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Form 990-PF

Department of the Treasury
Internal Revenue ServiceReturn of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation

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

OMB No 1545-0052

2010

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 KING, JR, M L FOUNDATION (ETF)		A Employer identification number 450356043	
Number and street (or P O box number if mail is not delivered to street address) Morgan Stanley Trust, N A - 201 Plaza Two, 7th Floor		B Telephone number (see page 10 of the instructions) 201-830-6155	
City or town, state, and ZIP code Jersey City NJ 07311-3977		C If exemption application is pending, check here ☐	
H Check type of organization ☒ Section 501(c)(3) exempt private foundation ☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation		D 1 Foreign organizations, check here ☐ 2 Foreign organizations meeting the 85% test, check here and attach computation ☐	
I Fair market value of all assets at end of year (from Part II, col (c), line 16) \$ 710,404		E If private foundation status was terminated under section 507(b)(1)(A), check here ☐	
J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify) _____		F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐	

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))

	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue				
1 Contributions, gifts, grants, etc., received (attach schedule)				
2 Check ☒ if the foundation is not required to attach Sch B				
3 Interest on savings and temporary cash investments	0	0		
4 Dividends and interest from securities	20,956	20,956		
5 a Gross rents		0		
b Net rental income or (loss)	0			
6 a Net gain or (loss) from sale of assets not on line 10	-9,282			
b Gross sales price for all assets on line 6a	502,074			
7 Capital gain net income (from Part IV, line 2)		0		
8 Net short-term capital gain			1,372	
9 Income modifications				
10 a Gross sales less returns and allowances	0			
b Less Cost of goods sold	0			
c Gross profit or (loss) (attach schedule)	0			
11 Other income (attach schedule)	0	0	0	
12 Total. Add lines 1 through 11	11,674	20,956	1,372	
Operating and Administrative Expenses				
13 Compensation of officers, directors, trustees, etc.	0			
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16 a Legal fees (attach schedule)	0	0	0	0
b Accounting fees (attach schedule)	1,500	500	0	1,000
c Other professional fees (attach schedule)	0	0	0	0
17 Interest				
18 Taxes (attach schedule) (see page 14 of the instructions)	247	212	0	0
19 Depreciation (attach schedule) and depletion	0	0	0	
20 Occupancy				
21 Travel, conferences, and meetings				
22 Printing and publications				
23 Other expenses (attach schedule)	12,774	4,258	0	8,516
24 Total operating and administrative expenses Add lines 13 through 23	14,521	4,970	0	9,516
25 Contributions, gifts, grants paid	32,516			32,516
26 Total expenses and disbursements Add lines 24 and 25	47,037	4,970	0	42,032
27 Subtract line 26 from line 12				
a Excess of revenue over expenses and disbursements	-35,363			
b Net investment income (if negative, enter -0-)		15,986		
c Adjusted net income (if negative, enter -0-)			1,372	

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

Form 990-PF (2010)

(HTA)

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Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)			Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value			
Assets	1	Cash—non-interest-bearing	15,518	30,348	30,348		
	2	Savings and temporary cash investments		0			
	3	Accounts receivable	0				
		Less: allowance for doubtful accounts	0	0	0		
	4	Pledges receivable	0				
		Less: allowance for doubtful accounts	0	0	0		
	5	Grants receivable					
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)	0	0	0		
	7	Other notes and loans receivable (attach schedule)	0				
		Less: allowance for doubtful accounts	0	0	0		
	8	Inventories for sale or use		0			
	9	Prepaid expenses and deferred charges		0			
	10 a	Investments—U S and state government obligations (attach schedule)	0	0	0		
	b	Investments—corporate stock (attach schedule)	289,877	291,127	293,703		
	c	Investments—corporate bonds (attach schedule)	436,972	382,173	386,353		
	11	Investments—land, buildings, and equipment basis	0				
	Less: accumulated depreciation (attach schedule)	0	0	0			
12	Investments—mortgage loans						
13	Investments—other (attach schedule)	0	0	0			
14	Land, buildings, and equipment basis	0					
	Less: accumulated depreciation (attach schedule)	0	0	0			
15	Other assets (describe)	0	0	0			
16	Total assets (to be completed by all filers—see the instructions. Also, see page 1, item I)	742,367	703,648	710,404			
Liabilities	17	Accounts payable and accrued expenses		0			
	18	Grants payable					
	19	Deferred revenue		0			
	20	Loans from officers, directors, trustees, and other disqualified persons	0	0			
	21	Mortgages and other notes payable (attach schedule)	0	0			
	22	Other liabilities (describe)	0	0			
	23	Total liabilities (add lines 17 through 22)	0	0			
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31 ☐						
	24	Unrestricted					
	25	Temporarily restricted					
	26	Permanently restricted					
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. ☒						
	27	Capital stock, trust principal, or current funds	742,367	703,648			
	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)	742,367	703,648			
31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	742,367	703,648				

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	742,367
2	Enter amount from Part I, line 27a	2	-35,363
3	Other increases not included in line 2 (itemize) OTHER INCREASES - ADJUSTMENT	3	518
4	Add lines 1, 2, and 3	4	707,522
5	Decreases not included in line 2 (itemize) See Attached Statement	5	3,874
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	703,648

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 See Attached Statement				
b				
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 0	0	0	0
b 0	0	0	0
c 0	0	0	0
d 0	0	0	0
e 0	0	0	0

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
(i) 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 0	0	0	0
b 0	0	0	0
c 0	0	0	0
d 0	0	0	0
e 0	0	0	0

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	-9,282
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8 }	3	1,372

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

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

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

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

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

1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2009	43,436	653,168	0.066501
2008	32,973	723,991	0.045543
2007	37,698	782,269	0.048191
2006	36,874	751,547	0.049064
2005	36,507	751,955	0.048549

2 Total of line 1, column (d)	2	0.257848
3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0.051570
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	679,521
5 Multiply line 4 by line 3	5	35,043
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	160
7 Add lines 5 and 6	7	35,203
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	8	42,032

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)

1	a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary—see instructions)	1	160
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b		
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	0
3	Add lines 1 and 2	3	160
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	
5	Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-	5	160
6	Credits/Payments		
a	2010 estimated tax payments and 2009 overpayment credited to 2010	6a	358
b	Exempt foreign organizations—tax withheld at source	6b	
c	Tax paid with application for extension of time to file (Form 8868)	6c	0
d	Backup withholding erroneously withheld	6d	
7	Total credits and payments Add lines 6a through 6d	7	358
8	Enter any penalty for underpayment of estimated tax Check here ☐ if Form 2220 is attached	8	0
9	Tax due If the total of lines 5 and 8 is more than line 7, enter amount owed	9	0
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	198
11	Enter the amount of line 10 to be Credited to 2011 estimated tax 198 Refunded	11	0

Part VII-A Statements Regarding Activities

	Yes	No
1 a 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
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)? <i>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</i>		X
c 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 \$ _____ (2) On foundation managers \$ _____		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers \$ _____		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If "Yes," attach a detailed description of the activities</i>		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? <i>If "Yes," attach a conformed copy of the changes</i>		X
4 a 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?		X
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If "Yes," attach the statement required by General Instruction T</i>		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? <i>If "Yes," complete Part II, col (c), and Part XV</i>	X	
8 a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) CA		
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? <i>If "No," attach explanation</i>	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 on page 27)? <i>If "Yes," complete Part XIV</i>		X
10 Did any persons become substantial contributors during the tax year? <i>If "Yes," attach a schedule listing their names and addresses</i>		X

Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions)	11		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?	13	X	
Website address N/A				
14	The books are in care of Morgan Stanley Trust, N A	Telephone no 201-830-6155		
Located at 201 Plaza Two, 7th Floor Jersey City NJ		ZIP+4 07311-3977		
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?	16	Yes	No
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 				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?	☐ Yes	☒ No
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes	☒ No
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes	☒ No
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes	☒ No
(5)	Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes	☒ No
(6)	Agree to pay money or property to a government official? (Exception: Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	☐ Yes	☒ No
b	If any answer is "Yes" to 1a(1)–(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here 	1b	N/A
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?	☐ Yes	☒ No
If "Yes," list the years 20 , 20 , 20 , 20			
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see page 22 of the instructions.)	2b	N/A
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here 20 , 20 , 20 , 20		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes	☒ No
b	If "Yes," did it have excess business holdings in 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.)	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)? (see page 22 of the instructions) ☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)–(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here ☐ **5b** N/A

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** ☐ Yes ☒ No 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? **7b** ☐ Yes ☒ No X

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors**1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).**

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE	00	0	0	0
	00	0	0	0
	00	0	0	0
	00	0	0	0
	00	0	0	0

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

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

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

0

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors *(continued)***3 Five highest-paid independent contractors for professional services** (see page 23 of the instructions) If none, enter "NONE."

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		0
		0
		0
		0
		0
		0

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

Part IX-A Summary of Direct Charitable Activities

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

Part IX-B Summary of Program-Related Investments (see page 24 of the instructions)

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

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
a	Average monthly fair market value of securities	1a	659,071
b	Average of monthly cash balances	1b	30,798
c	Fair market value of all other assets (see page 25 of the instructions)	1c	
d	Total (add lines 1a, b, and c)	1d	689,869
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	
2	Acquisition indebtedness applicable to line 1 assets	2	
3	Subtract line 2 from line 1d	3	689,869
4	Cash deemed held for charitable activities. Enter 1½ % of line 3 (for greater amount, see page 25 of the instructions)	4	10,348
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	679,521
6	Minimum investment return. Enter 5% of line 5	6	33,976

Part XI Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6	1	33,976
2a	Tax on investment income for 2010 from Part VI, line 5	2a	160
b	Income tax for 2010 (This does not include the tax from Part VI.)	2b	0
c	Add lines 2a and 2b	2c	160
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	33,816
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	33,816
6	Deduction from distributable amount (see page 25 of the instructions)	6	
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	33,816

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

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes		
a	Expenses, contributions, gifts, etc.—total from Part I, column (d), line 26	1a	42,032
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	0
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	42,032
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see page 26 of the instructions)	5	160
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	41,872

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

Part XIII Undistributed Income (see page 26 of the instructions)

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				33,816
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only			19,063	
b Total for prior years 20____, 20____, 20____		0		
3 Excess distributions carryover, if any, to 2010				
a From 2005	NONE			
b From 2006	NONE			
c From 2007	NONE			
d From 2008	NONE			
e From 2009	NONE			
f Total of lines 3a through e	0			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ <u>42,032</u>				
a Applied to 2009, but not more than line 2a			19,063	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c Treated as distributions out of corpus (Election required—see page 26 of the instructions)	0			
d Applied to 2010 distributable amount				22,969
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				
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions		0		
e Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions			0	
f Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011				10,847
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 applied on line 5 or line 7 (see page 27 of the instructions)	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	0			
b Excess from 2007	0			
c Excess from 2008	0			
d Excess from 2009	0			
e Excess from 2010	0			

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 Attached Statement				
Total			▶ 3a	32,516
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 | 1a(1) | X |
| | (2) Other assets | 1a(2) | X |
| b | Other transactions | | |
| | (1) Sales of assets to a noncharitable exempt organization | 1b(1) | X |
| | (2) Purchases of assets from a noncharitable exempt organization | 1b(2) | X |
| | (3) Rental of facilities, equipment, or other assets | 1b(3) | X |
| | (4) Reimbursement arrangements | 1b(4) | X |
| | (5) Loans or loan guarantees | 1b(5) | X |
| | (6) Performance of services or membership or fundraising solicitations | 1b(6) | X |
| c | Sharing of facilities, equipment, mailing lists, other assets, or paid employees | 1c | 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

**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.

Robert M. Randone

Signature of officer or trustee

5/2/2011

Date _____

Title

**Paid
Preparer
Use Only**

Print/Type preparer's name

Preparer's signature

Date _____

PTIN

Donald J Roman

[Signature]

5/2/2011

Check ☒ if
self-employed

Firm's name ▶

Firm's EIN ▶ 13-4008324

Firm's address ► 600 Grant Street, Pittsburgh, PA 15219

Phone no	412-355-6000
----------	--------------

Line 6 (990-PF) - Gain/Loss from Sale of Assets Other Than Inventory

Index	Check "X" if Sale of Security	Description	CUSIP #	Purchaser	Check "X" if Purchaser is a Business	Date Acquired	Acquisition Method	Date Sold	Totals					Net Gain or Loss
									Securities				Depreciation	
									Gross Sales Price	Cost or Other Basis	Valuation Method	Expense of Sale and Cost of Improvements		
1	X	ISHARES S&P 500/BARRA GR	464287309			1/29/2008		3/22/2010	17,715	18,681			-966	
2	X	ISHARES INC MSCI JAPAN	464286848			1/29/2008		3/22/2010	13,019	15,788			-2,769	
3	X	ISHARES LEHMAN AGGREGA	464287226			1/29/2008		3/22/2010	388,323	382,447			5,876	
4	X	ISHARES S&P 500/BARRA VAL	464287408			1/29/2008		3/22/2010	3,390	4,360			-970	
5	X	ISHARES LEHMAN 1-3 YR TR	464287457			1/29/2008		3/22/2010	31,172	31,195			-23	
6	X	ISHARES S&P MIDCAP 400 GR	464287606			1/29/2008		3/22/2010	2,048	1,969			79	
7	X	ISHARES S&P MIDCAP 400/BA	464287705			1/29/2008		3/22/2010	1,008	1,041			-33	
8	X	ISHARES DOW JONES UNITE	464287739			1/29/2008		3/22/2010	11,885	15,578			-3,693	
9	X	ISHARES S&P EUROPE 350 IN	464287861			1/29/2008		3/22/2010	28,780	39,079			-10,299	
10	X	ISHARES S&P SMALL CAP 600	464287879			1/29/2008		3/22/2010	650	656			-6	
11	X	ISHARES S&P SMALLCAP 600	464287887			1/29/2008		3/22/2010	556	562			-6	
12	X	S/T GAIN - POWERSHARES				1/1/2010		12/31/2010	1,372	0			1,372	
13	X	LT GAIN - POWERSHARES				1/1/2001		12/31/2010	2,118	0			2,118	
Long Term CG Distributions			Amount	38										
Short Term CG Distributions				0										
Totals									Gross Sales	Cost, Other Basis and Expenses	Net Gain or Loss			
Securities									502,074	511,356	-9,282			
Other sales									0	0	0			

Line 16b (990-PF) - Accounting Fees

		1,500	500	0	1,000
	Name of Organization or Person Providing Service	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes (Cash Basis Only)
1	TAX PREP FEES	1,500	500		1,000
2					
3					
4					
5					
6					
7					
8					
9					
10					

Line 18 (990-PF) - Taxes

	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
1	FOREIGN TAX WITHHELD	212	212		
2	STATE TAXES	35			
3					
4					
5					
6					
7					
8					
9					
10					

Line 23 (990-PF) - Other Expenses

	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
		12,774	4,258	0	8,516
1	Amortization See attached statement	0	0	0	0
2	FIDUCIARY FEES	12,637	4,212		8,425
3	DEDUCTIONS K-1	137	46		91
4					
5					
6					
7					
8					
9					
10					

Part II, Line 10b (990-PF) - Investments - Corporate Stock

		289,877		291,127		0		293,703
		Num Shares/ Face Value	Book Value Beg. of Year	Book Value End of Year	FMV Beg. of Year	FMV End of Year		
Description								
1			289,877	291,127		293,703		
2								
3								
4								
5								
6								
7								
8								
9								
10								

Part II, Line 10c (990-PF) - Investments - Corporate Bonds

	Description	Interest Rate	Maturity Date	Book Value Beg of Year	Book Value End of Year	FMV Beg of Year	FMV End of Year
1				436,972	382,173	0	386,353
2				436,972	382,173		386,353
3							
4							
5							
6							
7							
8							
9							
10							

Part III (990-PF) - Changes in Net Assets or Fund Balances

Line 3 - Other increases not included in Part III, Line 2

1	OTHER INCREASES - ADJUSTMENT	1	518
2	Total	2	518

Line 5 - Decreases not included in Part III, Line 2

1	PRIOR YEAR TAX LIABILITY	1	500
2	ADJUSTMENT FOR INCOME FROM POWERSHARES	2	3,374
3	Total	3	3,874

Part IV (990-PF) - Capital Gains and Losses for Tax on Investment Income

		Amount		Totals		502,036		-9,320		511,356		-9,320		0		0		0		-9,320	
		Long Term CG Distributions		Short Term CG Distributions		0		0		0		0		0		0		0		0	
		Kind(s) of Property Sold	CUSIP #	How Acquired	Date Acquired	Date Sold	Gross Sales Price	Depreciation Allowed	Cost or Other Basis Plus Expense of Sale	Gain or Loss	F M V as of 12/31/69	Adjusted Basis as of 12/31/69	Excess of FMV Over Adj Basis	0	0	0	0	0	0	0	Gains Minus Excess of FMV Over Adjusted Basis or Losses
1	SHARES S&P 500/BARRA GROWTH IND		464287309		1/29/2008	3/22/2010	17,715	0	18,681	-966			0	0							-966
2	SHARES INC MSCI JAPAN		464286848		1/29/2008	3/22/2010	13,019	0	15,788	-2,769			0	0							-2,769
3	SHARES LEHMAN AGGREGATE BD FD		464287226		1/29/2008	3/22/2010	388,323	0	382,447	5,876			0	0							5,876
4	SHARES S&P 500/BARRA VALUE INDEX		464287408		1/29/2008	3/22/2010	3,390	0	4,360	-970			0	0							-970
5	SHARES LEHMAN 1-3 YR TREAS BD FD		464287457		1/29/2008	3/22/2010	31,172	0	31,195	-23			0	0							-23
6	SHARES S&P MIDCAP 400 GRW		464287606		1/29/2008	3/22/2010	2,048	0	1,969	79			0	0							79
7	SHARES S&P MIDCAP 400/BARRA VALU		464287705		1/29/2008	3/22/2010	1,008	0	1,041	-33			0	0							-33
8	SHARES DOW JONES UNITED STATES		464287739		1/29/2008	3/22/2010	11,885	0	15,578	-3,693			0	0							-3,693
9	SHARES S&P EUROPE 350 INDEX FUNI		464287861		1/29/2008	3/22/2010	28,780	0	39,079	-10,299			0	0							-10,299
10	SHARES S&P SMALL CAP 600/BARRA		464287879		1/29/2008	3/22/2010	650	0	656	-6			0	0							-6
11	SHARES S&P SMALLCAP 600/BARRA		464287887		1/29/2008	3/22/2010	556	0	562	-6			0	0							-6
12	S/T GAIN - POWERSHARES				1/1/2010	12/31/2010	1,372	0	0	1,372			0	0							1,372
13	LT GAIN - POWERSHARES				1/1/2001	12/31/2010	2,118	0	0	2,118			0	0							2,118

Part VI, Line 6a (990-PF) - Estimated Tax Payments

	Date	Amount
1 Credit from prior year return	1	358
2 First quarter estimated tax payment	2	
3 Second quarter estimated tax payment	3	
4 Third quarter estimated tax payment	4	
5 Fourth quarter estimated tax payment	5	
6 Other payments	6	0
7 Total	7	358

Part XIII, Line 2a, Column C (990-PF) - Prior Year Undistributed Income

1	Distributable amounts for 2009 that remained undistributed at the beginning of the 2010 tax year	1	19,063
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9		9	
10	Total	10	19,063

King, Jr, M L Foundation (Etf)
December 1, 2010 - December 31, 2010

Account Number. 45-0356-04-3

Personal Trust Officer

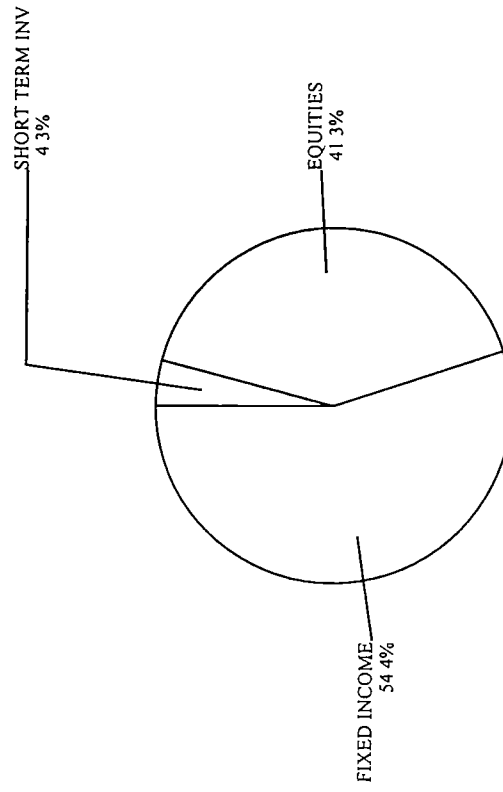
Neil Whiting
1-800-551-3326 Extension 830-6385

TRUST OPERATIONS DEPT

Account Review

Your Beginning Market Value:	\$ 696,865.57
Income Earned :	\$ 6,386.51
Unrealized Gain/Loss :	\$ 7,151.49
Your Ending Market Value :	\$ 710,403.57

Portfolio Summary



King, Jr, M L Foundation (Etf)
December 1, 2010 - December 31, 2010

Page 2 of 6

Account Number 45-0356-04-3

Earnings Summary

	<i>This Period</i>	<i>This Year</i>
Interest/Dividends	6,386.51	21,152.90
Purch'D/Other Income	0.00	0.23
Total	\$ 6,386.51	\$ 21,153.13

Non-Cash Summary

	<i>This Period</i>	<i>This Year</i>
Asset Changes	0.00	-122.31
Total	\$ 0.00	\$ -122.31

Withdrawal Summary

	<i>This Period</i>	<i>This Year</i>
Fees	0.00	-14,136.75
To/For Beneficiaries	0.00	-32,516.00
Distr/Tfr To Rel Acct	0.00	-326.92
Total	\$ 0.00	\$ -46,979.67

Gain/Loss Summary

	<i>This Period</i>	<i>This Year</i>
Realized Gain/Loss	0.00	-12,768.94
Unrealized Gain/Loss	7,151.49	60,655.35
Total	\$ 7,151.49	\$ 47,886.41

List of Assets

<i>Description</i>	<i>Shares</i>	<i>Cost</i>	<i>Market Value</i>	<i>Percent Of Total Market</i>	<i>Projected Annual Income</i>	<i>Current Yield</i>
Cash and Equivalent						
Cash		2,054.15	2,054.15	0.29%	0	0.00%
Bank Deposits						
Morgan Stanley Bank	28,293.89	28,293.89	28,293.89	3.98%		
Total Bank Deposits		\$ 28,293.89	\$ 28,293.89	3.98%	\$ 56	*0.20%
Total Cash and Equivalent		\$ 30,348.04	\$ 30,348.04	4.27%	\$ 56	0.19%

*Bank deposits are at Morgan Stanley Bank, N A. and Morgan Stanley Trust, F S B (members FDIC), affiliates of Morgan Stanley Trust, N A. Bank deposits are eligible for FDIC insurance up to applicable limits. Not SIPC insured.

King, Jr, M L Foundation (Etf)
December 1, 2010 - December 31, 2010

Page 3 of 6

Account Number 45-0356-04-3

List of Assets

<i>Description</i>	<i>Shares</i>	<i>Cost</i>	<i>Market Value</i>	<i>Percent Of Total Market</i>	<i>Projected Annual Income</i>	<i>Current Yield</i>
Equities						
Ishares Msci Canada Index Fund	254 000	7,024 01	7,874 00	1 11%	126	1 61%
Ishares Msci Pac Ex Jpn Idx Fd	165 000	7,072 58	7,751 70	1 09%	255	3 30%
Ishares S&P 500/Barra Growth Index Fund	1,064 000	67,377 27	69,851 60	9 83%	963	1 38%
Ishares S&P 500/Barra Value Index Fd	1,130 000	82,109 53	67,336 70	9 48%	1,402	2 08%
Ishares S&P Midcap 400 Grw	167 000	13,699 01	16,820 24	2 37%	95	0 57%
Ishares S&P Midcap 400/Barra Value Index Fund	197 000	14,643 01	15,653 62	2 20%	243	1 56%
Ishares S&P Small Cap 600/Barra Value Index Fund	109 000	7,152 58	7,836 01	1 10%	89	1 14%
Ishares S&P Smallcap 600/Barra Growth Index Fund	115 000	7,182 27	8,347 85	1 18%	72	0 87%
Powershares Db Cmnty Ind Tracking Fd	903 000	21,143 38	24,877 65	3 50%	0	0 00%
Vanguard Pacific Etf	391 000	21,203 70	22,302 64	3 14%	877	3 93%
Vanguard European Vipers	594 000	28,296 14	29,159 46	4 10%	1,369	4 70%
Vanguard Reit Vipers	287 000	14,223 69	15,891 19	2 24%	542	3 42%
Total Equities		\$ 291,127.17	\$ 293,702.66	41.34%	\$ 6,033	2.06%
Fixed Income						
Ishares Barclays Tips Bd Fd	338 000	36,154 53	36,341 76	5 12%	910	2 50%
Vanguard Intermediate-Term Bond Etf	1,573 000	127,180 04	129,756 77	18 27%	5,231	4 03%
Vanguard Short Term Bond Etf	1,233 000	98,800 29	99,207 18	13 96%	2,214	2 23%
Vanguard Total Bond Market Etf	1,508 000	120,038 46	121,047 16	17 04%	4,211	3 48%
Total Fixed Income		\$ 382,173.32	\$ 386,352.87	54.38%	\$ 12,566	3.25%

King, Jr, M L Foundation (Etf)
December 1, 2010 - December 31, 2010

Account Number 45-0356-04-3

List of Assets

<i>Description</i>	<i>Shares</i>	<i>Cost</i>	<i>Market Value</i>	<i>Percent Of Total Market</i>	<i>Projected Annual Income</i>	<i>Current Yield</i>
Total Assets		\$ 703,648.53	\$ 710,403.57	100.00%	\$ 18,655	2.63%

Transaction Activity

<i>Date</i>	<i>Description</i>	<i>Income Cash</i>	<i>Principal Cash</i>	<i>Cost</i>
12/01/10	Balances At Beginning of Period	\$ -152,331.07	\$ 152,331.07	\$ 697,262.02
12/07/10	Div 145 Per Sh on 1,233 Shs Vanguard Short Term Bond Etf	171 93	0.00	0.00
12/07/10	Div 178 Per Sh on 338 Shs Ishares Barclays Tips Bd Fd	60 38	0.00	0.00
12/07/10	Div 271 Per Sh on 1,573 Shs Vanguard Intermediate-Term Bond Etf	426 93	0.00	0.00
12/07/10	Div 219 Per Sh on 1,508 Shs Vanguard Total Bond Market Etf	331 27	0.00	0.00
12/29/10	Div 2 243 Per Sh on 391 Shs Vanguard Pacific Etf	877 01	0.00	0.00
12/29/10	Div 2 306 Per Sh on 594 Shs Vanguard European Vipers	1,369 76	0.00	0.00
12/30/10	Div 318 Per Sh on 254 Shs Ishares Msci Canada Index Fund	80 78	0.00	0.00
12/30/10	Div 986 Per Sh on 165 Shs Ishares Msci Pac Ex Jpn Idx Fd	162 71	0.00	0.00

Combined!

Morgan Stanley

Page 1 of 1

Tax Transaction Detail (Distributions + Beneficiary)

5/2/2011 12:45:03

Main Account Id: 450356043

KING, JR, M L FOUNDATION (ETF)

Trust Year Ending 12/31/2010

Tax Code/Desc	Paid For	Transactions	Income	Principal
149 BENE DIST				
	000000000	No Beny Linked		
06/30/10		0 Units Reg Code 000	-32,516 00	0 00
450356043		MARTIN LUTHER KING, JR CENTER FOR DISTRIBUTION TO BENEFICIARY		
		Total For:	No Beny -32,516 00	0 00
		Total for Taxcode: 149	-32,516 00	0 00
		Total for Distributions:	-32,516 00	0 00
		Total for all Tax Codes:	3,679 42	-23,314 49

KING, JR. M L FOUNDATION

EIN: 22-6890421

ATTACHMENT TO 2010 FORM 990PF, PART X LINES 1(a) AND 1(b)

FYE 12/31/10

Ending Date	Cash	Bonds/Common Stock	TOTAL
1/31/2010	\$13,553.37	\$669,687.35	\$683,240.72
2/28/2010	\$14,816.97	\$675,525.37	\$690,342.34
3/31/2010	\$57,560.11	\$648,636.85	\$706,196.96
4/30/2010	\$55,594.22	\$656,527.81	\$712,122.03
5/31/2010	\$56,139.62	\$635,975.94	\$692,115.56
6/30/2010	\$24,213.57	\$628,614.20	\$652,827.77
7/31/2010	\$22,169.41	\$650,289.04	\$672,458.45
8/31/2010	\$23,208.35	\$644,873.20	\$668,081.55
9/30/2010	\$25,098.07	\$667,010.09	\$692,108.16
10/31/2010	\$22,913.10	\$678,747.19	\$701,660.29
11/30/2010	\$23,961.53	\$672,904.04	\$696,865.57
12/31/2010	<u>\$30,348.04</u>	\$680,055.53	\$710,403.57
Total	\$369,576.36	\$7,908,846.61	\$8,278,422.97
Average	\$30,798.03	\$659,070.55	\$689,868.58

Total of averages \$689,868.58