, line 18)	5

**Part XIV Supplemental Information**

Complete this part to provide the descriptions required for Part II, lines 3, 5, and 9, Part III, lines 1a and 4, Part IV, lines 1b and 2b, Part V, line 4, Part X, line 2, Part XI, line 8, Part XII, lines 2d and 4b, and Part XIII, lines 2d and 4b. Also complete this part to provide any additional information

**Part IV Line 2b - Escrow Liability Arrangement Explanation**

The Organization provides a custodial service allowing residents to maintain a small cash balance for personal purchases. These amounts are carried as cash or cash equivalents and a corresponding current liability on the statement of financial position.





## Schedule I (Form 990) 2009 The Marian Home

Page 2  
42-1025626

Use Part IV and Schedule I-1 (Form 990) if additional space is needed.

**Part IV Supplemental Information.** Complete this part to provide the information required in Part I, line 2, and any other additional information.

**SCHEDULE O**  
**(Form 990)**Department of the Treasury  
Internal Revenue Service**Supplemental Information to Form 990**Complete to provide information for responses to specific questions on  
Form 990 or to provide any additional information.  
► Attach to Form 990.

OMB No 1545-0047

**2009**Open to Public  
Inspection

Name of the organization

**The Marian Home**Employer identification number  
**42-1025626****Form 990, Part VI, Line 4 - Significant Changes to Organizational Documents****The Bylaws were amended and completely restated.****The Articles of Incorporation were restated.****Form 990, Part VI, Line 11A - Organization's Process to Review Form 990****The 990 was sent electronically to the Board of Directors and Management via email. The Board of Directors approved the 990 via email; the key member of management approved the 990 by signing Federal form 8879.****Form 990, Part VI, Line 19 - Governing Documents Disclosure Explanation****No documents available to the public****Schedule R - Group Exemption Relationships****The Marian Home buys insurance coverage through the Diocese of Sioux City Iowa. The Diocese also administers the pension plan for the Marian Home.****The Marian Home Foundation collects charitable donations for the benefit of The Marian Home. It is a supporting organization.**



## **Part III**

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### **Identification of Related Organizations** because it had one or more relatives

**Part IV** **Partnership** (Complete if the organization answered "Yes" to Form 990, Part IV, line 34  
a partnership during the tax year.)

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Direct controlling entity	(e) Predominant income (related, unrelated, excluded from tax under sections 512-514)	(f) Share of total income	(g) Share of end-of-year assets	(h) Dispro- portionate alloc?	(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	(j) General or managing partner?	Yes	No
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**Part IV** **Identification of Related Organizations Taxable as a Corporation or Trust** (Complete if the organization answered "Yes" to Form 990, Part IV, line 34 because it had one or more related organizations treated as a corporation or trust during the tax year.)

**Part V Transactions With Related Organizations** (Complete if the organization answered "Yes" to Form 990, Part IV, line 34, 35, or 36.)

Note: Complete line 1 if any entity is listed in Parts II, III, or IV of this schedule

1 During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II-IV?

	Yes	No
a Receipt of (i) interest (ii) annuities (iii) royalties (iv) rent from a controlled entity	1a <input checked="" type="checkbox"/>	x <input type="checkbox"/>
b Gift, grant, or capital contribution to other organization(s)	1b <input checked="" type="checkbox"/>	x <input type="checkbox"/>
c Gift, grant, or capital contribution from other organization(s)	1c <input checked="" type="checkbox"/>	x <input type="checkbox"/>
d Loans or loan guarantees to or for other organization(s)	1d <input checked="" type="checkbox"/>	x <input type="checkbox"/>
e Loans or loan guarantees by other organization(s)	1e <input checked="" type="checkbox"/>	x <input type="checkbox"/>
f Sale of assets to other organization(s)	1f <input checked="" type="checkbox"/>	x <input type="checkbox"/>
g Purchase of assets from other organization(s)	1g <input checked="" type="checkbox"/>	x <input type="checkbox"/>
h Exchange of assets	1h <input checked="" type="checkbox"/>	x <input type="checkbox"/>
i Lease of facilities, equipment, or other assets to other organization(s)	1i <input checked="" type="checkbox"/>	x <input type="checkbox"/>
j Lease of facilities, equipment, or other assets from other organization(s)	1j <input checked="" type="checkbox"/>	x <input type="checkbox"/>
k Performance of services or membership or fundraising solicitations for other organization(s)	1k <input checked="" type="checkbox"/>	x <input type="checkbox"/>
l Performance of services or membership or fundraising solicitations by other organization(s)	1l <input checked="" type="checkbox"/>	x <input type="checkbox"/>
m Sharing of facilities, equipment, mailing lists, or other assets	1m <input checked="" type="checkbox"/>	x <input type="checkbox"/>
n Sharing of paid employees	1n <input checked="" type="checkbox"/>	x <input type="checkbox"/>
o Reimbursement paid to other organization for expenses	1o <input checked="" type="checkbox"/>	x <input type="checkbox"/>
p Reimbursement paid by other organization for expenses	1p <input checked="" type="checkbox"/>	x <input type="checkbox"/>
q Other transfer of cash or property to other organization(s)	1q <input checked="" type="checkbox"/>	x <input type="checkbox"/>
r Other transfer of cash or property from other organization(s)	1r <input checked="" type="checkbox"/>	x <input type="checkbox"/>

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds

	(a) Name of other organization	(b) Transaction type (a-r)	(c) Amount involved
(1) Diocese of Sioux City	q		205,070
(2) The Marian Home Foundation	c		6,563
(3)			
(4)			
(5)			
(6)			

## Part VI Unrelated Organizations Taxable

**Unrelated Organizations Taxable as a Partnership** (Complete if the organization answered "Yes" to Form 990, Part V, line 37.)

**Provide the following information for each entity taxed as a partnership through which the organization conducted more than five percent of its activities (measured by total assets or gross revenue) that was not a related organization. See instructions regarding exclusion for certain investment partnerships or cross-references.**

Form. 4562

Department of the Treasury  
Internal Revenue Service  
(99)Depreciation and Amortization  
(Including Information on Listed Property)

OMB No 1545-0172

2009

Attachment  
Sequence No 67

Name(s) shown on return

The Marian Home

Identifying number  
42-1025626

Business or activity to which this form relates

## Indirect Depreciation

## Part I Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount See the instructions for a higher limit for certain businesses	1	250,000
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	800,000
4	Reduction in limitation Subtract line 3 from line 2 If zero or less, enter -0-	4	
5	Dollar limitation for tax year Subtract line 4 from line 1 If zero or less, enter -0- If married filing separately, see instructions	5	

	(a) Description of property	(b) Cost (business use only)	(c) Elected cost	
6				
7	Listed property Enter the amount from line 29	7		
8	Total elected cost of section 179 property Add amounts in column (c), lines 6 and 7	8		
9	Tentative deduction Enter the smaller of line 5 or line 8	9		
10	Carryover of disallowed deduction from line 13 of your 2008 Form 4562	10		
11	Business income limitation Enter the smaller of business income (not less than zero) or line 5 (see instructions)	11		
12	Section 179 expense deduction Add lines 9 and 10, but do not enter more than line 11	12		
13	Carryover of disallowed deduction to 2010 Add lines 9 and 10, less line 12	13		

Note: Do not use Part II or Part III below for listed property Instead, use Part V

## Part II Special Depreciation Allowance and Other Depreciation (Do not include listed property.) (See instr.)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	142,870

## Part III MACRS Depreciation (Do not include listed property.) (See instructions.)

## Section A

17	MACRS deductions for assets placed in service in tax years beginning before 2009	17	0
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here ►		

## Section B—Assets Placed in Service During 2009 Tax Year Using the General Depreciation System

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only—see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property		25 yrs			S/L	
h Residential rental property		27.5 yrs	MM		S/L	
i Nonresidential real property		27.5 yrs	MM		S/L	
		39 yrs	MM		S/L	
			MM		S/L	

## Section C—Assets Placed in Service During 2009 Tax Year Using the Alternative Depreciation System

20a Class life					S/L	
b 12-year		12 yrs			S/L	
c 40-year		40 yrs	MM		S/L	

## Part IV Summary (See instructions.)

21	Listed property Enter amount from line 28	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21 Enter here and on the appropriate lines of your return Partnerships and S corporations—see instructions	22	142,870
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

For Paperwork Reduction Act Notice, see separate instructions.

DAA

Form 4562 (2009)

There are no amounts for Page 2

**CERTIFICATE REGARDING  
RESTATED ARTICLES OF INCORPORATION  
OF  
THE MARIAN HOME, FORT DODGE, IOWA.**

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to Section 504.1006 of the Revised Iowa Nonprofit Corporation Act, the undersigned hereby certifies as follows on behalf of **THE MARIAN HOME, FORT DODGE, IOWA** (the "Corporation"):

**SECTION ONE  
Name Of Corporation**

The name of the Corporation is **THE MARIAN HOME, FORT DODGE, IOWA.**

**SECTION TWO  
Restated Articles Of Incorporation Consolidate all Amendments**

The Restated Articles of Incorporation of the Corporation are attached as Exhibit A hereto consolidate all amendments into a single document

**SECTION THREE  
Approval By Members**

The Restated Articles of Incorporation were adopted and approved by the Members of the Corporation in the manner required by Chapter 504 of the Code of Iowa and the Articles of Incorporation and Bylaws of the Corporation

Executed at Sioux City, Iowa on the 23<sup>rd</sup> day of April, 2010.

**THE MARIAN HOME, FORT DODGE, IOWA**

By: R. Walker Nickless  
Most Reverend R. Walker Nickless, President

**RESTATED ARTICLES OF INCORPORATION  
of  
THE MARIAN HOME, FORT DODGE, IOWA**

**TO THE SECRETARY OF STATE OF THE STATE OF IOWA:**

The undersigned Corporation, pursuant to Chapter 504 of the Code of Iowa, hereby adopts the following Restated Articles of Incorporation for the Corporation:

**ARTICLE ONE  
NAME OF CORPORATION**

The name of the Corporation shall be **THE MARIAN HOME, FORT DODGE, IOWA.**

**ARTICLE TWO  
DURATION OF CORPORATION**

The period of the duration of this Corporation is perpetual unless dissolved as provided by law.

**ARTICLE THREE  
PURPOSES OF CORPORATION**

This Corporation is organized and shall be operated exclusively for charitable, religious, scientific and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code which shall include the following specific purposes:

- A. To provide a retirement and/or nursing home for older citizens.
- B. To aid and assist the Catholic Church in promoting the charitable, benevolent and eleemosynary work of the Church among interested people of all faiths.
- C. To hold and manage all the property, both real and personal, that may at any time or in any manner come to or vest in this Corporation for any purpose consistent with these Articles.
- D. To exercise all other rights, powers and privileges now or hereafter conferred upon nonprofit corporations by Chapter 504 of the Code of Iowa as may be amended from time to time.

**ARTICLE FOUR  
RESTRICTIONS**

- 1. No part of the net earnings of this Corporation shall inure to the benefit of or be distributable to any director, officer, or private individual except as reasonable compensation for

services rendered, goods received, and other property or valuable thing which may be acquired by the Corporation for the accomplishment of its purposes. No director or officer of the Corporation, or any private individual, shall be entitled to share in the distribution of any of the Corporate assets on dissolution of the Corporation.

2. No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation and the Corporation shall not participate or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.
3. The Corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from income tax under Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, or (b) by a corporation contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code or corresponding section of any future federal tax code.

#### **ARTICLE FIVE DIRECTORS**

The Board of Directors shall include the Bishop of the Diocese of Sioux City and the Vicar General of the Diocese of Sioux City and such additional lay members as may be fixed in the Bylaws of the Corporation. The lay persons shall be appointed by the Bishop of the Diocese of Sioux City in the manner and for the terms provided in the Bylaws of the Corporation. The Bishop of the Diocese of Sioux City shall have the authority to remove any or all Directors at any time for any reason he deems to be in the best interests of the Corporation.

#### **ARTICLE SIX MEMBERS**

The Corporation shall have no members.

#### **ARTICLE SEVEN LIMITATION ON LIABILITY OF DIRECTORS**

A director of the Corporation shall not be liable to the Corporation or its members for money damages for any action taken, or any failure to take any action, as a director, except liability for any of the following: (1) the amount of a financial benefit received by a director to which the director is not entitled; (2) an intentional infliction of harm on the Corporation or the members; (3) a violation of the unlawful distribution provision of the Revised Iowa Nonprofit Corporation Act; or (4) an intentional violation of criminal law. If the Revised Iowa Nonprofit Corporation Act is hereafter amended to authorize the further elimination or limitation of the liability of directors, then the liability of a director of the Corporation, in addition to the limitation on personal liability provided herein, shall be eliminated or limited to the extent of such amendment, automatically and without any further action, to the fullest extent permitted by law. Any repeal or modification of this Article shall be prospective only and shall not adversely affect any limitation on the personal liability or any other right or protection of a director of the

Corporation with respect to any state of facts existing at or prior to the time of such repeal or modification.

## **ARTICLE EIGHT INDEMNIFICATION**

The Corporation shall indemnify a director or officer for liability (as such term is defined in section 504.851(5) of the Revised Iowa Nonprofit Corporation Act) to any person for any action taken, or any failure to take any action, as a director, except liability for any of the following: (1) receipt of a financial benefit by a director to which the director is not entitled; (2) an intentional infliction of harm on the Corporation or the members; (3) a violation of the unlawful distribution provision of the Revised Iowa Nonprofit Corporation Act; or (4) an intentional violation of criminal law. Without limiting the foregoing, the Corporation shall exercise all of its permissive powers as often as necessary to indemnify and advance expenses to its directors and officers to the fullest extent permitted by law. If the Revised Iowa Nonprofit Corporation Act is hereafter amended to authorize broader indemnification, then the indemnification obligations of the Corporation shall be deemed amended automatically and without any further action to require indemnification and advancement of funds to pay for or reimburse expenses of its directors and officers to the fullest extent permitted by law. Any repeal or modification of this Article shall be prospective only and shall not adversely affect any indemnification obligations of the Corporation with respect to any state of facts existing at or prior to the time of such repeal or modification.

## **ARTICLE NINE DISSOLUTION**

Upon termination or dissolution, the Board of Directors shall, after paying or making provisions for the payment of all liabilities of the Corporation, transfer all the remaining assets of the Corporation to the Diocese of Sioux City, an Iowa nonprofit corporation, if said corporation is an organization organized and operated exclusively for charitable educational, religious, or scientific purposes as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law). If the Diocese of Sioux City does not so qualify, the Board of Directors shall dispose of the assets of the Corporation exclusively for the purposes of the Corporation in such manner or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the District Court of the county in which the principal office of the Corporation is then located exclusively for such purposes or to such organization or organizations, as the Court shall determine, which are organized and operated exclusively for such purposes.

The Restated Articles of Incorporation consolidate all amendments to the Articles of Incorporation into a single document.

The Restated Articles of Incorporation were adopted and approved by the Members of the Corporation in the manner required by Chapter 504 of the Code of Iowa and the Articles of Incorporation and Bylaws of the Corporation.

These Restated Articles of Incorporation correctly set forth the provisions of the Articles of Incorporation as hereby amended, they have been duly adopted as required by law and they supersede the original Articles of Incorporation and all amendments thereto.

Dated this 23<sup>rd</sup> day of April, 2010.

THE MARIAN HOME, FORT DODGE, IOWA

By: R. Walker Nickless  
Most Reverend R. Walker Nickless, President

**AMENDED AND RESTATED BYLAWS  
OF  
THE MARIAN HOME, FORT DODGE, IOWA**

**ARTICLE ONE  
OFFICES AND REGISTERED AGENT**

**1.1 Principal Office.** The location of the principal office of the Corporation in the State of Iowa will be identified in the Corporation's biennial report filed with the Iowa Secretary of State.

**1.2 Registered Office and Registered Agent.** The registered agent is Eric Halverson and the registered office of the Corporation is 2400 6<sup>th</sup> Avenue North, Fort Dodge, Iowa 50501. The registered agent or registered office, or both, may be changed by resolution of the Board of Directors.

**ARTICLE TWO  
MEMBERS**

The Corporation shall not have members.

**ARTICLE THREE  
BOARD OF DIRECTORS**

**3.1 General Powers.** The affairs of the Corporation shall be managed by its Board of Directors. Directors need not be residents of the state of Iowa or members of the Corporation.

**3.2 Number of Directors.** The Board of Directors shall consist of not less than two (2) and not more than nine (9) members. The number of directors shall be fixed by resolution of the Board of Directors from time to time.

**3.3 Voting Members of the Board of Directors.** The Bishop of the Diocese of Sioux City and the Vicar General of the Diocese of Sioux City shall serve as permanent voting members of the Board of Directors. The remaining voting members of the Board of Directors shall consist of not more than seven (7) members.

**3.4 Term of Office.** The Bishop of the Diocese of Sioux City and the Vicar General of the Diocese of Sioux City shall serve as permanent voting members of the Board of Directors. The terms of the other members of the Board of Directors shall be for three (3) years commencing at the annual meeting when appointed and continuing until their successors are appointed and qualified. Directors appointed to serve three year terms shall serve staggered terms so that one-third (1/3) of the appointed Directors shall be appointed annually for a term of three years.

**3.5 Appointment of Directors.** In August of each year, the Chairperson of the Board of Directors shall appoint a Nominating Committee consisting of two other members of the Board.

The Nominating Committee shall review the knowledge, influence and diversity of the Board and shall seek out and recommend a list of candidates for appointment to the Board. The Nominating Committee shall present its list of candidates for Board membership to the Bishop of the Diocese of Sioux City prior to the annual meeting of the Board of Directors each year.

**3.6 Annual Meetings.** The annual meeting of the Board of Directors shall be held in November of each year, beginning with the year 2010, at a date, time and place to be specified by the Board for the purpose of appointment of Directors and election of officers and for such other matters as may be presented at the meeting. The Board of Directors may meet at the principal office of the Corporation or any other place for the purpose of transaction of business.

**3.7 Regular Meetings.** The regular meeting of the Board of Directors shall be held on such date as the Board of Directors shall by resolution specify. The Board of Directors may provide by resolution the time and place, either within or outside of the state of Iowa, for the holding of additional regular meetings of the Board without other notice than the resolution.

**3.8 Special Meetings.** Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The persons authorized to call special meetings of the Board may fix any place, either within or outside of the state of Iowa, as the place for holding any special meeting of the Board called by them.

**3.9 Notice.** Notice of any special meeting of the Board of Directors shall be given at least two days previously by written notice delivered personally or sent by mail, fax or other electronic means to each Director at the Director's address as shown by the records of the Corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage prepaid. If notice is given by fax or other electronic means, it shall be deemed to be delivered when successfully transmitted to the recipient. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these Bylaws.

**3.10 Place of Meetings, etc.** The Board of Directors may hold its meetings at such place or places within or without the State of Iowa, as the Board may from time to time determine. A Director may participate in any meeting by any means of communication, including, but not limited to telephone conference call, by which all Directors participating may simultaneously hear each other during the meeting. A Director participating in a meeting by this means is deemed to be present in person at the meeting.

**3.11 Quorum.** A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at the meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice. In accordance with the provisions of Canon Law of the Catholic

Church, the Bishop of the Diocese of Sioux City reserves the right to modify or veto any and all acts of the Board of Directors.

**3.12 Manner of Acting.** The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

**3.13 Resignation.** Any Director of the Corporation may resign at any time by delivering written notice to the President, the Board of Directors, or the Corporation. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

**3.14 Removal.** A Director may be removed at any time by the Bishop of the Diocese of Sioux City. In addition, a Director (other than the Bishop or Vicar General) may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served by such Director's removal, but such removal shall be without prejudice to the contract rights, if any, of the Director so removed.

**3.15 Vacancies.** Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors shall be filled by appointment by the Bishop of the Diocese of Sioux City. A Director appointed to fill a vacancy shall be appointed for the unexpired term of the Director's predecessor in office.

**3.16 Compensation.** Directors shall not receive any stated salaries for their services, but by resolution of the Board of Directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board; but nothing contained in these Bylaws shall be construed to preclude any Director from serving the Corporation in any other capacity and receiving compensation for such services.

**3.17 Informal Action by Directors.** Any action required by law to be taken at a meeting of Directors, or any action which may be taken at a meeting of Directors, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by all of the directors. The Director consent may be transmitted electronically in accordance with these Bylaws (Electronic Transmission) of these Bylaws. A Director's consent may be withdrawn by a revocation signed by the Director and delivered to the Corporation prior to the delivery to the Corporation of unrevoked written consents signed by all of the Directors. In accordance with the provisions of Canon Law of the Catholic Church, the Bishop of the Diocese of Sioux City reserves the right to modify or veto any and all acts of the Board of Directors.

**3.18 Election, Powers and Duties of the Chairperson.** The Chairperson of the Board of Directors shall be elected annually by the Board of Directors at the annual meeting of the Board of Directors. The Chairperson shall hold office until his or her successor shall have been elected and shall have qualified. The Chairperson shall prepare an agenda for each meeting of the Board of Directors, shall preside at all meetings of the Board of Directors and shall perform such other duties as may be assigned by the Board of Directors.

## ARTICLE FOUR OFFICERS

**4.1 Officers.** The officers of the Corporation shall be a President, a Vice-President, a Secretary and a Treasurer and such additional officers as may be appointed or elected in accordance with the provisions of this Article. The Secretary and Treasurer shall be elected by the Board of Directors at the annual meeting of the Board of Directors. The Bishop of the Diocese of Sioux City may appoint, and the Board of Directors may elect, such other officers, including one or more assistant secretaries and one or more assistant treasurers, as may be desirable, to have the authority and perform the duties prescribed by the Board of Directors. Any two or more offices may be held by the same person.

**4.2 Powers and Duties of the President.** The Bishop of the Diocese of Sioux City shall be the President of the Corporation. The President shall be the chief executive officer of the Corporation and shall have the responsibility for the management and supervision of the operations of the Corporation, including the investment of the corporate funds and properties. The President shall have authority to sign, execute and acknowledge all contracts, checks, deeds, mortgages, bonds, leases or other obligations on behalf of the Corporation as the President may deem necessary or proper to be executed in the course of the Corporation's regular business, or which shall be authorized by the Board of Directors. The President may sign in the name of the Corporation, reports and all other documents or instruments which are necessary or proper to be executed in the course of the Corporation's business. The President shall perform such other duties as are necessary for that office. The President shall be an ex-officio member of all standing committees.

**4.3 Powers and Duties of the Vice-President.** The Vicar General of the Diocese of Sioux City shall be the Vice-President of the Corporation. In the absence of the President or in event of the President's inability or refusal to act, the Vice-President (or in the event there be more than one vice-president, the Vice-Presidents in the order of their election) shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice-President shall perform such other duties as may be assigned by the President or by the Board of Directors.

**4.4 Powers and Duties of the Secretary.** The Secretary shall have charge of such books, documents, and papers as the Board of Directors may determine. The Secretary shall attend and keep the minutes of all meetings of the Board of Directors. Such corporate minute book shall be open for inspection as prescribed by law during normal business hours. The Secretary shall do and perform such other duties as may be assigned by the Board of Directors.

**4.5 Powers and Duties of the Treasurer.** The Treasurer shall monitor the development of the internal budget; to have custody of all funds of the Corporation, and to pay out the same upon direction of the Board of Directors. The Treasurer shall be responsible for the receipt and disbursement of all assets of the Corporation in accordance with Board direction, and for insuring that accurate records of all financial activity are maintained. Funds, books and other records of the Treasurer shall at all times be subject to the inspection, supervision and control of the Board.

The Treasurer shall make reports of the finances of the Corporation to the President and the Board as required and shall perform other duties as may be required by the Board.

**4.6 Election and Term of Office.** The Secretary and Treasurer of the Corporation shall be elected annually by the Board of Directors at the annual meeting of the Board of Directors. If the election of officers shall not be held at such meeting, it shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until their successor shall have been elected and shall have qualified.

**4.7 Removal.** Any officer (except the President or Vice-President or those appointed by the Bishop of the Diocese of Sioux City) elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served by such Director's removal, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

**4.8 Vacancies.** A vacancy in any office (except the President or Vice-President or those appointed by the Bishop of the Diocese of Sioux City) because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

## **ARTICLE FIVE COMMITTEES**

**5.1 Committees of Directors.** The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate and appoint one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; provided, however, that no such committee shall have the authority of the Board of Directors in reference to authorized distributions; approve or recommend to members dissolution, merger, or sale, pledge, or transfer of all or substantially all of the Corporation's assets; elect, appoint, or remove Directors or fill vacancies on the Board or any of its committees; or adopt, amend, or repeal the articles or Bylaws. The appointment of any such committee and the delegation of authority shall not operate to relieve the Board of Directors of any responsibility imposed upon it by law.

**5.2 Other Committees.** Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in the resolution, members of each such committee shall be members of the Corporation and the President of the Corporation shall appoint the members of the committees. Any member may be removed by the persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

**5.3 Term of Office.** Each member of a committee shall continue as a member until the next annual meeting of the members of the Corporation and until the member's successor is appointed,

unless the committee shall be terminated sooner, or unless the member be removed from the committee, or unless the member shall cease to qualify as a member of the committee.

**5.4 Chair.** One member of each committee shall be appointed chair by the person or persons authorized to appoint the members of the committee.

**5.5 Vacancies.** Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

**5.6 Quorum.** Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

## **ARTICLE SIX** **CONTRACTS, CHECKS, DEPOSITS AND GIFTS**

**6.1 Contracts.** Any and all contracts or other obligations for the payment of funds for in excess of \$10,000.00, and not previously approved as part of the budget of the Corporation, shall be valid only when made in writing and approved by the President of the Corporation. No real estate belonging to the Corporation shall be sold, mortgaged, or encumbered in any way without the authorization of the Board of Directors and then under the signature of the President of the Corporation or as otherwise provided below. The Corporation shall have no power or authority to borrow monies or enter into contracts or obligations for the borrowing of money without prior approval of Board of Directors. All contracts executed by the Corporation shall be consistent with the Diocesan and Canonical guidelines of the Roman Catholic Church.

**6.2 Loans.** No loans shall be contracted on behalf of the Corporation and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

**6.3 Signing of Checks and Notes.** All checks, drafts, notes, and demands for money shall be signed by the officer or officers or such other persons as from time to time designated by the Board of Directors.

**6.4 Deposits.** All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

**6.5 Execution of Instruments Affecting Real Property.** All instruments executed by the Corporation which are acknowledged and which affect an interest in real estate shall be deemed sufficient if executed by the President of the Corporation and by the Secretary of the Corporation or otherwise executed as provided by specific resolution of the Board of Directors. All other instruments executed by the Corporation, including any releases of mortgage or liens of any kind, may be executed by the President and Secretary or by any other person authorized by specific

resolution of the Board of Directors or as otherwise may be provided in these Bylaws.

**6.6 Gifts.** The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

## ARTICLE SEVEN BOOKS AND RECORDS

**7.1 Books and Records.** The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors as well as other documents required to be maintained pursuant to the Revised Iowa Nonprofit Corporation Act.

**7.2 Director's Access to Records.** A Director is entitled to inspect and copy the books, records, and documents of the Corporation at any reasonable time to the extent reasonably related to the performance of the Director's duties as a Director, including any duties as a member of a committee, but not for any other purpose or in any manner that would violate any duty to the Corporation.

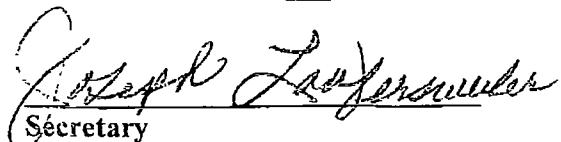
## ARTICLE EIGHT MISCELLANEOUS

**8.1 Fiscal Year.** The fiscal year of the Corporation shall begin on the first day of September and end on the last day of August in each year.

**8.2 Electronic Transmission.** "Electronic transmission" or "electronically transmitted" means any process of communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval, and reproduction of information by the recipient. Notice by electronic transmission is written notice. Notices and written consents may be given by electronic transmission. A written consent given by electronic transmission shall contain an electronic signature of the person giving such written consent.

**8.3 Amendments.** These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by a majority of the Directors present at any regular meeting or at any special meeting, if at least two days' written notice is given of intention to alter, amend or repeal or to adopt new Bylaws at the meeting. The Bishop of the Diocese of Sioux City must approve any amendments to the Bylaws of the Corporation.

These Bylaws are adopted as and for the Bylaws of The Marian Home, Fort Dodge, Iowa at the meeting of the Members and Board of Directors held on the 29<sup>th</sup> day of April, 2010.

  
Joseph L. Jerszak  
Secretary