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

2010

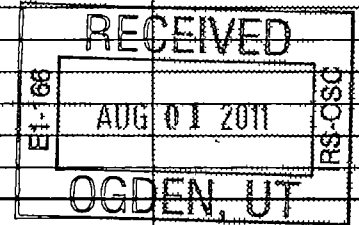
Note The foundation may be able to use a copy of this return to satisfy state reporting requirements

For calendar year 2010, or tax year beginning , and ending

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

| | | |
|--|---|--|
| Name of foundation DAVID AND CANDACE WEIR FOUNDATION | | A Employer identification number 13-3797919 |
| Number and street (or P.O. box number if mail is not delivered to street address) C/O C.L. KING & ASSOCIATES, INC., 9 ELK | Room/suite | B Telephone number 518 431-3500 |
| City or town, state, and ZIP code ALBANY, NY 12207 | | C If exemption application is pending, check here <input type="checkbox"/> |
| H Check type of organization <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation | | D 1. Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/> |
| I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 18,362,423. | J Accounting method <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____ | E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/> |
| (Part I, column (d) must be on cash basis) | | F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/> |

| Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a)) | | (a) Revenue and expenses per books | (b) Net investment income | (c) Adjusted net income | (d) Disbursements for charitable purposes (cash basis only) |
|--|--|------------------------------------|---------------------------|-------------------------|---|
| 1 Contributions, gifts, grants, etc., received | | | | N/A | |
| 2 Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch. B | | | | | |
| 3 Interest on savings and temporary cash investments | | 7,789. | 7,789. | | STATEMENT 1 |
| 4 Dividends and interest from securities | | 15,261. | 15,261. | | STATEMENT 2 |
| 5a Gross rents | | | | | |
| b Net rental income or (loss) | | | | | |
| 6a Net gain or (loss) from sale of assets not on line 10 | | 2,375,274. | | | |
| b Gross sales price for all assets on line 6a | | 4,087,108. | | | |
| 7 Capital gain net income (from Part IV, line 2) | | | 2,375,274. | | |
| 8 Net short-term capital gain | | | | | |
| 9 Income modifications | | | | | |
| 10a Gross sales less returns and allowances | | | | | |
| b Less Cost of goods sold | | | | | |
| c Gross profit or (loss) | | | | | |
| 11 Other income | | | | | |
| 12 Total. Add lines 1 through 11 | | 2,398,324. | 2,398,324. | | |
| 13 Compensation of officers, directors, trustees, etc | | 0. | 0. | | 0. |
| 14 Other employee salaries and wages | | | | | |
| 15 Pension plans, employee benefits | | | | | |
| 16a Legal fees | | | | | |
| b Accounting fees STMT 3 | | 3,400. | 0. | | 3,400. |
| c Other professional fees | | | | | |
| 17 Interest | | 312. | 312. | | 0. |
| 18 Taxes STMT 4 | | 36,968. | 0. | | 0. |
| 19 Depreciation and depletion | | | | | |
| 20 Occupancy | | | | | |
| 21 Travel, conferences, and meetings | | | | | |
| 22 Printing and publications | | | | | |
| 23 Other expenses STMT 5 | | 1,318. | 460. | | 858. |
| 24 Total operating and administrative expenses. Add lines 13 through 23 | | 41,998. | 772. | | 4,258. |
| 25 Contributions, gifts, grants paid | | 432,750. | | | 432,750. |
| 26 Total expenses and disbursements. Add lines 24 and 25 | | 474,748. | 772. | | 437,008. |
| 27 Subtract line 26 from line 12 | | 1,923,576. | | | |
| a Excess of revenue over expenses and disbursements | | | 2,397,552. | | |
| b Net investment income (if negative, enter -0-) | | | | | |
| c Adjusted net income (if negative, enter -0-) | | | | N/A | |



| Part II Balance Sheets | | Beginning of year | End of year | |
|-----------------------------|--|-------------------|----------------|----------------|
| | | | (a) Book Value | (b) Book Value |
| Assets | 1 Cash - non-interest-bearing | 942. | 9,349. | 9,349. |
| | 2 Savings and temporary cash investments | 96,546. | 33,409. | 33,409. |
| | 3 Accounts receivable ▶ Less allowance for doubtful accounts ▶ | | | |
| | 4 Pledges receivable ▶ Less allowance for doubtful accounts ▶ | | | |
| | 5 Grants receivable | | | |
| | 6 Receivables due from officers, directors, trustees, and other disqualified persons | | | |
| | 7 Other notes and loans receivable ▶ 36,500. Less allowance for doubtful accounts ▶ 0. | 15,700. | 36,500. | 36,500. |
| | 8 Inventories for sale or use | | | |
| | 9 Prepaid expenses and deferred charges | | | |
| | 10a Investments - U.S. and state government obligations | | | |
| | b Investments - corporate stock STMT 6 | 8,812,361. | 6,856,309. | 8,788,156. |
| | c Investments - corporate bonds | | | |
| | 11 Investments - land, buildings, and equipment basis ▶ Less accumulated depreciation ▶ | | | |
| | 12 Investments - mortgage loans | | | |
| | 13 Investments - other STMT 7 | 5,054,240. | 5,194,812. | 9,495,009. |
| | 14 Land, buildings, and equipment basis ▶ Less accumulated depreciation ▶ | | | |
| | 15 Other assets (describe ▶) | | | |
| | 16 Total assets (to be completed by all filers) | 13,979,789. | 12,130,379. | 18,362,423. |
| Liabilities | 17 Accounts payable and accrued expenses | | | |
| | 18 Grants payable | | | |
| | 19 Deferred revenue | | | |
| | 20 Loans from officers, directors, trustees, and other disqualified persons | | | |
| | 21 Mortgages and other notes payable | | | |
| | 22 Other liabilities (describe ▶) | | | |
| | 23 Total liabilities (add lines 17 through 22) | 0. | 0. | |
| Net Assets or Fund Balances | Foundations that follow SFAS 117, check here ▶ <input type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31. | | | |
| | 24 Unrestricted | | | |
| | 25 Temporarily restricted | | | |
| | 26 Permanently restricted | | | |
| | Foundations that do not follow SFAS 117, check here ▶ <input checked="" type="checkbox"/> and complete lines 27 through 31. | | | |
| | 27 Capital stock, trust principal, or current funds | 13,979,789. | 12,130,379. | |
| | 28 Paid-in or capital surplus, or land, bldg., and equipment fund | 0. | 0. | |
| | 29 Retained earnings, accumulated income, endowment, or other funds | 0. | 0. | |
| | 30 Total net assets or fund balances | 13,979,789. | 12,130,379. | |
| | 31 Total liabilities and net assets/fund balances | 13,979,789. | 12,130,379. | |

Part III Analysis of Changes in Net Assets or Fund Balances

| | | |
|---|---|-------------|
| 1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return) | 1 | 13,979,789. |
| 2 Enter amount from Part I, line 27a | 2 | 1,923,576. |
| 3 Other increases not included in line 2 (itemize) ▶ | 3 | 0. |
| 4 Add lines 1, 2, and 3 | 4 | 15,903,365. |
| 5 Decreases not included in line 2 (itemize) ▶ MARKET VALUE ADJUSTMENT | 5 | 3,772,986. |
| 6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30 | 6 | 12,130,379. |

Part IV Capital Gains and Losses for Tax on Investment Income

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

| (e) Gross sales price | (f) Depreciation allowed (or allowable) | (g) Cost or other basis plus expense of sale | (h) Gain or (loss) (e) plus (f) minus (g) |
|-----------------------|--|---|--|
| a | | | |
| b | | | |
| c | | | |
| d | | | |
| e 4,087,108. | | 1,711,834. | 2,375,274. |

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

| (i) FMV as of 12/31/69 | (j) Adjusted basis as of 12/31/69 | (k) Excess of col. (i) over col. (j), if any | (l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h)) |
|------------------------|--------------------------------------|---|---|
| a | | | |
| b | | | |
| c | | | |
| d | | | |
| e | | | 2,375,274. |

| | | | |
|--|--|----------|------------|
| 2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 } | | 2 | 2,375,274. |
| 3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter -0- in Part I, line 8 } | | 3 | N/A |

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

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

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

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

☐ Yes ☒ No

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

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

| (a) Base period years Calendar year (or tax year beginning in) | (b) Adjusted qualifying distributions | (c) Net value of noncharitable-use assets | (d) Distribution ratio (col. (b) divided by col. (c)) |
|---|---------------------------------------|---|--|
| 2009 | 443,430. | 12,800,356. | .034642 |
| 2008 | 320,662. | 10,975,662. | .029216 |
| 2007 | 440,906. | 10,295,217. | .042826 |
| 2006 | 409,546. | 9,897,869. | .041377 |
| 2005 | 1,208,285. | 11,430,211. | .105710 |

| | | |
|---|----------|-------------|
| 2 Total of line 1, column (d) | 2 | .253771 |
| 3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years | 3 | .050754 |
| 4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5 | 4 | 15,863,285. |
| 5 Multiply line 4 by line 3 | 5 | 805,125. |
| 6 Enter 1% of net investment income (1% of Part I, line 27b) | 6 | 23,976. |
| 7 Add lines 5 and 6 | 7 | 829,101. |
| 8 Enter qualifying distributions from Part XII, line 4 | 8 | 437,008. |

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

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

| | | | |
|--|------------|---------|---------|
| 1a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary-see instructions) | | 1 | 47,951. |
| b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b | | 2 | 0. |
| c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b) | | 3 | 47,951. |
| 2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-) | | 4 | 0. |
| 3 Add lines 1 and 2 | | 5 | 47,951. |
| 4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-) | | | |
| 5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0- | | | |
| 6 Credits/Payments | | | |
| a 2010 estimated tax payments and 2009 overpayment credited to 2010 | 6a 29,120. | | |
| b Exempt foreign organizations - tax withheld at source | 6b | | |
| c Tax paid with application for extension of time to file (Form 8868) | 6c 20,000. | | |
| d Backup withholding erroneously withheld | 6d | | |
| 7 Total credits and payments. Add lines 6a through 6d | 7 | 49,120. | |
| 8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached | 8 | | |
| 9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed | 9 | | |
| 10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid | 10 | 1,169. | |
| 11 Enter the amount of line 10 to be credited to 2011 estimated tax | 11 | 0. | |

Part VII-A Statements Regarding Activities

| | Yes | No |
|--|-----|----|
| 1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign? | | X |
| 1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities. | | X |
| 1c Did the foundation file Form 1120-POL for this year? | | X |
| d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation <input type="checkbox"/> \$ 0. (2) On foundation managers <input type="checkbox"/> \$ 0. | | |
| e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$ 0. | | |
| 2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities | | X |
| 3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes | | X |
| 4a Did the foundation have unrelated business gross income of \$1,000 or more during the year? | | X |
| b If "Yes," has it filed a tax return on Form 990-T for this year? | | |
| 5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T. | | X |
| 6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument? | X | |
| 7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV | X | |
| 8a Enter the states to which the foundation reports or with which it is registered (see instructions) <input type="checkbox"/> NY | | |
| b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation | X | |
| 9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV)? If "Yes," complete Part XIV | | X |
| 10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses | | X |

N/A

Part VII-A Statements Regarding Activities (continued)

| | | | | |
|----|--|--|-----|---------|
| 11 | At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions) | 11 | | X |
| 12 | Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008? | 12 | | X |
| 13 | Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► NONE | 13 | X | |
| 14 | The books are in care of ► FOUNDATION Located at ► 9 ELK STREET, ALBANY, NY | Telephone no ► 518 431-3500 ZIP+4 ► 12207 | | |
| 15 | Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year ► 15 | N/A | | |
| 16 | At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country? See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country ► | 16 | Yes | No X |

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

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

| | | Yes | No |
|-----|--|-----|----|
| 1a | During the year did the foundation (either directly or indirectly) | | |
| (1) | Engage in the sale or exchange, or leasing of property with a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| (2) | Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| (3) | Furnish goods, services, or facilities to (or accept them from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| (4) | Pay compensation to, or pay or reimburse the expenses of, a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| (5) | Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| (6) | Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| b | If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here N/A ► <input type="checkbox"/> | 1b | |
| c | Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2010? | 1c | X |
| 2 | Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)) | | |
| a | At the end of tax year 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," list the years ► | | |
| b | Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.) N/A | 2b | |
| c | If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here ► | | |
| 3a | Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| b | If "Yes," did it have excess business holdings in 2010 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2010.) N/A | 3b | |
| 4a | Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes? | 4a | X |
| b | Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010? | 4b | X |

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)**5a** During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No**b** If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

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

N/A

☐ Yes ☐ No

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

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?☐ Yes ☒ No**b** Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

6b

X

If "Yes" to 6b, file Form 8870.

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?☐ Yes ☒ No**b** If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

7b

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors**1** List all officers, directors, trustees, foundation managers and their compensation.

| (a) Name and address | (b) Title, and average hours per week devoted to position | (c) Compensation (If not paid, enter -0-) | (d) Contributions to employee benefit plans and deferred compensation | (e) Expense account, other allowances |
|-----------------------|---|---|---|---------------------------------------|
| CANDACE K. WEIR | TRUSTEE | | | |
| 414 LOUDONVILLE ROAD | | | | |
| LOUDONVILLE, NY 12211 | 5.00 | 0. | 0. | 0. |
| MEREDITH PRIME | TRUSTEE | | | |
| 280 WILMINGTON ROAD | | | | |
| LAKE PLACID, NY 12946 | 5.00 | 0. | 0. | 0. |
| AMEILA F. WEIR | TRUSTEE | | | |
| 752 GREENWICH STREET | | | | |
| NEW YORK, NY 10014 | 5.00 | 0. | 0. | 0. |
| | | | | |
| | | | | |
| | | | | |

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

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

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

0

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

| | | | |
|----------|--|-----------|-------------|
| 1 | Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes | | |
| a | Average monthly fair market value of securities | 1a | 7,092,006. |
| b | Average of monthly cash balances | 1b | 731,333. |
| c | Fair market value of all other assets | 1c | 8,281,519. |
| d | Total (add lines 1a, b, and c) | 1d | 16,104,858. |
| e | Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation) | 1e | 0. |
| 2 | Acquisition indebtedness applicable to line 1 assets | 2 | 0. |
| 3 | Subtract line 2 from line 1d | 3 | 16,104,858. |
| 4 | Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions) | 4 | 241,573. |
| 5 | Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4 | 5 | 15,863,285. |
| 6 | Minimum investment return. Enter 5% of line 5 | 6 | 793,164. |

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part)

| | | | |
|-----------|--|-----------|----------|
| 1 | Minimum investment return from Part X, line 6 | 1 | 793,164. |
| 2a | Tax on investment income for 2010 from Part VI, line 5 | 2a | 47,951. |
| b | Income tax for 2010 (This does not include the tax from Part VI) | 2b | |
| c | Add lines 2a and 2b | 2c | 47,951. |
| 3 | Distributable amount before adjustments. Subtract line 2c from line 1 | 3 | 745,213. |
| 4 | Recoveries of amounts treated as qualifying distributions | 4 | 0. |
| 5 | Add lines 3 and 4 | 5 | 745,213. |
| 6 | Deduction from distributable amount (see instructions) | 6 | 0. |
| 7 | Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1 | 7 | 745,213. |

Part XII Qualifying Distributions (see instructions)

| | | | |
|----------|---|-----------|----------|
| 1 | Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes | | |
| a | Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26 | 1a | 437,008. |
| b | Program-related investments - total from Part IX-B | 1b | 0. |
| 2 | Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes | 2 | |
| 3 | Amounts set aside for specific charitable projects that satisfy the | | |
| a | Suitability test (prior IRS approval required) | 3a | |
| b | Cash distribution test (attach the required schedule) | 3b | |
| 4 | Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4 | 4 | 437,008. |
| 5 | Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b | 5 | 0. |
| 6 | Adjusted qualifying distributions. Subtract line 5 from line 4 | 6 | 437,008. |

Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

Part XIII Undistributed Income (see instructions)

| | (a) Corpus | (b) Years prior to 2009 | (c) 2009 | (d) 2010 |
|---|---------------|----------------------------|-------------|-------------|
| 1 Distributable amount for 2010 from Part XI, line 7 | | | | 745,213. |
| 2 Undistributed income, if any, as of the end of 2010 | | | | |
| a Enter amount for 2009 only | | | 18,762. | |
| b Total for prior years | | 0. | | |
| 3 Excess distributions carryover, if any, to 2010 | | | | |
| a From 2005 | | | | |
| b From 2006 | | | | |
| c From 2007 | | | | |
| d From 2008 | | | | |
| e From 2009 | | | | |
| f Total of lines 3a through e | 0. | | | |
| 4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ 437,008. | | | | |
| a Applied to 2009, but not more than line 2a | | | 18,762. | |
| b Applied to undistributed income of prior years (Election required - see instructions) | | 0. | | |
| c Treated as distributions out of corpus (Election required - see instructions) | 0. | | | |
| d Applied to 2010 distributable amount | | | | 418,246. |
| e Remaining amount distributed out of corpus | 0. | | | |
| 5 Excess distributions carryover applied to 2010 (If an amount appears in column (d), the same amount must be shown in column (a).) | 0. | | | 0. |
| 6 Enter the net total of each column as indicated below: | | | | |
| a Corpus Add lines 3f, 4c, and 4e Subtract line 5 | 0. | | | |
| b Prior years' undistributed income Subtract line 4b from line 2b | | 0. | | |
| c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed | | 0. | | |
| d Subtract line 6c from line 6b Taxable amount - see instructions | | 0. | | |
| e Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount - see instr | | | 0. | |
| f Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011 | | | | 326,967. |
| 7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) | 0. | | | |
| 8 Excess distributions carryover from 2005 not applied on line 5 or line 7 | 0. | | | |
| 9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a | 0. | | | |
| 10 Analysis of line 9 | | | | |
| a Excess from 2006 | | | | |
| b Excess from 2007 | | | | |
| c Excess from 2008 | | | | |
| d Excess from 2009 | | | | |
| e Excess from 2010 | | | | |

Part XV Supplementary Information (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

| Recipient Name and address (home or business) | If recipient is an individual, show any relationship to any foundation manager or substantial contributor | Foundation status of recipient | Purpose of grant or contribution | Amount |
|--|--|--------------------------------------|-------------------------------------|----------------------|
| a Paid during the year SEE SCHEDULE ATTACHED | NONE | PUBLIC | UNRESTRICTED | 432,750. |
| Total | | | | ▶ 3a 432,750. |
| b Approved for future payment NONE | | | | |
| Total | | | | ▶ 3b 0. |

Part XVII

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

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

[illegible]

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

- b If "Yes," complete the following schedule**

| (a) Name of organization | (b) Type of organization | (c) Description of relationship |
|--------------------------|--------------------------|---------------------------------|
| N/A | | |
| | | |
| | | |
| | | |
| | | |

**Sign
Here**

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

Signature of officer or trustee

Date _____

TRUSTEE

Title

Print/Type preparer's name

Preparer's signature

Date

Check ☐ if
self-employed

| |
|------|
| PTIN |
|------|

PATRICK J.
FITZGERALD, JR.

7/13/11

P00248176

**Paid
Preparer
Use Only**

Firm's name ► BROWN & FITZGERALD, P.C.

Firm's EIN ► 14-1630137

Firm's address ► 224 OLD LOUDON ROAD
LATHAM, NY 12110

Phone no 518 783-5509

DAVID AND CANDACE WEIR FOUNDATION

Part IV Capital Gains and Losses for Tax on Investment Income

| (a) List and describe the kind(s) of property sold, e.g., real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co | | (b) How acquired P - Purchase D - Donation | (c) Date acquired (mo., day, yr.) | (d) Date sold (mo., day, yr.) |
|--|--|--|--------------------------------------|----------------------------------|
| 1a | 6400SHS BOWNE & CO., INC. | P | 10/30/09 | 04/26/10 |
| b | 10500SHS BOWNE & CO., INC. | P | 11/02/09 | 04/27/10 |
| c | 3100SHS BOWNE & CO., INC. | P | 11/03/09 | 04/27/10 |
| d | 20000SHS BOWNE & CO., INC. | P | 11/19/09 | 04/27/10 |
| e | 49800SHS NEW YORK & CO., INC. | P | 07/08/09 | 04/05/10 |
| f | 37900SHS NEW YORK & CO., INC. | P | 07/09/09 | 04/06/10 |
| g | 46400SHS NEW YORK & CO., INC. | P | 07/13/09 | 04/07/10 |
| h | 65900SHS NEW YORK & CO., INC. | P | 07/13/09 | 04/08/10 |
| i | 5300SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | P | 10/28/09 | 09/30/10 |
| j | 13100SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | P | 10/28/09 | 10/01/10 |
| k | 100SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | P | 10/28/09 | 10/04/10 |
| l | 5866SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | P | 10/28/09 | 10/05/10 |
| m | 100SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | P | 02/25/10 | 10/06/10 |
| n | 100SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | P | 02/25/10 | 10/07/10 |
| o | 35434SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | P | 02/25/10 | 10/08/10 |

| (e) Gross sales price | (f) Depreciation allowed (or allowable) | (g) Cost or other basis plus expense of sale | (h) Gain or (loss) (e) plus (f) minus (g) |
|-----------------------|--|---|--|
| a | 71,887. | 41,272. | 30,615. |
| b | 117,939. | 67,017. | 50,922. |
| c | 34,820. | 20,288. | 14,532. |
| d | 224,646. | 120,924. | 103,722. |
| e | 235,401. | 146,467. | 88,934. |
| f | 176,175. | 110,458. | 65,717. |
| g | 221,904. | 129,971. | 91,933. |
| h | 315,682. | 182,134. | 133,548. |
| i | 33,721. | 32,813. | 908. |
| j | 83,347. | 81,103. | 2,244. |
| k | 637. | 619. | 18. |
| l | 37,322. | 22,795. | 14,527. |
| m | 636. | 309. | 327. |
| n | 636. | 309. | 327. |
| o | 225,356. | 109,629. | 115,727. |

| Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69 | | | (l) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-") |
|---|--------------------------------------|---|--|
| (i) FMV as of 12/31/69 | (j) Adjusted basis as of 12/31/69 | (k) Excess of col (i) over col (j), if any | |
| a | | | 30,615. |
| b | | | 50,922. |
| c | | | 14,532. |
| d | | | 103,722. |
| e | | | 88,934. |
| f | | | 65,717. |
| g | | | 91,933. |
| h | | | 133,548. |
| i | | | 908. |
| j | | | 2,244. |
| k | | | 18. |
| l | | | 14,527. |
| m | | | 327. |
| n | | | 327. |
| o | | | 115,727. |

| | | |
|---|---|--|
| 2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter "-0-" in Part I, line 7 } | 2 | |
| 3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter "-0-" in Part I, line 8 } | 3 | |

DAVID AND CANDACE WEIR FOUNDATION

Part IV Capital Gains and Losses for Tax on Investment Income

| (a) List and describe the kind(s) of property sold, e.g., real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co | | (b) How acquired P - Purchase D - Donation | (c) Date acquired (mo., day, yr.) | (d) Date sold (mo., day, yr.) |
|--|---------------------------------|--|--------------------------------------|----------------------------------|
| 1a | 2000SHS SYMANTEC CORP. | P | 01/19/99 | 02/18/10 |
| b | 8000SHS SYMANTEC CORP. | D | 01/21/99 | 02/18/10 |
| c | 10000SHS SYMANTEC CORP. | P | 03/29/01 | 02/18/10 |
| d | 10000SHS SYMANTEC CORP. | P | 10/14/98 | 02/18/10 |
| e | PCM PARTNERS, LP II | P | VARIOUS | 12/31/10 |
| f | PCM PARTNERS, LP II | P | VARIOUS | 12/31/10 |
| g | VIASYSTEMS GROUP, INC. - CIL | P | 04/22/09 | 02/26/10 |
| h | 50000SHS SYMANTEC CORP. | P | 03/29/01 | 08/26/10 |
| i | 24175SHS COMTECH COMMUNICATIONS | P | VARIOUS | 09/29/10 |
| j | 10000SHS COMTECH COMMUNICATIONS | P | VARIOUS | 12/28/10 |
| k | 5825SHS COMTECH COMMUNICATIONS | P | 04/28/04 | 09/29/10 |
| l | | | | |
| m | | | | |
| n | | | | |
| o | | | | |

| (e) Gross sales price | (f) Depreciation allowed (or allowable) | (g) Cost or other basis plus expense of sale | (h) Gain or (loss) (e) plus (f) minus (g) |
|-----------------------|--|---|--|
| a 34,024. | | 5,760. | 28,264. |
| b 136,097. | | 22,675. | 113,422. |
| c 170,122. | | 49,834. | 120,288. |
| d 170,122. | | 11,180. | 158,942. |
| e | | 3,665. | -3,665. |
| f 26,413. | | | 26,413. |
| g 5. | | | 5. |
| h 682,423. | | 249,168. | 433,255. |
| i 655,197. | | 115,546. | 539,651. |
| j 274,725. | | 118,735. | 155,990. |
| k 157,871. | | 69,163. | 88,708. |
| l | | | |
| m | | | |
| n | | | |
| o | | | |

| Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69 | | | (l) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-") |
|---|--------------------------------------|---|--|
| (i) FMV as of 12/31/69 | (j) Adjusted basis as of 12/31/69 | (k) Excess of col (i) over col (j), if any | |
| a | | | 28,264. |
| b | | | 113,422. |
| c | | | 120,288. |
| d | | | 158,942. |
| e | | | -3,665. |
| f | | | 26,413. |
| g | | | 5. |
| h | | | 433,255. |
| i | | | 539,651. |
| j | | | 155,990. |
| k | | | 88,708. |
| l | | | |
| m | | | |
| n | | | |
| o | | | |

| | | |
|---|---|------------|
| 2 Capital gain net income or (net capital loss) (If gain, also enter in Part I, line 7 If (loss), enter "-0-" in Part I, line 7) | 2 | 2,375,274. |
| 3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter "-0-" in Part I, line 8 | 3 | N/A |

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

| SOURCE | AMOUNT |
|--|--------|
| C.L. KING & ASSOCIATES, INC. | 7,778. |
| PCM PARTNERS LP, II | 11. |
| TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A | 7,789. |

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

| SOURCE | GROSS AMOUNT | CAPITAL GAINS DIVIDENDS | COLUMN (A) AMOUNT |
|----------------------------------|--------------|----------------------------|----------------------|
| C.L. KING & ASSOCIATES, INC. | 14,100. | 0. | 14,100. |
| PCM PARTNERS LP, II | 1,161. | 0. | 1,161. |
| TOTAL TO FM 990-PF, PART I, LN 4 | 15,261. | 0. | 15,261. |

FORM 990-PF ACCOUNTING FEES STATEMENT 3

| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST- MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES |
|------------------------------|------------------------------|-----------------------------------|-------------------------------|-------------------------------|
| BROWN & FITZGERALD, PC | 3,400. | 0. | | 3,400. |
| TO FORM 990-PF, PG 1, LN 16B | 3,400. | 0. | | 3,400. |

FORM 990-PF TAXES STATEMENT 4

| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST- MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES |
|------------------------------------|------------------------------|-----------------------------------|-------------------------------|-------------------------------|
| EXCISE TAX ON INVESTMENT INCOME | 36,968. | 0. | | 0. |
| TO FORM 990-PF, PG 1, LN 18 | 36,968. | 0. | | 0. |

| FORM 990-PF | OTHER EXPENSES | | | STATEMENT | 5 |
|-----------------------------|------------------------------|-----------------------------------|-------------------------------|-------------------------------|---|
| DESCRIPTION | (A) EXPENSES PER BOOKS | (B) NET INVEST- MENT INCOME | (C) ADJUSTED NET INCOME | (D) CHARITABLE PURPOSES | |
| ADMINISTRATIVE FEES | 1,318. | 460. | | 858. | |
| TO FORM 990-PF, PG 1, LN 23 | 1,318. | 460. | | 858. | |

| FORM 990-PF | CORPORATE STOCK | | STATEMENT | 6 |
|---|-----------------|----------------------|-----------|---|
| DESCRIPTION | BOOK VALUE | FAIR MARKET VALUE | | |
| 50,000 SHS JABIL CIRCUIT, INC. | 1,008,689. | 1,004,500. | | |
| 25,000 SHS KIRKLANDS, INC. | 40,750. | 350,750. | | |
| 160,000 SHS POWERWAVE TECH, INC. | 535,330. | 406,400. | | |
| 3825 SHS COMTECH TELECOMMUNICATIONS CORP. | 106,171. | 106,171. | | |
| 2,000 SHS COMTECH TELECOMMUNICATIONS CORP. | 77,919. | 55,514. | | |
| 24,975 SHS COMTECH TELECOMMUNICATIONS CORP. | 693,231. | 693,231. | | |
| 80,000 SHS SYMANTEC CORP. | 0. | 0. | | |
| 40,000 SHS SYMMETRICOM, INC. | 272,358. | 283,600. | | |
| 10,000 SHS SYMMETRICOM, INC. | 41,445. | 70,900. | | |
| 40,000 SHS BOWNE & CO., INC. | 0. | 0. | | |
| 46,100 SHS CENVEO, INC. | 168,844. | 246,174. | | |
| 40,000 SHS CRAY, INC. | 293,564. | 286,000. | | |
| 44,754 SHS VIASYSTEMS GROUP, INC. | 202,658. | 901,346. | | |
| 200,000 SHS NEW YORK & CO., INC. | 0. | 0. | | |
| 20,000 SHS NIGHTHAWK RADIOLOGY HLDGS, INC. | 0. | 0. | | |
| 60000 SHS BEBE STORES, INC. | 386,099. | 357,600. | | |
| 3100 SHS CENVEO, INC. | 29,340. | 20,826. | | |
| 40,000 SHS CRAY, INC. | 209,252. | 286,000. | | |
| 30,000 SHS FINISH LINE, INC. | 426,898. | 515,700. | | |
| 40,000 SHS HARMONIC, INC. | 286,933. | 342,800. | | |
| 5,246 SHS VIASYSTEMS GROUP, INC. | 113,401. | 105,654. | | |
| 3,800 SHS OBAGI MEDICAL PRODUCTS, INC. | 41,153. | 43,890. | | |
| 200,000 SHS ORTHOVITA, INC. | 397,662. | 402,000. | | |
| 340,000 SHS POWERWAVE TECH, INC. | 526,532. | 863,600. | | |
| 70,000 SHS TTM TECHNOLOGIES, INC. | 700,101. | 1,043,700. | | |
| 20,000 SHS JABIL CIRCUIT, INC. | 297,979. | 401,800. | | |
| TOTAL TO FORM 990-PF, PART II, LINE 10B | 6,856,309. | 8,788,156. | | |

| | | | |
|-------------|-------------------|-----------|---|
| FORM 990-PF | OTHER INVESTMENTS | STATEMENT | 7 |
|-------------|-------------------|-----------|---|

| DESCRIPTION | VALUATION METHOD | BOOK VALUE | FAIR MARKET VALUE |
|--|---------------------|------------|----------------------|
| PCM PARTNERS LP, II | COST | 235,270. | 363,497. |
| PCM PARTNERS INTERNATIONAL, LTD. - PARTNERSHIP INTEREST | COST | 4,000,000. | 8,171,970. |
| ARTWORK | COST | 959,542. | 959,542. |
| TOTAL TO FORM 990-PF, PART II, LINE 13 | | 5,194,812. | 9,495,009. |

FORM 990-PF

GRANT APPLICATION SUBMISSION INFORMATION
PART XV, LINES 2A THROUGH 2D

STATEMENT 8

NAME AND ADDRESS OF PERSON TO WHOM APPLICATIONS SHOULD BE SUBMITTED

CANDACE K. WEIR
9 ELK STREET
ALBANY, NY 12207

TELEPHONE NUMBER

FORM AND CONTENT OF APPLICATIONS

LETTER WITH SUPPORTING ATTACHMENTS TO FULLY DISCLOSE CHARITABLE PURPOSE OF APPLICANT.

ANY SUBMISSION DEADLINES

NO

RESTRICTIONS AND LIMITATIONS ON AWARDS

NO

DAVID AND CANDACE WEIR FOUNDATION
FORM 990-PF
CALENDAR YEAR - 2010
ID# 13-3797919

CONTRIBUTIONS PAID, PART XV, PAGE 10, LINE 3a:

| | |
|--|---------|
| ADIRONDACK COUNCIL, ALBANY, NEW YORK | \$ 500 |
| ADIRONDACK CHAPTER OF THE NATURE CONSERVANCY, KEENE VALLEY, NEW YORK | 50,000 |
| ADIRONDACK MUSEUM, ALBANY, NEW YORK | 300 |
| ALBANY ACADEMY FOR GIRLS, ALBANY, NEW YORK | 2,000 |
| ALBANY COUNTY HISTORICAL SOCIETY, ALBANY, NEW YORK | 1,000 |
| ALBANY INSTITUTE OF HISTORY & ART, ALBANY, NEW YORK | 1,000 |
| ALBANY MEDICAL CENTER, ALBANY, NEW YORK | 100,000 |
| ALBANY PUBLIC LIBRARY, ALBANY, NEW YORK | 500 |
| ALBANY SYMPHONY, ALBANY, NEW YORK | 1,000 |
| ALBANY TULA ALLIANCE, ALBANY, NEW YORK | 1,000 |
| AMERICAN CANCER SOCIETY, ALBANY, NEW YORK | 1,000 |
| AMERICAN PHILOLOGICAL ASSOCIATION, PHILADELPHIA, PENNSYLVANIA | 1,500 |
| AMERICAN RED CROSS, ALBANY, NEW YORK | 1,000 |
| ARCHIVES OF AMERICAN ART SMITHSONIAN INSTITUTE, WASHINGTON DC | 1,000 |
| BALLARD PARK FOUNDATION, LTD, WESTPORT, NEW YORK | 1,500 |
| BLOCK ISLAND HISTORICAL SOCIETY, BLOCK ISLAND, RHODE ISLAND | 500 |
| BLOCK ISLAND MEDICAL CENTER, BLOCK ISLAND, RHODE ISLAND | 1,000 |
| BOQUET RIVER ASSOCIATION, INC , ELIZABETHTOWN, NEW YORK | 100 |
| BREAST CANCER RESEARCH FOUNDATION, INC , NEW YORK, NEW YORK | 7,500 |
| BROWN LEDGE FOUNDATION, NEW YORK, NEW YORK | 1,000 |
| BROWN UNIVERSITY, NEW YORK, NEW YORK | 1,000 |
| CAPITAL CITY RESCUE MISSION, ALBANY, NEW YORK | 2,000 |
| CAPITAL DISTRICT COMMUNITY GARDENS, INC., TROY, NEW YORK | 1,000 |
| CAPITAL REGION SPONSOR-A-SCHOLAR, INC , ALBANY, NEW YORK | 4,000 |
| CAPITAL REPERTORY THEATRE, ALBANY, NEW YORK | 2,000 |
| CENTER FOR MEDIA CHANGE, INC , SAN FRANCISCO, CALIFORNIA | 1,000 |
| CHURCH OF GOD OF PROPHECY, BOSTON, MASS | 2,000 |
| COLONIE POLICE BENEVOLENT ASSN, LOUDONVILLE, NEW YORK | 500 |
| COMMUNITY HOSPICE OF SARATOGA SPRINGS, SARATOGA SPRINGS, NEW YORK | 5,000 |
| DOCTORS WITHOUT BORDERS, NEW YORK, NEW YORK | 1,000 |
| DOUBLE "H" HOLE IN THE WOODS, GLENS FALLS, NEW YORK | 3,000 |
| ECHO, ESSEX, NEW YORK | 1,000 |
| ELIZABETHTOWN COMMUNITY HOSPITAL, ELIZABETHTOWN, NEW YORK | 2,000 |
| FAMILIES IN NEED OF ASSISTANCE INC , ALBANY, NEW YORK | 2,000 |
| FRESH AIR FUND, NEW YORK, NEW YORK | 1,000 |
| FRIENDS OF ALBANY RURAL CEMETARY, ALBANY, NEW YORK | 1,000 |
| FRIENDS OF OLANA, INC , HUDSON, NEW YORK | 500 |
| FRIENDS OF PRUYN HOUSE, ALBANY, NEW YORK | 300 |
| FORT TICONDEROGA, FT TICONDEROGA, NEW YORK | 400 |
| GILDA'S CLUB WORLDWIDE, NEW YORK, NEW YORK | 1,000 |
| GIRL'S, INC OF THE GREATER CAPITAL REGION, SCHENECTADY, NEW YORK | 3,000 |
| GREATER LOUDONVILLE ASSOC , LOUDONVILLE, NEW YORK | 1,500 |
| HIGH PEAKS HOSPICE & PALLIATIVE CARE, INC | 1,000 |
| HISTORIC ALBANY FOUNDATION, ALBANY, NEW YORK | 1,000 |
| HISTORIC CHERRY HILL, ALBANY, NEW YORK | 1,000 |
| INTERFAITH PARTNERSHIP FOR THE HOMELESS, ALBANY, NEW YORK | 3,000 |
| LAKE CHAMPLAIN COMMITTEE, LAKE CHAMPLAIN, NEW YORK | 1,000 |
| LAKE CHAMPLAIN MARITIME MUSEUM, LAKE CHAMPLAIN, NEW YORK | 300 |

DAVID AND CANDACE WEIR FOUNDATION
FORM 990-PF
CALENDAR YEAR - 2010
ID# 13-3797919

CONTRIBUTIONS PAID, PART XV, PAGE 10, LINE 3a:

| | |
|---|----------------|
| LITERACY VOLUNTEERS OF AMERICA, ALBANY, NEW YORK | \$ 500 |
| LITTLE SISTERS OF THE POOR, PAWTUCKET, RHODE ISLAND | 1,000 |
| LITTLE SISTERS OF THE POOR, LATHAM, NEW YORK | 1,000 |
| MAKE-A-WISH FOUNDATION OF AMERICA, PHOENIX, ARIZONA | 1,000 |
| MEALS ON WHEELS OF SYRACUSE NEW YORK, INC , SYRACUSE, NEW YORK | 1,000 |
| MOVE ALONG, LIVERPOOL, NEW YORK | 500 |
| MUSEUM OF MODERN ART, NEW YORK, NEW YORK | 50,000 |
| NATIONAL MUSEUM OF RACING, SARATOGA SPRINGS, NEW YORK | 1,000 |
| NATIONAL MUSEUM OF WOMEN IN THE ARTS, WASHINGTON, D C | 1,000 |
| NATIONAL PUBLIC RADIO, WASHINGTON, DC | 10,000 |
| NATIONAL TRUST FOR HISTORIC PRESERVATION IN THE U S , WASHINGTON, D.C | 10,000 |
| NORTH COUNTRY SPCA, KEENE VALLEY, NEW YORK | 200 |
| NYS TROOPER FOUNDATION, LATHAM, NEW YORK | 2,000 |
| OUR LADY OF HOPE RESIDENCE, LATHAM, NEW YORK | 125 |
| PRESERVATION LEAGUE OF NEW YORK STATE, ALBANY, NEW YORK | 4,500 |
| REGINA SHOOLMAN SCHOLARSHIP FUND, THE FRIENDS OF MCGILL UNIV , NEW YORK, NEW YORK | 1,000 |
| RENSSELAER COUNTY HISTORICAL SOCIETY, RENSSELAER, NEW YORK | 200 |
| RUNYAN - WINCHELL CANCER FUND, ALBANY, NEW YORK | 500 |
| SARATOGA AUTOMOBILE MUSEUM, SARATOGA SPRINGS, NEW YORK | 500 |
| SCULPTORS GUILD, NEW YORK, NEW YORK | 750 |
| SECOND STAGE THEATRE, NEW YORK, NEW YORK | 35,000 |
| SHAKER FIRE DEPARTMENT, LOUDONVILLE, NEW YORK | 1,000 |
| SHAKER HERITAGE SOCIETY, LOUDONVILLE, NEW YORK | 1,500 |
| SMITHSONIAN INSTITUTE, WASHINGTON, D C | 3,500 |
| ST. ANDREWS ROMAN CATHOLIC CHURCH, NEW YORK, NEW YORK | 1,000 |
| ST ANNE'S FOUNDATION, ALBANY, NEW YORK | 500 |
| ST ELIZABETH'S CHURCH, ELIZABETHTOWN, NEW YORK | 1,000 |
| ST LUCY'S CHURCH, ALTAMONT, NEW YORK | 1,000 |
| ST MARGARET'S CENTER, ALBANY, NEW YORK | 200 |
| ST MARY'S CHURCH, ALBANY, NEW YORK | 5,000 |
| ST PATRICK'S PARISH, ALBANY, NEW YORK | 1,000 |
| ST PETER'S HOSPITAL FOUNDATION, ALBANY, NEW YORK | 1,000 |
| ST PHILIP NERI, WESTPORT, NEW YORK | 11,000 |
| ST PIUS CHURCH, LOUDONVILLE, NEW YORK | 3,000 |
| TERESIAN HOUSE FOUNDATION, ALBANY, NEW YORK | 150 |
| THE ARTS CENTER OF THE CAPITAL REGION, TROY, NEW YORK | 225 |
| THE FRIENDS OF THE CHOIR, INC., ALBANY, NEW YORK | 500 |
| THE GARDEN CONSERVANCY, COLD SPRING, NEW YORK | 2,500 |
| THE NATURE CONSERVANCY, BLOCK ISLAND, RHODE ISLAND | 10,000 |
| THE NEXT STEP, INC , ALBANY, NEW YORK | 3,000 |
| THE WOMEN'S FUND OF THE CAPITAL REGION, ALBANY, NEW YORK | 1,000 |
| TIMES UNION HOPE FUND, ALBANY, NEW YORK | 1,000 |
| VASSAR COLLEGE, POUGHKEEPSIE, NEW YORK | 2,000 |
| VERMONT ETV, BURLINGTON, VERMONT | 500 |
| WADHAMS FREE LIBRARY, WADHAMS, NEW YORK | 500 |
| WAMC NORTHEAST PUBLIC RADIO, ALBANY, NEW YORK | 1,000 |
| WESTPORT DEPOT THEATRE, WESTPORT, NEW YORK | 1,000 |
| WESTPORT LIBRARY, WESTPORT, NEW YORK | 3,000 |
| WESTPORT RESCUE SQUAD, WESTPORT, NEW YORK | 500 |
| WHALLONSBURG CIVIC ASSOCIATION, INC , ESSEX, NEW YORK | 500 |
| WILDWOOD FOUNDATION, INC , SCHENECTADY, NEW YORK | 10,000 |
| WILDWOOD PROGRAMS, INC , SCHENECTADY, NEW YORK | 1,000 |
| WMHT, TROY, NEW YORK | 5,000 |
| YADDO, SARATOGA SPRINGS, NEW YORK | 20,000 |
| TOTAL | 432,750 |

Form **8868**

(Rev. January 2011)

Department of the Treasury
Internal Revenue Service**Application for Extension of Time To File an
Exempt Organization Return**► **File a separate application for each return.**

OMB No 1545-1709

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box ☒ **X**
- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form).

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868

Electronic filing (e-file). You can electronically file Form 8868 if you need a 3-month automatic extension of time to file (6 months for a corporation required to file Form 990-T), or an additional (not automatic) 3-month extension of time. You can electronically file Form 8868 to request an extension of time to file any of the forms listed in Part I or Part II with the exception of Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts, which must be sent to the IRS in paper format (see instructions). For more details on the electronic filing of this form, visit www.irs.gov/efile and click on **e-file for Charities & Nonprofits**

Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed)

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only ☐

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

| | | |
|---|--|--|
| Type or print | Name of exempt organization DAVID AND CANDACE WEIR FOUNDATION | Employer identification number 13-3797919 |
| File by the due date for filing your return. See instructions | Number, street, and room or suite no. If a P.O. box, see instructions. c/o C.L. KING & ASSOCIATES, INC., 9 ELK ST. | |
| | City, town or post office, state, and ZIP code. For a foreign address, see instructions. ALBANY, NY 12207 | |

Enter the Return code for the return that this application is for (file a separate application for each return)

04

| Application Is For | Return Code | Application Is For | Return Code |
|--|-------------|--------------------------|-------------|
| Form 990 | 01 | Form 990-T (corporation) | 07 |
| Form 990-BL | 02 | Form 1041-A | 08 |
| Form 990-EZ | 03 | Form 4720 | 09 |
| Form 990-PF | 04 | Form 5227 | 10 |
| Form 990-T (sec. 401(a) or 408(a) trust) | 05 | Form 6069 | 11 |
| Form 990-T (trust other than above) | 06 | Form 8870 | 12 |

FOUNDATION

- The books are in the care of ► **9 ELK STREET - ALBANY, NY 12207**

Telephone No ► **518 431-3500**

FAX No. ►

- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) _____. If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension is for

- 1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until **August 15, 2011**, to file the exempt organization return for the organization named above. The extension is for the organization's return for:
- ☒ calendar year **2010** or
- ☐ tax year beginning _____, and ending _____.

- 2 If the tax year entered in line 1 is for less than 12 months, check reason ☐ Initial return ☐ Final return
- ☐ Change in accounting period

| | | | |
|---|-----------|----|----------------|
| 3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions. | 3a | \$ | 49,120. |
| b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit | 3b | \$ | 29,120. |
| c Balance due. Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions | 3c | \$ | 20,000. |

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions**LHA For Paperwork Reduction Act Notice, see Instructions.****Form 8868 (Rev. 1-2011)**