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Form 990-PF

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

2010

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

For calendar year 2010, or tax year beginning 01-01-2010, and ending 12-31-2010

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

Name of foundation: CONSTANCE H SMITH TW

A Employer identification number

25-6582124

Number and street (or P O box number if mail is not delivered to street address) Room/suite: ONE M T PLAZA 8TH FLOOR

B Telephone number (see page 10 of the instructions)

(716) 842-5506

City or town, state, and ZIP code: BUFFALO, NY 14203

C If exemption application is pending, check here

D 1. Foreign organizations, check here

2. Foreign organizations meeting the 85% test, check here and attach computation

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

E If private foundation status was terminated under section 507(b)(1)(A), check here

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here

I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 160,441

J Accounting method Cash, Accrual, Other (specify) (Part I, column (d) must be on cash basis.)

Table with 5 columns: (a) Revenue and expenses per books, (b) Net investment income, (c) Adjusted net income, (d) Disbursements for charitable purposes (cash basis only). Rows include Revenue (1-12), Operating and Administrative Expenses (13-26), and Summary (27-29).

Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)

Part II Balance Sheets		Beginning of year			End of year		
		(a) Book Value	(b) Book Value	(c) Fair Market Value	(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1	Cash—non-interest-bearing					
	2	Savings and temporary cash investments	9,083	3,433	3,433		
	3	Accounts receivable ▶ _____ Less allowance for doubtful accounts ▶ _____		0	0		
	4	Pledges receivable ▶ _____ Less allowance for doubtful accounts ▶ _____					
	5	Grants receivable					
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)					
	7	Other notes and loans receivable (attach schedule) ▶ _____ Less allowance for doubtful accounts ▶ _____ 0					
	8	Inventories for sale or use					
	9	Prepaid expenses and deferred charges					
	10a	Investments—U S and state government obligations (attach schedule)					
	b	Investments—corporate stock (attach schedule)					
	c	Investments—corporate bonds (attach schedule)					
	11	Investments—land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____					
	12	Investments—mortgage loans					
	13	Investments—other (attach schedule)	147,453	145,481	157,008		
	14	Land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____					
15	Other assets (describe ▶ _____)						
16	Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	156,536	148,914	160,441			
Liabilities	17	Accounts payable and accrued expenses					
	18	Grants payable					
	19	Deferred revenue					
	20	Loans from officers, directors, trustees, and other disqualified persons					
	21	Mortgages and other notes payable (attach schedule)					
	22	Other liabilities (describe ▶ _____)					
23	Total liabilities (add lines 17 through 22)		0				
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	156,536	148,914				
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)	156,536	148,914				
31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	156,536	148,914				

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	156,536
2	Enter amount from Part I, line 27a	2	-7,622
3	Other increases not included in line 2 (itemize) ▶ _____	3	0
4	Add lines 1, 2, and 3	4	148,914
5	Decreases not included in line 2 (itemize) ▶ _____	5	0
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	148,914

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 Additional Data Table			
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	See Additional Data Table			
b				
c				
d				
e				
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		
a	See Additional Data Table			
b				
c				
d				
e				
2	Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	174
3	Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8		}	3

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

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

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

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? Yes No
 If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2009	6,032	134,482	0.044854
2008	9,772	162,282	0.060216
2007	10,032	197,613	0.050766
2006	9,513	187,939	0.050617
2005	9,280	181,427	0.05115
2	Total of line 1, column (d).		2 0.257603
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 0.051521
4	Enter the net value of noncharitable-use assets for 2010 from Part X, line 5.		4 149,531
5	Multiply line 4 by line 3.		5 7,704
6	Enter 1% of net investment income (1% of Part I, line 27b).		6 1
7	Add lines 5 and 6.		7 7,705
8	Enter qualifying distributions from Part XII, line 4.		8 7,688

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions on page 18.

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

Table with 11 rows for excise tax calculations. Includes categories like 'Exempt operating foundations', 'Domestic foundations', and 'Tax based on investment income'. Columns for line numbers and amounts.

Part VII-A Statements Regarding Activities

Table with 10 rows for activity statements. Includes questions about political influence, expenditures, and liquidation. Columns for question numbers and Yes/No responses.

Part VII-A Statements Regarding Activities (continued)

11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions).	11		No	
12 Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No	
13 Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ▶ _____	13	Yes		
14 The books are in care of ▶ <u>M AND T BANK</u> Telephone no ▶ <u>(716) 842-5506</u> Located at ▶ <u>ONE M AND T PLAZA 8TH FLOOR BUFFALO NY</u> ZIP+4 ▶ <u>14203</u>				
15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 —Check here <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the year ▶ <table border="1" style="display:inline-table; vertical-align:middle;"><tr><td style="width:50px; text-align:center;">15</td></tr></table>	15			
15				
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		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 ▶ _____

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

		Yes	No
File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.			
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 20 of the instructions)? . . . Organizations relying on a current notice regarding disaster assistance check here. <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		No
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))			
a At the end of tax year 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 ▶ 20____, 20____, 20____, 20____			
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see page 20 of the instructions).	2b		No
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? <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? (<i>Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2010.</i>)	3b		
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		No
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010?	4b		No

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

<p>5a During the year did the foundation pay or incur any amount to</p> <p>(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(3) Provide a grant to an individual for travel, study, or other similar purposes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(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). . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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. <input type="checkbox"/></p> <p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," attach the statement required by Regulations section 53.4945–5(d).</p> <p>6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" to 6b, file Form 8870.</p> <p>7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	5b	
	6b	No
	7b	

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
M AND T TRUST COMPANY ONE M AND T PLAZA BUFFALO, NY 14203	CORPORATE TRUSTEE 4	3,007		

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

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

Total number of other employees paid over \$50,000. 0

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

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

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

Total number of others receiving over \$50,000 for professional services. **0**

Part IX-A Summary of Direct Charitable Activities

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

Part IX-B Summary of Program-Related Investments (see page 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	
2	
3 All other program-related investments. See page 24 of the instructions	

Total. Add lines 1 through 3.

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	146,093
b	Average of monthly cash balances.	1b	5,715
c	Fair market value of all other assets (see page 24 of the instructions).	1c	0
d	Total (add lines 1a, b, and c).	1d	151,808
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	151,808
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	2,277
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	149,531
6	Minimum investment return. Enter 5% of line 5.	6	7,477

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	7,477
2a	Tax on investment income for 2010 from Part VI, line 5.	2a	3
b	Income tax for 2010 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	3
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	7,474
4	Recoveries of amounts treated as qualifying distributions.	4	0
5	Add lines 3 and 4.	5	7,474
6	Deduction from distributable amount (see page 25 of the instructions).	6	0
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	7,474

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	7,688
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	0
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	0
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	7,688
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions).	5	0
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	7,688

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				7,474
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only.			0	
b Total for prior years 2008, 20____, 20____		0		
3 Excess distributions carryover, if any, to 2010				
a From 2005.				0
b From 2006.				0
c From 2007.				212
d From 2008.				1,682
e From 2009.				0
f Total of lines 3a through e.	1,894			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ <u>7,688</u>				
a Applied to 2009, but not more than line 2a			0	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c Treated as distributions out of corpus (Election required—see page 26 of the instructions).	0			
d Applied to 2010 distributable amount.				7,474
e Remaining amount distributed out of corpus	214			
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	2,108			
b Prior years' undistributed income Subtract line 4b from line 2b.		0		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.		0		
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions.		0		
e Undistributed income for 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.				0
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions).	0			
8 Excess distributions carryover from 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.	2,108			
10 Analysis of line 9				
a Excess from 2006.				0
b Excess from 2007.				212
c Excess from 2008.				1,682
d Excess from 2009.				0
e Excess from 2010.				214

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

1a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2010, enter the date of the ruling.

b Check box to indicate whether the organization is a private operating foundation described in section 4942(j)(3) or 4942(j)(5)

Table with 5 columns: (a) 2010, (b) 2009, (c) 2008, (d) 2007, (e) Total. Rows include: 2a Enter the lesser of the adjusted net income...; 2b 85% of line 2a; 2c Qualifying distributions from Part XII...; 2d Amounts included in line 2c not used directly...; 2e Qualifying distributions made directly...; 3 Complete 3a, b, or c for the alternative test relied upon; 3a 'Assets' alternative test; 3b 'Endowment' alternative test; 3c 'Support' alternative test.

Part XV Supplementary Information (Complete this part only if the organization had \$5,000 or more in assets at any time during the year—see page 27 of the instructions.)

1 Information Regarding Foundation Managers:

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000) (See section 507(d)(2))

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

Check here if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc (see page 28 of the instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

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

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

c Any submission deadlines

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

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 <i>Paid during the year</i> GARDEN CLUB FEDERATION OF PA 1525 CEDAR CLIFF DRIVE CAMP HILL, PA 17011	N/A	PUBLIC	GENERAL FUNDING	1,922
BOROUGH OF GLEN ROCK PO BOX 116 GLEN ROCK, PA 17327	N/A	PUBLIC	GENERAL FUNDING	1,922
MENNO HAVEN INC ATTN CLARENCE R BAUMAN CHAMBERSBURG, PA 172014905	N/A	PUBLIC	GENERAL FUNDING	1,922
THE NATURE CONSERVANCY ATTN JESSICA R SWAN ARLINGTON, VA 222031606	N/A	PUBLIC	GENERAL FUNDING	1,922
Total			3a	7,688

b <i>Approved for future payment</i>				
---------------------------------------------	--	--	--	--

Total **3b**

Additional Data

Software ID:
Software Version:
EIN: 25-6582124
Name: CONSTANCE H SMITH TW

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

	(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)
A	42 744 ALPINE INTL REAL ESTATE EQ FD		2008-09-25	2010-05-11
B	8 024 ALPINE INTL REAL ESTATE EQ FD		2008-09-25	2010-06-25
C	1 678 ALPINE INTL REAL ESTATE EQ FD		2010-03-25	2010-06-25
D	1 478 ALPINE INTL REAL ESTATE EQ FD		2008-10-13	2010-07-27
E	7 093 ALPINE INTL REAL ESTATE EQ FD		2010-03-25	2010-07-27
F	10 744 ALPINE INTL REAL ESTATE EQ FD		2008-10-13	2010-09-27
G	158 82 ALPINE INTL REAL ESTATE EQ FD		2008-11-19	2010-11-17
H	2 999 DREYFUS INTL BOND FD -I		2009-09-24	2010-11-17
I	220 699 GOLDMAN SACHS HIGH YIELD FD-I#527		2008-10-13	2010-02-11
J	1 516 GUINNESS ATKINSON - CHINA & HK FD		2009-12-30	2010-09-27
K	4 313 GUINNESS ATKINSON - CHINA & HK FD		2008-10-13	2010-09-27
L	1 746 GUINNESS ATKINSON - CHINA & HK FD		2008-10-13	2010-11-17
M	6 056 HARBOR INTERNATIONAL FUND #11		2009-04-17	2010-06-25
N	5 845 HARBOR INTERNATIONAL FUND #11		2009-04-17	2010-09-27
O	2 461 HARBOR INTERNATIONAL FUND #11		2009-04-17	2010-11-17
P	18 977 HARBOR CAPITAL APPRECIATION FUND #12		2007-12-11	2010-01-25
Q	58 389 HARBOR CAPITAL APPRECIATION FUND #12		2007-12-11	2010-02-11
R	23 736 HARBOR CAPITAL APPRECIATION FUND #12		2007-12-11	2010-05-11
S	210 776 HARBOR CAPITAL APPRECIATION FUND #12		2008-10-13	2010-11-17
T	52 114 T ROWE PRICE INST L/C GROWTH		2006-10-27	2010-01-25
U	146 771 T ROWE PRICE INST L/C GROWTH		2006-10-27	2010-02-11
V	54 747 T ROWE PRICE INST L/C GROWTH		2006-10-27	2010-05-11
W	17 352 T ROWE PRICE INST L/C GROWTH		2006-10-27	2010-11-17
X	18 127 LAZARD EMERGING MARKETS PORTFOLIO-IN		2008-02-12	2010-09-27
Y	1 189 LAZARD EMERGING MARKETS PORTFOLIO-IN		2008-02-12	2010-11-17
Z	4 417 MFS EMERGING MARKETS DEBT FD-CL I		2009-09-24	2010-11-17
AA	21 404 MTB SM CAP GRWTH-INST I-FD #555		2005-02-17	2010-04-27
AB	160 042 MTB SM CAP GRWTH-INST I-FD #555		2006-12-04	2010-11-17
AC	41 133 MTB SH TERM CORP BD-INST I-#518		2010-03-25	2010-05-11
AD	22 702 MTB MID CAP GRWTH-INST I-FD #401		2008-07-14	2010-06-25

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
AE	59 143 MTB LGE CAP VAL-INST I #327		2006-12-04	2010-01-25
AF	431 064 MTB LGE CAP VAL-INST I #327		2005-02-17	2010-11-17
AG	13 759 MTB LGE CAP GRWTH-INST I #299		2007-12-04	2010-01-25
AH	53 025 MTB INTL EQ-INST I-FD #270		2008-01-25	2010-09-27
AI	2 834 MTB INTL EQ-INST I-FD #270		2005-02-17	2010-11-17
AJ	42 758 MTB INTERMED TERM BD-INST I-FD #220		2010-03-25	2010-06-25
AK	1 465 MTB INTERMED TERM BD-INST I-FD #220		2010-03-25	2010-11-17
AL	689 643 MTB INTERMED TERM BD-INST I-FD #220		2009-08-25	2010-11-17
AM	103 427 MTB INCOME FUND-INST I-FD #143		2010-03-25	2010-05-11
AN	6 338 MTB INCOME FUND-INST I-FD #143		2010-03-25	2010-07-27
AO	13 989 MTB INCOME FUND-INST I-FD #143		2010-03-25	2010-08-25
AP	58 514 MAINSTAY EPOCH GLOBAL EQ YLD FD-I		2010-05-11	2010-11-17
AQ	4 575 MASTERS SELECT INTERNATIONAL FD #306		2007-06-25	2010-09-27
AR	11 371 MASTERS SELECT INTERNATIONAL FD #306		2007-06-25	2010-11-17
AS	6 172 RS GLOBAL NATURAL RESOURCES FD-Y		2010-02-11	2010-11-17
AT	27 298 RIDGEWORTH SEIX FL RATE HI INC FD-I		2007-08-27	2010-06-25
AU	17 49 VANGUARD INSTITUTIONAL INDEX #94		2005-02-17	2010-02-11
AV	9 734 VANGUARD INSTITUTIONAL INDEX #94		2005-02-17	2010-05-11
AW	31 502 VANGUARD INSTITUTIONAL INDEX #94		2008-10-13	2010-11-17
AX	123 195 CRM MID CAP VALUE FD-INSTL #32		2005-02-17	2010-11-17

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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	890		938	-48
B	164		176	-12
C	34		36	-2
D	33		21	12
E	157		152	5
F	260		155	105
G	4,047		1,833	2,214
H	51		48	3
I	1,510		1,245	265
J	59		53	6
K	169		94	75
L	71		38	33
M	307		226	81
N	329		218	111
O	144		92	52
P	603		708	-105
Q	1,826		2,178	-352
R	784		885	-101
S	7,297		7,227	70
T	713		733	-20
U	1,968		2,065	-97
V	794		770	24
W	267		244	23
X	372		401	-29
Y	25		26	-1
Z	66		62	4
AA	321		582	-261
AB	2,313		4,267	-1,954
AC	419		418	1
AD	255		293	-38

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(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)
AE	543		746	-203
AF	4,224		4,858	-634
AG	103		137	-34
AH	459		597	-138
AI	25		32	-7
AJ	453		450	3
AK	16		15	1
AL	7,455		6,828	627
AM	1,021		1,012	9
AN	64		62	2
AO	143		137	6
AP	847		776	71
AQ	64		98	-34
AR	164		244	-80
AS	214		181	33
AT	234		260	-26
AU	1,729		1,923	-194
AV	1,031		1,070	-39
AW	3,405		3,381	24
AX	3,239		3,183	56

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - I

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69		(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))	
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
A			-48
B			-12
C			-2
D			12
E			5
F			105
G			2,214
H			3
I			265
J			6
K			75
L			33
M			81
N			111
O			52
P			-105
Q			-352
R			-101
S			70
T			-20
U			-97
V			24
W			23
X			-29
Y			-1
Z			4
AA			-261
AB			-1,954
AC			1
AD			-38

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - l

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) FM V as of 12/31/69		(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
AE				-203
AF				-634
AG				-34
AH				-138
AI				-7
AJ				3
AK				1
AL				627
AM				9
AN				2
AO				6
AP				71
AQ				-34
AR				-80
AS				33
AT				-26
AU				-194
AV				-39
AW				24
AX				56

TY 2010 Investments - Other Schedule**Name:** CONSTANCE H SMITH TW**EIN:** 25-6582124

Category/ Item	Listed at Cost or FMV	Book Value	End of Year Fair Market Value
MTB SHORT TERM CORPORATE BOND	AT COST	13,339	13,613
MTB INTERMEDIATE TERM BOND			
MTB INTERNATIONAL EQUITY	AT COST	15,817	15,146
CRM MID CAP VALUE FUND			
MTB LARGE CAP VALUE INST#327	AT COST	9,879	10,451
VANGUARD INSTITUTIONAL			
T ROWE PRICE LG CAP GRWTH	AT COST	5,249	6,715
ALPINE INTL RE EQTY FUND			
HARBOR CAP APPREC #12			
MTB LG CAP GRWTH INST #299	AT COST	11,254	10,759
MTB SM CAP GRWTH INSTIT #555	AT COST	5,570	4,896
HARBOR INTL FUND #11	AT COST	5,328	8,640
LAZARD EMERGING MKTS	AT COST	3,487	4,843
MASTERS SELECT INTL FUND	AT COST	3,970	5,106
GOLDMAN SACHS HI YLD			
RIDGEWORTH SEIX FLOATING RATE	AT COST	6,312	6,274
MTB MID CAP #401	AT COST	5,438	6,447
GUINNESS ATKINSON CHINA & HK	AT COST	969	1,675
DREYFUS INTL BOND FUND	AT COST	4,578	4,607
MFS EMERGING MKTS	AT COST	2,946	3,061
MTB INCOME FUND #143	AT COST	20,754	21,982
ARTIO GLOBAL HI INCOME	AT COST	1,531	1,541
LSV VALUE EQUITY FUND	AT COST	12,127	12,994
MORGAN STANLEY FOCUS GRWTH	AT COST	6,301	6,656
ALPINE GLOBAL PREMIER PROP FD	AT COST	3,229	3,176
ING CLARION GLOBAL REAL ESTATE	AT COST	1,602	1,628
MAINSTAY EPOCH	AT COST	1,434	1,604
RS GLOBAL NATURAL RESOURCES	AT COST	2,647	3,427
SPDR S&P DIVIDEND	AT COST	1,720	1,767

TY 2010 Taxes Schedule

Name: CONSTANCE H SMITH TW

EIN: 25-6582124

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
FOREIGN TAXES ON QUALIFIED FOR	70	70		0
FOREIGN TAXES ON NONQUALIFIED	2	2		0