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Form **990-PF**

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

OMB No 1545-0052

Department of the Treasury Internal Revenue Service

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

2010

For	calend	lar year 2010, or tax year beginning , a	and ending				
G	Check a		turn of a former public	charity		Final return	
		Amended return Add	ress change	Name	change		
	OHN	oundation P AND FRANCES A KIRBY			20	loyer identification num - 6201577	
		ARITABLE TRUST nd street (or P O box number if mail is not delivered to street addre	ss) Re	oom/suite	-	hone number (see page 1 4 – 845 – 1266	10 of the instructions)
		BOX 310		,	C If exe	mption application is pend	ding, check here
	•	rn, state, and ZIP code HBURG VA 24505			i	reign organizations, chec	
		type of organization Section 501(c)(3) exempt private	e foundation		l .	reign organizations meeti % test, check here and at	· _
(===			le private foundation		i	ate foundation status was	`
		ket value of all assets at J Accounting method	X Cash Acc	nual	- ·	on 507(b)(1)(A), check her	
		ear (from Part II, col (c), Other (specify)			F If the	foundation is in a 60-mon	th termination
	ne 16)		be on cash basis)			section 507(b)(1)(B), che	
	art i	Analysis of Revenue and Expenses (The total of	(a) Revenue and				(d) Disbursements
		amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))	expenses per books	(b) Net in	vestment ome	(c) Adjusted net income	for chantable purposes (cash basis only)
	1	Contributions, gifts, grants, etc , received (attach schedule)					
	2	Check ► X if the foundation is not required to attach Sch B					
<u></u>	3	Interest on savings and temporary cash investments	102		102		
2011	4	Dividends and interest from securities	36,788		36,788		
	5a	Gross rents					
	b	Net rental income or (loss)					
MAV 2 (Revenue	6a	Net gain or (loss) from sale of assets not on line 10	-5,676				
MAY Reve	b	Gross sales price for all assets on line 6a 929,065		<u> </u>			
≥ <u>2</u> ~ ``	7	Capital gain net income (from Part IV, line 2)			0		
	8	Net short-term capital gain				0	
SCANNED	9	Income modifications					
遏	10a	Gross sales less returns & allowances	l				
S	þ	Less: Cost of goods sold					
ক্ত্ৰ	C	Gross profit or (loss) (attach schedule) Other income (attach schedule) Stmt 1	34	<u> </u>			
	11	Other income (attach schedule) Stmt 1 Total. Add lines 1 through 11	31,248		36,890	0	
	12	Compensation of officers, directors, trustees, etc	2,000	l	30,030		
xpenses	14	Other employee salaries and wages	2,000				
şu.	15	Pension plans, employee benefits		l	<u> </u>		
ğ	16a	Legal fees (attach schedule)				· · · · · · · · · · · · · · · · · · ·	
		Accounting fees (attach schedule) Stmt 2	2,050		2,050		
<u>×</u>	c	Other professional fees (attach schedule) Stmt 3	8,826	1	8,826		
rat	17	Interest					
ist	18	Taxes (attach schedule) (see page 14 of the instructions) Stmt 4	868				
듣	19	Depreciation (attach schedule) and depletion					
þ	20	Occupancy					
Þ	21	Travel, conferences, and meetings					
a	22	Printing and publications Characteristics (Characteristics)					
g	23	Other expenses (att_sch')					
Operating and Administrative E	24	Total operating and administrative expenses.				_	
ē	1	Add lines 13 through 23 P.	13,744		10,876	0	60.156
Ö	25	Contributions, gifts, grants paid	60,156		10 076		60,156
	26	Total expenses and disbursements. Add lines 24 and 25	73,900	ļ	10,876	0	60,156
	27	Subtract line 26 from line 12: Excess of revenue over expenses and disbursements	-42,652				
	a	Net investment income (if negative, enter -0-)	-42,052		26,014		
	b c	Adjusted net income (if negative, enter -0-)				0	
		rejected not modifie (ii nogativo, onto: o-/	1	1		<u> </u>	1

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

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7. Other store are luster executed (et a schedule)						
Less allowance for doubtful accounts		_	•			
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and complete lines 24 through 26 and lines 30 and 31. 24 Unrestricted 25 Temporanly restricted 26 Permanently restricted 27 Capital stock, trust principal, or current funds 28 Paid-in or capital surplus, or land, bldg., and equipment fund 29 Retained earnings, accumulated income, endowment, or other funds 30 Total net assets or fund balances (see page 17 of the instructions) 31 Total liabilities and net assets/fund balances (see page 17 of the instructions) 31 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) 26 Enter amount from Part I, line 27a 27 Add lines 1, 2, and 3 38 Decreases not included in line 2 (itemize) 39 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 40 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 50 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 50 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 51 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 51 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 52 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 53 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30 54 Total net assets or fund balances at end of year (line 4 minus line 5)—Part III, column (b), line 30	\dashv	23		0	0	
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2 Enter amount from Part I, line 27a 3 Other increases not included in line 2 (itemize) ▶ 4 Add lines 1, 2, and 3 5 Decreases not included in line 2 (itemize) ▶ 6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30 2 -42,652 3 4 1,145,410	1	Total	net assets or fund balances at beginning of year—Part II, column (a), line 30 (mu	st agree with		
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4 Add lines 1, 2, and 3 5 Decreases not included in line 2 (itemize) ► 6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30 4 1,145,410 5 6 1,145,410					2	-42,652
5 Decreases not included in line 2 (itemize) ► 6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30 6 1,145,410					3	
6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30 6 1,145,410					4	1,145,410
	_		· · ·			
	6	Total	net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	1,145,410

140PF 05/05/2011
Page 3
(d) Date sold (mo , day, yr)

(1000)
(loss) nus (g)

gain minus
s than -0-) or col (h))
-5,676
6,905
Yes X No
165 140
d)
tion ratio led by col. (c))
0.025965
0.079204
0.050759

Capital Gains and Losses for Tax on Investment Income (b) How acquired (a) List and describe the kind(s) of property sold (e.g., real estate, (c) Date acquired _Purchase 2-story brick warehouse, or common stock, 200 shs MLC Co) (mo, day, yr) D—Donation See Worksheet 1a b C ď е (h) Gain or (f) Depreciation allowed (q) Cost or other basis (e) Gross sales price (or allowable) plus expense of sale (e) plus (f) m а b d Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69 (I) Gains (Col (h) col (k), but not less (j) Adjusted basis (k) Excess of col (i) (i) F M V as of 12/31/69 Losses (from as of 12/31/69 over col (j), if any h C d е If gain, also enter in Part I, line 7 2 Capital gain net income or (net capital loss) 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) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8 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? If "Yes," the foundation does not qualify under section 4940(e) Do not complete this part 1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries (a)
Base penod years
Calendar year (or tax year beginning in) (c) (b) Distribu Net value of nonchantable-use assets Adjusted qualifying distributions (col (b) divid 28,882 1,112,336 2009 101,906 1,286,619 2008 69,968 1,378,447 2007 78,036 1,325,687 0.058865 2006 1,387,411 79,457 0.057270 2005 0.272063 2 Total of line 1, column (d) 2 3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the 0.054413 number of years the foundation has been in existence if less than 5 years 3 4 Enter the net value of nonchantable-use assets for 2010 from Part X, line 5 1,144,715 62,287 5 Multiply line 4 by line 3 5 260 6 Enter 1% of net investment income (1% of Part I, line 27b) 6 62,547 7 Add lines 5 and 6 7 60,156 8 Enter qualifying distributions from Part XII, line 4 If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions on page 18

Form	990-PF (2010) JOHN P AND FRANCES A KIRBY 20-6201577	:	Pa	ge 4
Pa	rt VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)		,	
1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1			
	Date of ruling or determination letter (attach copy of letter if necessary—see instructions)			
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check			520
	here ▶ and enter 1% of Part I, line 27b			
С	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of			
·	Part I, line 12, col (b)			
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)			0
3	Add lines 1 and 2			520
	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)			0
4	Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-	·		520
5	Tax based on investment meeting them are a first stress and a first stress are a first stress and a first st	······································	***********	
6	Credits/Payments: 2010 estimated tax payments and 2009 overpayment credited to 2010 6a 300			
a	2010 Columnicate Law Paymonto and 2000 or report and an arrangement and arrangement and arrangement and arrangement and arrangement and arrangement and arrangement arrangement arrangement and arrangement arrang			
b	Exempt foreign organizations tax manufactures and tax manufactures are a second tax manufactures and tax manufactures are a second tax manufactures are a se			
С	, and the same of			
d	Sucress warmened of the control of t			300
7	Total credits and payments. Add thesis of through of			3
8	Enter any penalty for underpayment or detailed tax of some and any			223
9	Tax due. If the total of miles of and o to more than time v, of the			445
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid			
11_	Enter the amount of line 10 to be Credited to 2011 estimated tax ▶ Refunded ▶ 11			
_Pa	art VII-A Statements Regarding Activities		V	N-
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it	4-	Yes	No X
	participate or intervene in any political campaign?	1a		
b	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19	ا ا		v
	of the instructions for definition)?	1b		<u> </u>
	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			v
С	Did the foundation file Form 1120-POL for this year?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year		`	
	(1) On the foundation. ▶ \$ (2) On foundation managers ▶ \$			
е	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed			
	on foundation managers \$			77
2	Has the foundation engaged in any activities that have not previously been reported to the IRS?	2		X
	If "Yes," attach a detailed description of the activities			
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of			v
	incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes	3		- A
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year?	4a		<u>X</u>
b	If "Yes," has it filed a tax return on Form 990-T for this year?	4b		
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year?	5		<u>X</u>
	If "Yes," attach the statement required by General Instruction T			
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either			
	By language in the governing instrument, or			
	 By state legislation that effectively amends the governing instrument so that no mandatory directions that 			
	conflict with the state law remain in the governing instrument?	6	<u> </u>	
7	Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col (c), and Part XV	7	X	<u> </u>
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the			
	instructions) ▶ VA			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General			
	(or designate) of each state as required by General Instruction G? If "No," attach explanation	8b	X	<u> </u>
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 on page	1		_
	27)? If "Yes," complete Part XIV	9		X
10	Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their			
	names and addresses	10		X
	F	orm 99	0-PF	(2010)

<u>Form</u>	990-PF (2010) JOHN P AND FRANCES A KIRBY 20-620157	77			Р	age 5
Pa	rt VII-A Statements Regarding Activities (continued)					
11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the					
	meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions)			11		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 applic	cation?		13	X	
	Website address ► N/A					
14		phone no	▶ 434-8	45-	126	6
	P O BOX 310					
	Located at ► LYNCHBURG AM	ZIP+4 J	≥ 24505	-03	10	
15	Section 4947(a)(1) nonexempt chantable trusts filing Form 990-PF in lieu of Form 1041—Check here	. 1	1			► X
	and enter the amount of tax-exempt interest received or accrued during the year	▶ [15			<u> </u>
16	At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority			1	Yes	No
	over a bank, secunties, or other financial account in a foreign country?			16	<u> </u>	X
	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	<u> </u>				<u> </u>
	trt VII-B Statements Regarding Activities for Which Form 4720 May Be Required	J				Г
4.	File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.				Yes	No
1a	During the year did the foundation (either directly or indirectly)		₹			
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	∐ Yes	X No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a	□ v ₂	X No			
	disqualified person? (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	Yes	==			
		Yes	H			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?(5) Transfer any income or assets to a disqualified person (or make any of either available for	X Yes	∐ No			
	the benefit or use of a disqualified person)?	Yes	X No			
	(6) Agree to pay money or property to a government official? (Exception. Check "No" if the	ies	21 140			
	foundation agreed to make a grant to or to employ the official for a period after					
	termination of government service, if terminating within 90 days)	Yes	X No			
· b	If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regula		140			
-	section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)?	itions		1b		x
	Organizations relying on a current notice regarding disaster assistance check here					
С	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that		- Ш			
	were not corrected before the first day of the tax year beginning in 2010?		N/A	1c		
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))					
а	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?	Yes	X No			
	If "Yes," list the years ▶ 20 , 20 , 20 , 20					
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2)					
	(relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to)				
	all years listed, answer "No" and attach statement—see page 22 of the instructions)		N/A	2b		<u> </u>
С	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here					
_	▶ 20 , 20 , 20 , 20					
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise		(TE)			
	at any time during the year?	Yes	X 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	ī				
	the 10-, 15-, or 20-year first phase holding penod? (Use Schedule C, Form 4720, to determine if the		N/A	21-		
12	foundation had excess business holdings in 2010.)	002	14 / W	3b		x
4a b	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposition by the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its			4a		1
	charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in			4b		x
	Estados diacinas nocesario nom jeopardy belore die mac day or die tax year beginning in	_0.0.			0-PF	(2010)

Form	990-PF (2010) JOHN P AN			201577			Page 6			
Pa	rt VII-B Statements Reg	arding Activities for Which Fo	rm 4720 May Be R	equired (conti	nued)		1			
5a	During the year did the foundation p	pay or incur any amount to		_						
	(1) Carry on propaganda, or otherw	vise attempt to influence legislation (sec	tion 4945(e))?	Y	es 🗓 No					
	(2) Influence the outcome of any sp	pecific public election (see section 4955), or to carry on,							
	directly or indirectly, any voter r	egistration drive?		Y	es X No					
	(3) Provide a grant to an individual	for travel, study, or other similar purpos	es?		es X No					
	(4) Provide a grant to an organizati	on other than a charitable, etc , organize	ation described in							
	• •	section 4940(d)(2)? (see page 22 of the			es X No					
	(5) Provide for any purpose other than religious, chantable, scientific, literary, or educational									
	• • • • • • • • • • • • • • • • • • • •	of cruelty to children or animals?	,,		es X No					
b	· ·	did any of the transactions fail to qualify	under the exceptions d							
_	• • • • • • • • • • • • • • • • • • • •	current notice regarding disaster assist	•		N/A	5b				
	•	notice regarding disaster assistance che	· · · ·	o mon donomo,	▶ □					
С	, ,	a(4), does the foundation claim exempti								
C			on nom the tax	N/A 🗀 Y	es 🗌 No					
	because it maintained expenditure	· · · · · · ·	•	21/221	es 🗀 NO					
C-	-	red by Regulations section 53 4945-5(d)								
6a		receive any funds, directly or indirectly,	to pay premiums		es X No					
_	on a personal benefit contract?				es X No					
b	- ·	pay premiums, directly or indirectly, on	a personal benefit contr	act /		6b	X			
	If "Yes" to 6b, file Form 8870			Π.,	5 2 7					
7a	•	s the foundation a party to a prohibited t			es X No					
_ <u>b</u> _		ny proceeds or have any net income att			N/A	7b				
P		t Officers, Directors, Trustees	, Foundation Man	agers, Highly	Paid Employe	es,				
	and Contractors				·					
1 1	ist all officers, directors, trustees,	foundation managers and their comp	ensation (see page 22	of the instruction	s).					
			(b) Title, and average	(c) Compensation	(d) Contributions to employee benefit	(a) Evn	ense account,			
	(a) Name	e and address	hours per week devoted to position	(If not paid, enter -0-)	plans and deferred		allowances			
			CCTOCC TO POSITION		compensation					
MA	SSIE G WARE, JR	LYNCHBURG	CO-TRUSTEE							
20	3-B ARCHWAY CT	VA 24502	1.00	1,000	0	<u> </u>	0			
WI	LLIAM N MAYS	LYNCHBURG	CO-TRUSTEE							
P	O BOX 310	VA 24505	1.00	1,000	0		0			
TH	E PETTYJOHN COMPANY OF WHIC	CH MR				1				
MA	YS IS A PRINCIPAL, RECEIVED	· <u></u>	0.00	o	0		0			
IN	VESTMENT SERVICE FEES OF	\$8,826								
			0.00	0	0	J	0			
2	Compensation of five highest-pai	d employees (other than those includ	ed on line 1 — see page	e 23 of the instruc	ctions).					
	If none, enter "NONE."	• • •			•					
			(h) Title, and guerone		(d) Contributions to	<u> </u>				
	(a) Name and address of each	employee paid more than \$50,000	(b) Title, and average hours per week	(c) Compensation	employee benefit		ense account,			
	•		devoted to position	. , ,	plans and deferred compensation	other	allowances			
N/C	NE				·	†				
140	113									
						 				
			 			\vdash				
					——··	+				
					-	₩				
				<u> </u>		<u> </u>	1 -			
Tota	I number of other employees paid ov	ver \$50,000			·		0			
					For	rm 990	-PF (2010)			

Form 990-PF (2010) JOHN P AND FRANCES A KIRBY	20-6201577	Page 7				
Part VIII Information About Officers, Directors, Trustees, Foun and Contractors (continued)	ndation Managers, Highly Paid Em					
3 Five highest-paid independent contractors for professional services (see page	23 of the instructions). If none, enter "NO!	VE."				
(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation				
NONE						
· · · · · · · · · · · · · · · · · · ·						
Total number of others receiving over \$50,000 for professional services		•				
Part IX-A Summary of Direct Charitable Activities						
List the foundation's four largest direct chantable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.						
1 THE TRUST DISTRIBUTES ITS NET INCOME QUA CHARITIES AS DIRECTED IN THE TRUST INSTR	•	60,152				
2						
3						
4						
Part IX-B Summary of Program-Related Investments (see page	ge 24 of the instructions)					
Describe the two largest program-related investments made by the foundation during the tax year on	lines 1 and 2	Amount				
1 N/A						
2						
All other program-related investments See page 24 of the instructions 3						

Total. Add lines 1 through 3

Amounts set aside for specific charitable projects that satisfy the: 3 Suitability test (prior IRS approval required) 3a 3b b Cash distribution test (attach the required schedule) 60,156 Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4 4 Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income 5 Enter 1% of Part I, line 27b (see page 26 of the instructions) 60,156 Adjusted qualifying distributions. Subtract line 5 from line 4 6

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

Form **990-PF** (2010)

Pa	T XIII Undistributed income (see page 26	of the instructions	<u> </u>	1	
1	Distributable amount for 2010 from Part VI	(a) Corpus	(b) Years pnor to 2009	(c) 2009	(d) 2010
'	Distributable amount for 2010 from Part XI,	00.700	Today prior to 2000	2000	
2	line 7				56,716
2	Undistributed income, if any, as of the end of 2010			2 611	
	Enter amount for 2009 only			3,611	
	Total for pnor years 20, 20, 20				
3	Excess distributions carryover, if any, to 2010				
	From 2005				
	From 2006				
	From 2007	_			
_	From 2008				
_	From 2009	_			
_f.	Total of lines 3a through e				***************************************
4	Qualifying distributions for 2010 from Part XII,				
	line 4 ▶ \$ 60,156				
а	Applied to 2009, but not more than line 2a	*******		3,611	
b	Applied to undistributed income of prior years				
	(Election required—see page 26 of the instructions)				
С	Treated as distributions out of corpus (Election				
	required—see page 26 of the instructions)				
d	Applied to 2010 distributable amount				56,545
е	Remaining amount distributed out of corpus				
5	Excess distributions carryover applied to 2010				
	(If an amount appears in column (d), the same				
	amount must be shown in column (a))				
6	Enter the net total of each column as				
	indicated below:				
а	Corpus Add lines 3f, 4c, and 4e. Subtract line 5				
b	Prior years' undistributed income Subtract				
	line 4b from line 2b				
С	Enter the amount of prior years' undistributed				
	income for which a notice of deficiency has				
	been issued, or on which the section 4942(a)				
	tax has been previously assessed				
d	Subtract line 6c from line 6b Taxable			······	
	amount—see page 27 of the instructions				
е	Undistributed income for 2009 Subtract line				
	4a from line 2a Taxable amount—see page				
	27 of the instructions				
f	Undistributed income for 2010. Subtract lines				•••••••••••••
•	4d and 5 from line 1. This amount must be				
	distributed in 2011				171
7	Amounts treated as distributions out of corpus				
•	to satisfy requirements imposed by section				
	170(b)(1)(F) or 4942(g)(3) (see page 27 of the				
	instructions)				
8	Excess distributions carryover from 2005 not				
٠	applied on line 5 or line 7 (see page 27 of the				
	instructions)				
9	Excess distributions carryover to 2011.				
J	Subtract lines 7 and 8 from line 6a				
10					
10	Analysis of line 9				
a	Excess from 2006	\dashv			
b	Excess from 2007	\dashv			
C	Excess from 2008	\dashv			
d	Excess from 2009	_			
e	Excess from 2010	L	1		

_	_	-	^ ^	-	_		
-21	0 –	6.	2 U	ı	כ	7	

Pa	IT AIV Private Operating Fol				VII-A, question 9)	<u> </u>
1a	3 .		•			,
	foundation, and the ruling is effective for		-	_		
þ	Check box to indicate whether the foundation		iting foundation descri		942(j)(3) or 4942	(j)(5)
2a	Enter the lesser of the adjusted net	Tax year		Prior 3 years	7.11.22.2	(e) Total
	income from Part I or the minimum	(a) 2010	(b) 2009	(c) 2008	(d) 2007	
	investment return from Part X for					
	each year listed					
b	85% of line 2a					
С	Qualifying distributions from Part XII,					
	line 4 for each year listed				-	
d	Amounts included in line 2c not used directly					
_	for active conduct of exempt activities					
е	Qualifying distributions made directly for active conduct of exempt activities					
	Subtract line 2d from line 2c					
3	Complete 3a, b, or c for the					<u>.</u>
3	alternative test relied upon				1	
а	"Assets" alternative test—enter					
а	(1) Value of all assets					
	(2) Value of assets qualifying under					-
	section 4942(j)(3)(B)(i)					
b	"Endowment" alternative test—enter 2/3					
_	of minimum investment return shown in					
	Part X, line 6 for each year listed					
С	"Support" alternative test—enter					
	(1) Total support other than gross					
	investment income (interest,					
	dividends, rents, payments on					
	securities loans (section 512(a)(5)), or royalties)					
	(2) Support from general public					
	and 5 or more exempt					
	organizations as provided in					
	section 4942(j)(3)(B)(iii)					
	(3) Largest amount of support from					
	an exempt organization	-				
_	(4) Gross investment income				107.000	
Pa	srt XV Supplementary Inform	•	-		ad \$5,000 or more	in assets at
	any time during the y		of the instruction	ns.)		
1	Information Regarding Foundation Manual List any managers of the foundation who	_	a than 20/ of the total	contributions received	by the foundation	
а	before the close of any tax year (but only				-	
	N/A	in they have contribute	ed more (nam \$5,000)	(See Section 307(d)(2))	
b	List any managers of the foundation who	own 10% or more of	the stock of a cornorat	ion (or an equally large	nortion of the	
-	ownership of a partnership or other entity		•		portion of the	
	N/A	,, , , , , , , , , , , , , , , , , , , ,	.o., ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
2	Information Regarding Contribution, G	rant. Gift. Loan. Scho	olarship, etc., Progran	ns:	· · · · · · · · · · · · · · · · · · ·	
	Check here ▶ X if the foundation only				loes not accept	
	unsolicited requests for funds If the four					
	organizations under other conditions, coi			,		
а	The name, address, and telephone numl			ld be addressed		-
	N/A	•				
b	The form in which applications should be	submitted and inform	ation and materials the	ey should include		-
	N/A		_	_		
С	Any submission deadlines:					
	N/A					
d	Any restrictions or limitations on awards,	such as by geographi	cal areas, charitable fi	elds, kinds of institutio	ns, or other	
	factors					
	N/A					

Form 990-PF (2010) JOHN P AND FRANCES A KIRBY 20-6201577 Page 11 Part XV Supplementary Information (continued) 3 Grants and Contributions Paid During the Year or Approved for Future Payment If recipient is an individual, Recipient Foundation show any relationship to Purpose of grant or status of Amount any foundation manager contribution recipient Name and address (home or business) or substantial contributor a Paid during the year RANDOLPH COLLEGE 501(C)(3) 2500 RIVERMONT AVENUE UNRESTRICTED 18,047 LYNCHBURG VA 24503 ST JOHN'S EPISCOPAL CHURC 501(c)(3) 200 BOSTON AVENUE UNRESTRICTED 9,023 LYNCHBURG VA 24503 LYNCHBURG HUMANE SOCIETY 501(C)(3) 3038 WATERLICK ROAD UNRESTRICTED 15,039 LYNCHBURG VA 24502 THE SALVATION ARMY 501(C)(3) 2215 PARK AVENUE UNRESTRICTED 9,023 LYNCHBURG VA 24501 AMERICAN RED CROSS 501(c)(3) 6,016 2700 LANGHORNE ROAD UNRESTRICTED LYNCHBURG VA 24501 DAILY BREAD INC 501(c)(3) UNRESTRICTED 721 CLAY STREET 3,008 LYNCHBURG VA 24504 60,156 3a Approved for future payment N/A

▶ 3b

Total

Part XVI-A	Analysis of Income-Producing Acti	vities				
Enter gross amo	ounts unless otherwise indicated		d business income	Excluded (c)	(d)	(e) Related or exempt function income
1 Program se	rvice revenue.	Business code		Exclusion code	Amount	(See page 28 of the instructions)
		-				
			<u> </u>			
f						· · · · · · · · · · · · · · · · · · ·
	nd contracts from government agencies					
-	dues and assessments		-			
	savings and temporary cash investments			14	102	
4 Dividends a	nd interest from securities			14	36,788	
5 Net rental in	ncome or (loss) from real estate:					
	anced property					
	ot-financed property					
	ncome or (loss) from personal property	<u> </u>				
7 Other inves				120	0.4.0	C 510
	s) from sales of assets other than inventory			26	840	-6,516
	or (loss) from special events		-			
10 Gross profit 11 Other reven	t or (loss) from sales of inventory					- <u> </u>
	GATION SETTLEMENT RECEIVE		-	1	34	
·	OHITON BEITEBEREN REGERVE				31	
				1		
е				_		
12 Subtotal. Ad	dd columns (b), (d), and (e)			0	37,764	-6,516
13 Total. Add l	ine 12, columns (b), (d), and (e)				13	
	in line 13 instructions on page 29 to verify calculation					
Part XVI-B	<u> </u>					
Line No. ▼	Explain below how each activity for which income accomplishment of the foundation's exempt purpo					
•	instructions.)	aca (outer that	r by providing funds	ioi suon pu	aposes/ (Occ page 25	or the
N/A						
						-
 _						
		×				
						
			· · · · · · · · · · · · · · · · · · ·			
	,					
 						
_						
						
	-					
						
						
DAA	<u> </u>					Form 990-PF (2010

Part X	.V.II	Informat Exempt	_	_	ransfers 1	o and	d Transaction	ons and Rela	ationships Wi	th Nonch	ıaritable		
1 Did	the oro				nge in any of	the foll	owing with any	other organization	on described	-		Yes	No
								ection 527, relat				1.03	
	anizatio	•	Oode (out	i ilali seci	.on 50 n(c)(5)	, organi	201101137 01 111 3	ection 527, relat	ing to political				ĺ
•			ortina found	ation to a n	onchantable	avamr	ot organization	nf .					ĺ
	Cash	om me repo	nung touriu	ation to a n	onchantable	CACIII	ot Organization	JI			12/1\		x
• •	Other a	occate									1a(1)		X
• •		actions									1a(2)	-	
			b	hla avama							45/45]	v
					t organizatio		_				1b(1)	_	X
• •					e exempt org	anızatı	on				1b(2)		X
		of facilities,			ssets						1b(3)		
•		ursement am								•	1b(4)	_	X
-		or loan guar			f	!					1b(5)		X
• •				•	or fundraising	_					1b(6)	+	X
	•	•	•	•			d employees	(6) 66 6			<u>1c</u>	لــــــــا	
									always show the fa				
		-			- •		-		received less tha				
		(b) Amour					(a) the value of		er assets, or serv				
(a) Line	e 110	(b) Amour	II IIIVOIVEU	(c) Name	e or nonchania	DIE EXEII	ipt organization	(d) Descri	ption of transfers, tra	arisactions, ar	id snaming arrang	ements	
N/A												_	—
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			-	•				x-exempt organi	zations				1
			` '	•	r than sectio	n 501(d	c)(3)) or in secti	on 527?			∐ Y	es X] No
b If "Y		mplete the f		nedule	T								
	<u>`</u>) Name of org	anization		(b) 1	ype of o	rganization	 	(c) Descrip	tion of relation	nship		
N/ <u>P</u>	7												
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									nd statements, and to all information of w				
Sign	Delici, it	2000, conec	and comple	Te Deciarati	on or preparer	(onier n	I I I I I I I I I I I I I I I I I I I	rucial y) is based of	\ \	mon preparer	nas any knomec	.yc	
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	Sig	nature of office	er or trustee	TRUS	ree/		Da	te 	Title				
	Print/	Type preparer	's name				Preparer's sign				Date	Check	ıf
Paid							Sa	H5 Fore			L	1	nployed
Preparer	Garr	ett T F									05/05/11		
Use Only	Firm's	s name 🕨 _	Brock				<u>Pennir</u>	gton, Po	<u> </u>	PTIN	P0011		
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			Lynch	burg,	<u>VA 2</u>	450	2			Phone no	<u>434-84</u>		
											Form 90	10-PF	(2010)

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Capital Gains and Losses for Tax on Investment Income 990-PF 2010 Form For calendar year 2010, or tax year beginning and ending **Employer Identification Number** Name JOHN P AND FRANCES A KIRBY CHARITABLE TRUST 20-6201577 (b) How acquired P-Purchase D-Donation (d) Date sold (mo, day, yr) (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 (c) Date acquired (mo , day, yr) BURLINGTON NORTHERN SANTA FE P 01/19/07 01/21/10 (1)07/25/08CHEASAPEAKE ENERGY CORP P 06/14/10 (2)P 09/17/08 06/14/10 CHEASAPEAKE ENERGY CORP (3)DEVELOPERS DIVERSIFIED REIT P 11/29/07 02/17/10 (4)**EXELON CORP** P 07/22/09 10/27/10 (5)P FFCB BOND 06/22/09 06/23/10 (6)P 05/07/09 FFCB BOND 06/04/10 (7)P 07/02/09 08/05/10 FHLB BOND (8)P 06/24/09 FHLB BOND 07/06/10 (9) P 03/04/09 03/16/10 FHLB BOND (10)P FHLB BOND 09/04/08 01/14/10 (11)P 04/26/04 05/03/10 FRONTIER COMMUNICATIONS (12)04/26/04 P 07/20/10 JOHNSON & JOHNSON (13)P 04/26/04 UNITED TECHNOLOGIES 04/21/10 (14)P 04/26/04 05/03/10 VIRGINIA ST RES AUTH (15)(f) Depreciation allowed (or allowable) (g) Cost or other basis plus expense of sale (h) Gain or (loss) (e) plus (f) minus (g) (e) Gross sales price 15,666 19,835 4,169 (1)14,642 -7,168 7,474 (2)4,983 7,408 -2,425 (3)-10,137 12,957 2,820 (4) -3,507 12,162 15,669 (5) 50,005 -5 50,000 (6)-5 50,000 50,005 (7)50,280 -280 50,000 (8)75,000 75,005 (9)(10)20,000 20,000 25,000 -29 25,029 (11)1,035 1,367 -332 (12)5,797 5,378 419 (13)7,613 3,148 4,465 (14)35,438 -438 35,000 (15)Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69 (I) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h)) (i) FMV as of 12/31/69 (j) Adjusted basis as of 12/31/69 (k) Excess of col (i) over col (j), if any 4,169 (1)-7,168 (2)-2,425 (3)-10,137 (4)-3,507 (5)- 5 (6)-5 (7)-280 (8)-5 (9)(10)-29 (11)-332 (12)419 (13)3,148 (14)

(15)

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Capital Gains and Losses for Tax on Investment Income 990-PF 2010 Form For calendar year 2010, or tax year beginning and ending Name **Employer Identification Number** JOHN P AND FRANCES A KIRBY CHARITABLE TRUST 20-6201577 (b) How acquired P-Purchase D-Donation (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 (c) Date acquired (mo , day, yr) (d) Date sold (mo , day, yr) P 06/14/06 06/08/10 VIRGINIA ST RES AUTH (1) P 03/26/10 05/06/10 BAKER HUGHES INC (2)P 04/21/09 02/17/10 (3) DEVELOPERS DIVERSIFIED REIT DEVELOPERS DIVERSIFIED REIT P 07/21/09 02/17/10 (4)P 10/15/09 02/17/10 DEVELOPERS DIVERSIFIED REIT (5) P DEVELOPERS DIVERSIFIED REIT 01/06/10 02/17/10 (6)P 06/28/10 FFCB BOND 09/21/10 (7) P 08/03/10 FFCB BOND 05/04/10 (8)06/29/10FFCB BOND P 03/17/10 (9)P 02/25/10 06/14/10 FFCB BOND (10)P FFCB BOND 12/07/09 02/19/10 (11)P 10/01/09 03/10/10 FFCB BOND (12)P 07/21/10 10/25/10 FHLB BOND (13)P 06/07/10 12/07/10 FHLB BOND P 06/10/10 12/03/10 FHLB BOND (15)(f) Depreciation allowed (or allowable) (g) Cost or other basis plus expense of sale (e) Gross sales price (h) Gain or (loss) (e) plus (f) minus (g) 25,000 3,174 28,174 (1)39 9,171 9,132 (2)142 202 60 (3)64 135 71 (4) 7 -1 (5) 6 7 7 (6) 25,147 -147 25,000 (7)25,005 -5 25,000 (8)25,005 -5 25,000 (9)25,005 -5 25,000 (10)40,000 -95 40,095 (11)-224 25,000 25,224 (12)-82 40,000 40,082 (13)-74 25,074 25,000 (14)-162 20,162 20,000 (15)Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69 (I) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h)) (i) FMV as of 12/31/69 (j) Adjusted basis as of 12/31/69 (k) Excess of col (i) over col (j), if any 3,174 (1)39 (2)142 (3)71 (4)-1 (5)(6) -147 (7) - 5 (8) -5 (9) - 5 (10)-95 (11)-224 (12)-82 (13)-74

(14)

(15)

Capital Gains and Losses for Tax on Investment Income 990-PF 2010 Form For calendar year 2010, or tax year beginning , and ending Name **Employer Identification Number** JOHN P AND FRANCES A KIRBY CHARITABLE TRUST 20-6201577 (b) How acquired P-Purchase D-Donation (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 (c) Date acquired (mo , day, yr) (d) Date sold (mo , day, yr) FHLB BOND P 07/15/10 12/03/10 (1) P 03/29/10 07/08/10 FHLB BOND (2) FHLB BOND P 07/19/10 09/22/10 (3)FHLB BOND P 02/23/10 09/08/10 (4)P 10/28/09 FHLB BOND 08/10/10 (5)FHLB BOND P 10/22/09 07/29/10 (6)FHLB BOND P 07/29/09 02/11/10 (7)FMC CORP P 01/15/10 06/10/10 (8)**HEWLETT-PACKARD CO** P 05/28/09 02/17/10 (9) $\tilde{\mathbf{P}}$ 07/09/09 06/09/10 ISHARES BARCLAYS TREASURY BOND (10)ISHARES BARCLAYS TREASURY BONDS P 07/15/09 06/09/10 (11)JACOBS ENGINEERING GROUP P 12/09/09 04/27/10 (12)P 06/08/09 06/04/10 VIRGINIA ST RES AUTH (13)WELLS FARGO SEC, NOMINEE CGD (14)(15)(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 (q) 50,000 50,640 -640 (1)25,000 25,000 (2)15,000 -88 15,088 (3)25,000 24,988 12 (4)20,000 20,005 - 5 (5)25,000 -5 25,005 (6)10,000 10,005 - 5 (7)1,548 12,137 10,589 (8)6,244 4,309 1,935 (9)25,196 <u>25,126</u> -70 (10)25,126 <u>25,1</u>63 -37 (11)13,485 10,282 3,203 (12)21,693 20,088 ,605 (13)840 840 (14)(15)Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69 (I) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h)) (i) FMV as of 12/31/69 (j) Adjusted basis as of 12/31/69 (k) Excess of col (i) over col (j), if any -640 (1)(2) -88 (3)12 (4) - 5 (5)- 5 (6)- 5 (7)1,548 (8)1,935 (9)-70 (10)-37 (11)3,203 (12)1,605 (13)840 (14)

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140PF JOHN P AND FRANCES A KIRBY 20-6201577

Federal Statements

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	Statement 1 - Fo	rm 990-PF, Part	- Form 990-PF, Part I, Line 11 - Other Income	Income	
Description	Ċ.		Revenue per Books	Net Investment Income	Adjusted Net Income
LITIGATION SETTLEMENT RECEIVE	ы	₩	34	₩.	₩
Total		· ••-	34	w o	w
	Statement 2 - Form	990-PF, Part I,	Form 990-PF, Part I, Line 16b - Accounting Fees	nting Fees	
Description	Total	a	Net Investment	Adjusted Net	Charitable Purpose
TAX PREPARATION FEES Total	የ	2,050 \$	2,050	w w	w w
Θ Ι	Statement 3 - Form 990	0-PF, Part I, Line	n 990-PF, Part I, Line 16c - Other Professional Fees	essional Fees	
Description	Total	al	Net Investment	Adjusted Net	Charitable Purpose
INVESTMENT SERVICE FEES	₩ 4	,826	8		
Total	w	8,826	8,826	w	w
	Statement 4	- Form 990-PF,	Statement 4 - Form 990-PF, Part I, Line 18 - Taxes	xes	
Description	Total	ja J	Net Investment	Adjusted Net	Charitable Purpose
2009 EXCISE TAX 2010 ESTIMATED TAX ES FOREIGN TAX	တ	552 300 16		v.	w.
•					

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868

Total

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20-6201577

Federal Statements

FYE: 12/31/2010

Statement 5 - Form 990-PF, Part II, Line 10a - US and State Government Investments

Description							
	_	Beginning of Year	_	End of Year	Basis of Valuation	_	Fair Market Value
U S GOVERNMENT BONDS	Ś	410,478	Ś	280,493	Cost	Ś	277,023
MUNICIPAL BONDS	•	85,548	•	30,283		•	30,575
Total	\$ <u></u>	496,026	\$_	310,776		\$ <u></u>	307,598

Statement 6 - Form 990-PF, Part II, Line 10b - Corporate Stock Investments

Description							
	_	Beginning of Year	_	End of Year	Basis of Valuation	_	Fair Market Value
CORPORATE STOCKS							
	\$_	554,449	\$_	679,659	Cost	\$_	760,924
Total	\$	554,449	\$	679,659		\$_	760,924

Statement 7 - Form 990-PF, Part II, Line 10c - Corporate Bond Investments

Description							
	_	Beginning of Year	_	End of Year	Basis of Valuation	_	Fair Market Value
CORPORATE BONDS							
	\$_	25,000	\$	65,000	Cost	\$_	65,104
Total	\$_	25,000	\$	65,000		\$_	65,104